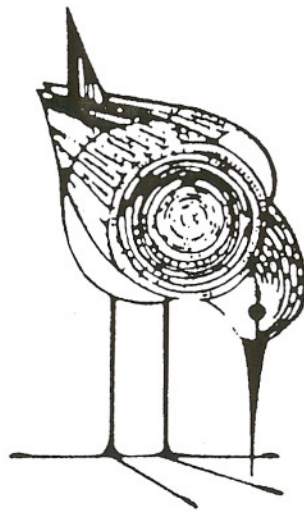


Sanderling



**SANDERLING HOMEOWNERS ASSOCIATION
ARCHITECTURAL GUIDELINES**

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SANDERLING HOMEOWNERS ASSOCIATION ARCHITECTURAL GUIDELINES

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SANDERLING HOMEOWNERS ASSOCIATION ARCHITECTURAL GUIDELINES

Section I - Purpose

- A. To promote a clear understanding of land use and appropriate architecture based on traditional styles unique to the seashore environment.
- B. To define the process by which individual owners may obtain approval to build houses on their lots, as well as alter, repair or add-on to existing homes.
- C. To define the basic requirements governing the building of or modifications to houses and the aesthetic and environmental considerations affecting siting of houses on individual lots.
- D. To maintain the quality of the community.

Section II - Submission Procedures

The following submission requirements apply to existing houses - in the event of exterior addition or change - as well as to new structures. Response to review will be withheld if assessment due the Sanderling Homebuilder's Association (SHA) is delinquent.

- A. Preliminary Design Review
 - 1. A complete set of plans and specifications for each project shall be submitted to the Manager of the Sanderling Homeowner's Association (SHA) and a copy to each member of the SHA Architectural Control Committee (Committee). A list of the Committee members can be found in Section IX of these guidelines.
 - 2. Written notification by the owner of intent to build shall be submitted by the Association Manager to the owners of the five nearest lots.
 - 3. In order to expedite the review process, a preliminary site plan, floor plans, elevations and specifications should be sent to each member of the Committee for review.
 - a. Plans must be drawn to scale, but need not be fully executed: submission of plans in sketch form can save time and expense for the owner.
 - b. Once all information has been received, the Committee Chairman will respond, based on a conference with other members of the Committee and, if necessary, will contribute suggestions.

4. Any changes or modifications suggested by the Committee shall be incorporated into the final plans and specifications, before final approval can be given.

B. Stake-Out of Lot

1. An accurate stake-out of the lot shall be done showing boundaries and location of the proposed construction for the Committee's review.
2. A Committee member will verify the stake-out, to ensure that the structure will fit the site and relate harmoniously to neighboring structures, present and future.

C. Final Submission and Review

1. After submission and response to preliminary documents, the owner shall submit the following items, in detail, to the Committee Chairman:
 - a. floor plans
 - b. elevations
 - c. building sections
 - d. specifications
 - e. site plan
 - f. shingle sample, if other than cedar shakes
 - g. stain and trim color samples
2. Before approval can be given for additions or alterations to existing houses, samples of both the old shingles and new shingles must be submitted for verification of exact match.
3. Before approval can be given for additions or alterations to existing houses, samples of both the old siding color and new siding color must be submitted for verification of exact match.
4. The site plan shall include a landscaping and restoration plan providing for the re-establishment of vegetation to prevent erosion and promote enhancement of the property.
5. Once the Committee finds that the plans conform to the Architectural Guidelines, a letter of approval will be given for the proposed work.
6. All letters of approval shall be addressed to the owner of record for each lot. Others submitting for the owner shall list owner's complete name and mailing address.
7. One final set of project plan documents will be retained by the Committee as a permanent record.

D. Duration and Inspection

1. All projects must receive written approval from the Committee before application is made for a county building permit.

2. Approval of a project shall be valid for 1 year. Extensions may be given at the discretion of the Committee.
3. There will be periodic inspections of the project by a Committee member during construction to ensure compliance to all Architectural Guidelines.

E. Final Inspection

1. A final inspection of the completed project will be conducted to verify that work has been done in accordance with the approved submission.
2. If, in the sole discretion of the Committee, the construction is not in compliance with these guidelines, the owner shall be obligated to make corrections to bring the project into compliance with the guidelines.

F. Failure to Comply

1. Failure to observe the Architectural Guidelines and the Committee's recommendations will result in the matter being referred to the Sanderling Homeowners Association (SHA) Board of Directors for appropriate legal action in terms of the covenants included in each owner's deed of trust.

Section III - Design Guidelines

A. Design Philosophy

1. The construction of a beach house has a two-fold aspect. First, the design and specifications of the building and second, the modification of the site to accommodate the improvements. Beach homes are not built of basic need, but out of dreams and longings to be near the sea, close to nature, and to lead a simple life. The design of the house and its adaptation to the site shall be sensitive to this. The form and style of a beach home will reflect life at the beach rather than that of a suburban or city residence. As much as possible, the surrounding land shall be retained in its natural state.

2. Style

The simple beach life is reflected in the design of the Old Nags Head cottages, typified in the historic area of Nags Head. These are primarily designed for outdoor living, the indoor area being for shade and shelter from the sun. Materials for these houses were local timber indigenous to the nearby East Carolina mainland, pine, juniper, cedar, sometimes poplar, and cypress. Ornamentation was kept to a minimum. Variety and distinction are to be found in rooflines, porch and deck configurations.

This style, historic to the Outer Banks, is the basic for the design theme at Sanderling. Authentic features of the Old Nags Head style are to be incorporated. At the same time, adaptation to the convenience of present day living is necessary. Interpretation, rather than imitation, is

invited. Adherence to this design style is required, and any exceptions shall be at the discretion of the Committee.

3. Configuration, Shape, and Form

Observation of the Old Nags Head Beach cottages and the mainland farm plantation homes from which they are derived shows that each house has its particular individual character while bearing an affinity to surrounding homes. This is because designs were based on simple shapes with add-ons or pop-outs to accommodate changes in family needs. The basic shape was square or rectangle, sometimes with an additional wing to give an L-shaped effect.

Two-story houses are predominant, but a popular method was to incorporate the second floor within the high pitched roof by adding and pushing out dormers, usually large shed dormers, to give plenty of headroom.

Two-story residences with the living area on the upper floor are particularly suited to Sanderling, since maximum views of the ocean and the sound can be obtained on the upper level. The Old Nags Head style can be successfully adapted to this, but care must be taken to see that decks and porches on the upper level are balanced by decking and additions on the first level.

4. Similar Designs

Because of the desirability of maintaining a variety of unique designs within the overall appearance of the community, the building of similar designs on contiguous lots is not permitted.

B. Size Limitations

1. The minimum total of under-roof space shall be 1,200 square feet.
2. The maximum total of under-roof space shall be 4,500 square feet.
3. The maximum total of deck space (un-roofed) shall be 900 square feet.
4. The maximum structure height from finished grade shall be 35 feet.

C. Roof Guidelines

Rooflines and pitches are one of the most important features, both for individual houses and for the overall impression of the community. Roof pitches typical of the Old Nags Head cottages are 7-1/2 / 12. This roof height is sturdy in high winds, cooler in summer, and aesthetically pleasing.

1. A minimum 7-1/2 / 12 roof pitch is the basic standard for all house designs at Sanderling. Steeper variation in roofline is desirable and encouraged.
2. Roof types shall be predominantly gable and hip roof, and may include dormer features. (For example, the First Colony Inn, the Croatian Inn,

etc.). Intersecting gable and hip configurations, as well as differing pitches, add variety and character particularly to larger houses.

3. Extensions of the roof over decks to shade outdoor living areas are encouraged. Alternatively, attached low-pitched shed roofs may be added over porches, but need to be limited and not a major design element.
4. Broad roof overhangs on the eaves and sides are encouraged to reduce sun penetration, shade windows, and to make possible venting through the eaves so that there is good air circulation in the roof above the insulation.
5. Roofs may be asphalt or fiberglass shingle or cedar shake.
6. Asphalt shingles must be a minimum of 290 lb. The 349 lb. shingle is the recommended weight, particularly near the ocean where it is more resistant to strong winds.
7. Roof colors should be dark, to blend with the eventual weathering of wood or shingle siding.
8. Any asphalt or fiberglass shingles added after the original construction must be an exact visual match or the roof must be re-shingled in its entirety.
9. Any asphalt or fiberglass shingles added after the original construction and joined to existing shingles on the same plane shall be an exact visual match.
10. Any asphalt or fiberglass shingles added after the original construction and joined to existing shingles on different planes may have a small amount of shade variation. The amount of variation is at the discretion of the Committee.
11. Any wood shakes/shingles added after the original construction and joined to existing shakes/shingles on the same plane shall be an exact visual match within one year of installation.
12. Any wood shakes/shingles added after the original construction and joined to existing shingles on different planes may have a small amount of shade variation. The amount of variation is at the discretion of the Committee.
13. Chemical washing of wood roof shakes/shingles shall be employed if there is any question about final match between existing and newly installed shakes/shingles.

D. Windows

The size and location of windows is important for views, ventilation, and light, as well as for overall design. Careful attention to the positioning of windows in the structure can result in maximized views and lower heating and cooling costs.

East facing windows will get maximum ocean views, direct morning sun, and shaded afternoon sun. Northern windows let in light without direct sun. While they are good for cross breezes in summer, large glass areas are cold in winter.

West facing glass areas get the most direct sun and can be uncomfortably hot during summer months. South and east sides are therefore best for large windows. Because of this, living and dining areas are best located on the eastern or southern side of the house.

1. The minimum size window permitted is Andersen 2446 (i.e. 2'-4" x 4'-6") or equivalent; except for bathrooms and kitchens.
2. Living and dining areas shall have 2846 or preferably 2852 windows.
3. Long windows combined with a set of glass doors reduce the need for several sets of sliding glass doors, which are the source of tremendous heat gain and loss.
4. All window types shall be double hung, or approved substitute type by the Committee.
5. Only wood frame vinyl-clad or aluminum-clad windows shall be permitted. White or bronze finish are the only finish color permitted.
6. Double or triple insulated windows with removable screens are required.

E. Doors

1. The main (street or driveway) entrance to structures must be by a conventional (swinging) door.
2. Use of sliding glass doors as sole means of entry into the house is not permitted.

F. Door and Window Trim

1. All windows and doors shall have surrounding wood trim, with finish color of the paint or stain to be approved by the committee.
2. All trim is to be a minimum of 1" thick by 4" wide (1"x4").
3. All trim boards shall be consistent in width.

G. Shutters

1. Decorative shutters are not permitted. The use "Hurricane" shutters must be submitted to the Committee for review as to size, shape, type and color.

H. Exterior Finishes

1. Exterior finish materials (except for roof) shall be natural wood.
2. All exterior wood shall be cedar, juniper, or pine.

3. Cedar shakes give the authentic Old Nags Head look and are permitted. Horizontal lap siding, either cedar or juniper is also permitted.
4. Cedar or fir veneer plywood (4' x 8') is permitted, only if 5/8" thick or greater, and the pattern must be approved by the Committee.
5. Cedar board and batten is permitted.
6. All joints and corners must be trimmed and flashed.
7. Combinations of cedar shakes and horizontal siding, typical of some old Coast Guard (Life saving Service) buildings, will be permitted at the discretion of the Committee.
8. Diagonal siding is not permitted.
9. Any new siding added to the house after original construction shall be an exact visual match to existing siding. Chemical washing or staining shall be employed if there is any question about final match between new and existing siding.
10. If an acceptable match between new and old can not be obtained, the entire house must be re-sided.
11. All siding trim shall be a minimum of 1" thick by 4" wide (1"x4") and consistent in width to window and door trim.
12. Pilings shall be enclosed with salt treated wood lattice. This lattice shall be 1" x 4" horizontal boards spaced 2-1/2" apart. The use of "basket weave" and diagonal lattice piling enclosure is prohibited.
13. Where pilings are enclosed for garage space, rooms, etc., the areas shall be enclosed on the inner side of the piling.
14. All lattice shall extend to the bottom of the siding.
15. Piecing together of lattice is not permitted.
16. Latticework can not be painted or stained.
17. Any new lattice applied after the original construction shall match the existing lattice in size, spacing, and appearance.
18. All latticework must be replaced if an addition exceeds 50% of the ground floor space of the existing house.
19. Exterior stain colors (for new or existing homes) must be approved by the SHA Architectural Control Committee. Contact the SHA Manager for guidance in this matter.

I. Entrances

1. The primary entry to the house shall be on the south or west side (if possible), since these sides are more protected from the north and east

winds. The entry door should be clearly visible from the approach to the house.

2. Spiral stairs to decks are not permitted.

J. Porches / Decks

Porches and decks provide much used outside living space. They also add interest and ornamentation to the exterior of the home.

1. Porches may be screened with full or partial screening.
2. Porches and decks on the second floor may not overhang the first floor without proper balance on the first floor. Pilings more than 1 story in height are not permitted, unless "broken" by intermediate railings and/or decks.
3. Benches are permitted, but not along the whole of one side.
4. Horizontal members with pickets shall be the predominant method of railing for porches and decks.
5. Vertical pickets / balusters are permitted if set in to top and bottom rails. Pickets must be 2"x2" spaced evenly at 5" centers.
6. All decks and railings shall be constructed of pressure treated lumber or red cedar lumber.
7. Decks and railings may not be painted or stained.
8. Additions or alterations to any deck shall match the existing deck. If a new railing style is used, all deck railings shall be changed to match.
9. Open roof-top observation decks ("crow's nests") are not permitted.

K. Extended Walkways

Walkways to dunes, extensions of decks, or any other construction extending beyond limits of the beach house, shall come under the purview of the SHA Architectural Guidelines and shall be subject to the review of the Committee.

1. Walkways to dunes shall generally follow the contour of the dune and shall be as low as possible to the natural terrain.
2. Platforms or seating areas on dunes shall be considered a part of the extended walkway and shall be as low as possible in relation to the top of the dune.
3. Railing details on walkways shall match deck railings and shall be in accordance with the criteria for railings within these guidelines.
4. Plans and elevations of all extended walkways and platforms shall be submitted for approval at either 1/8" or 1/4" scale and shall be properly located on the site plan.

L. Garbage Receptacles / Racks

1. Garbage racks are not permitted.

M. Signs

1. The only permanent signs permitted are to display ONLY the surname of the owners or the "house" name. These permitted signs are limited to a maximum size of 300 square inches and may be located no higher than the first floor railing height.
2. No commercial signs are permitted, but temporary "For Sale" signs will be permitted

N. Number Posts

1. All house number posts are on common property, and they are owned and maintained by the SHA. These posts may NOT be painted, stained, or decorated in any way.
2. The attachment of driveway reflectors to these posts is discouraged.

O. Exterior Lighting

1. Low voltage driveway and walkway light is recommended. Good lighting of entranceways and parking areas is important, but wattage must be keep low.
2. Floodlights or yellow lights are not permitted.
3. Mercury vapor/sodium vapor yard lights are expressly prohibited.
4. Lighting shall not intrude in any way on a neighboring property.

P. Gazebos and Outbuildings

1. All gazebos, hot tubs, or detached structures shall fall under these Guidelines governing house construction, subject to the review and approval by the Committee.

Q. Mailboxes

1. All mailboxes installed on common property shall be constructed in compliance with these SHA Guidelines.
2. All posts are to be 4"x4" pressure treated lumber (unpainted and unstained) and all mailboxes are to be black in color. No other colors will be acceptable.

R. Swimming Pools

1. Above grade, as well as in-grade swimming pools are not permitted.

Section IV – Site Guidelines

A. Building Orientation

1. Careful observation of the lot and scrutiny of the plat will show the ideal location for view potential, privacy, and the relationship of existing and future houses on nearby lots. Site house to take advantage of maximum privacy, views, and prevailing breezes.
2. The Committee has the absolute right to modify the siting of any house, or addition to an existing house, so that adjacent Owners will have maximum benefits of views and privacy.

B. Siting the House

1. The Dare County Building Code requires that houses be 10' from the side lot lines and 25' back from the front lot line. In most cases, the house should be set back at least 20% of the lot length from the rear property line.
2. Houses on the oceanfront must observe the CAMA set back line as indicated on the recorded plat. Set back requirements for new construction on oceanfront lots cannot be closer to the ocean than existing homes.
3. Set back requirements for houses on sound front and lake front lots cannot be closer to the sound or lake than existing homes.

C. Septic Tank and Drainage Field

1. After siting the house, care should be taken by owners, builders, and surveyors as to where the septic tank and drain field should be placed so as to preserve as much vegetation as possible.
2. Every effort should be made by Owners and contractors to protect mature shrubbery on the lot.
3. In no circumstances may vehicles or machinery use adjoining lots during construction.

D. Driveway and Parking Spaces

1. Each house must have a firm driveway. The driveway may be concrete, clay or gravel.
2. Curved driveways are encouraged to maximize privacy and increase the natural appearance of the roadways.
3. Each house must have parking spaces for at least 2 cars.

4. A parking area beside the house, screened by shrubs, is desirable for guests.
- E. Clearing and Restoration Plan.
1. A plan showing areas to be cleared and shrubbery to be removed must be submitted to the Committee with preliminary plans and site plan
 2. A restoration plan showing stabilization of the lot and installation of landscaping appropriate to the surroundings must also be submitted. This plan may be completed, seasonally, after completion of the house.

Section V - Construction

It shall be the responsibility of each owner to incorporate the Sanderling Homeowners Association's Regulations for Builders (refer to page 14) into his/her Agreement with the builder. Copies are available from any member of the Committee or from the SHA Board of Directors. These regulations cover all builder responsibilities, such as trash removal, signs, dog control, noise, damage to other lots, etc.

The Architectural Guidelines (Guidelines) for the Sanderling Homeowners Association (SHA) are applicable in their entirety to any additions, renovations, repairs, or repositioning of existing structures. It is the responsibility of each homeowner to incorporate the Guidelines into their agreement with the builder, and to make their builder aware that these Guidelines apply, not only to new construction, but also to additions, renovations, repairs, and repositioning of existing structures. If the owner has any doubt about the applicability or interpretation of the Guidelines, or any addendum thereto, it is the responsibility of the owner to contact the Committee for clarification and guidance.

Section VI – Repairs and Repositioning

All routine and emergency repairs shall be in accordance with original approved construction and shall visually match existing materials at the time of repair. Prior approval from the Committee is not required for routine or emergency repairs, but such repairs shall be subject to subsequent review by the Committee to insure compliance with the guidelines. If, in the sole discretion of the Committee, the repairs are not in compliance with the guidelines, the owner shall be obligated to make further repairs or replacement to bring subject repair into compliance with the guidelines.

If the owner has any question as to whether the intended repair is in compliance with the guidelines, he/she shall consult with the Committee for clarification of the guidelines affecting the situation. The Committee shall have six (6) months from the start of construction to retrospectively review all repairs to determine if such repairs are in compliance with the guidelines. If the repairs are not rejected within this six-month period, they shall be deemed approved.

Notwithstanding the foregoing, with respect to routine or emergency repairs of cedar shakes, shingles or siding, there shall be a grace period of one year for the new material

to acquire the same weathering characteristics as the existing cedar shakes, shingles, or siding. Thereafter, the Committee shall have 6 months to review and make its determination as set forth above.

The relocation of an existing structure on the owner's lot, or any other lot in SHA, must be approved in advance by the Committee and shall be in complete compliance with the guidelines. Any such repositioning shall require the owner to submit detailed site plans to adjoining property owners with full disclosure as to vegetation removal, location of driveways, drainfields, and landfill, if any. In addition, a plan for vegetation restoration must be submitted for approval.

Section VII – Enforceability of Guidelines

The Committee will refer any owner violations of these guidelines to the SHA Board of Directors, only after exhausting all attempts to reach an equitable solution to a disagreement. The SHA Board is legally empowered to file suit against any owner who does not comply after reasonable notice.

Obligation of Subsequent Owner: A subsequent purchaser of a cottage not in conformance with these Guidelines, but whose prior owner was appropriately notified of the non-conformance by the SHA Board, is obligated in the place of the prior owner to conform with these Guidelines within 3 months notice of non-conformance from either the prior owner, the Architectural Control Committee or the Board of Directors of the Sanderling Homeowners Association.

Section VIII – Interpretation of Guidelines

If the owner has any question about the applicability or interpretation of the Guidelines and any addenda thereto, it is the owner's responsibility to obtain the advice, guidance, and interpretation from the Architectural Control Committee before proceeding with any work on their property.

Section IX - SHA Architectural Control Committee

Dale Drost, chairman

Jim Daffron, member

Charlotte Lee Waldrop, member

REGULATIONS FOR BUILDERS
Sanderling, Dare County, North Carolina

The following requirements shall apply to all builders involved in construction at Sanderling, their employees, their subcontractors, and to any person who visits the job site.

General:

1. All activity by the builder shall be restricted to the lot on which he is building. No vehicles shall cross dunes at any time. Beach access is restricted to pedestrian on boardwalks.
2. Delivery and storage of materials shall be confined to the building lot only.
3. Existing vegetation shall not be disturbed except as necessary to construct house, driveway, and septic field.
4. As per Article Four R of the Declaration of Covenants, Conditions and Restrictions dated July 26, 1977 and as per Annual meeting of Sanderling Homes Association dated June 16, 1979, commercial signage by builders and rental agencies is prohibited on the building site.
5. A copy of these requirements shall be posted on the site at all times during the construction period.

Before Beginning Construction, Builder shall provide:

1. A temporary drive in same location as the future permanent drive to insure that ingress and egress is within the building lot only. There shall be no traffic, vehicular or pedestrian, on adjacent lots.
2. A garbage rack with can or cans.

During Construction:

1. Builder shall be responsible for daily clean up of garbage, trash, boards, paper, cans, cartons, etc. Trash, which is too large to be put in garbage cans, shall be removed from the site on a weekly basis.
2. There shall be a weekly clean up and stacking of building materials by the builder.
3. No large quantities of trash shall lie on the site more than two weeks; therefore, there shall be periodic removal when necessary during construction.

At end of Construction

Site shall be completely cleaned at end of construction and/or when building inspector gives occupancy permit, whichever is earlier.