



Pine Island Property Owners Association, Inc.
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ARCHITECTURAL CONTROL GUIDELINES
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I. ARCHITECTURAL CONTROL COMMITTEE

A. *Principles and Purpose*

The master plan of Pine Island derived from a concerted effort intended to ensure a thoughtful and classic coastal development. A major concern is integrating the development with its environment. Pine Island's developers expected manmade improvements to blend, as much as possible, with nature rather than stand in contrast to it. The result is a development attractive to the eye and a community that is pleasant in which to live. The intent is not to restrict design freedom or to make design decisions, but to ensure that each of the homes reflects the overall objectives of the entire community and that the unique natural setting is preserved and enhanced.

B. *Authority*

In order to achieve these objectives, and to assure continuity of physical development, Turnpike Properties, Inc. declared and recorded a Declaration of Covenants, Conditions and Restrictions dated December 21, 1992 and recorded in Book 311, at page 256 et seq., as same may be amended from time to time (the "Declaration") applicable to Pine Island. Article Four of the Declaration establishes the Architectural Control Committee (ACC) and sets forth its jurisdiction, powers, obligations and the rules and regulations under which it will conduct its review of proposed improvements within Pine Island. Any statements contained in this document are to condense, amplify or clarify provisions of the Declaration and the procedures set forth herein may be amended by the Board of Directors of Pine Island POA, Inc.

C. *The Committee*

The ACC was established for the purpose of defining aesthetic standards of construction in Pine Island and reviewing/approving all proposed improvements within Pine Island, including but not limited to: dwellings, other permitted structures, sidewalks, boardwalks, dune crossovers and decks, driveways, parking lots, patios, courtyards, swimming pools, awnings, walls, fences, bulkheads, exterior lights and any exterior addition, modification, remodeling, change or alteration to existing structures, including (without limitation) painting or staining of any exterior surface.

Committee approval must be obtained for dredge and fill operations, shaping land areas and drainage, as well as removal of any trees more than three (3) inches in diameter, measured at a height of two (2) feet from the base.

Architectural Control Committee Guidelines shall apply to all builders involved in construction at Pine Island, their employees, and their subcontractors, and to any person who visits a lot in Pine Island.

Homeowners are urged to carefully review all provisions of the Declaration and Guidelines prior to submitting an application to the ACC.

D. General Procedures

1) All activity by builders and contractors shall be restricted to the lot on which he/she is building. No vehicles shall cross the dunes at any time. Beach access is restricted to pedestrians on boardwalks constructed pursuant to criteria established by and approval obtained from the Committee.

2) Delivery/storage of materials shall be confined to the building site.

3) Existing vegetation shall not be disturbed except as necessary, and where approved, to construct the home, driveway, and utilities.

4) A sign, with a maximum area of six (6) square feet, indicating lot number, property owner, and general contractor, should be put up for the building inspector and supply companies.

5) Pre-Construction

a) Building contractors shall locate a temporary driveway in the location of the planned, permanent driveway to ensure that ingress and egress are within the building lot only. There shall be no traffic, vehicular or pedestrian, on adjacent lots.

b) Building contractors shall place a suitable container for waste materials and trash in an approved or existing clearing without damaging vegetation that is designated to remain.

6) During Construction

a) Building contractors and subcontractors shall be responsible for the condition of adjoining roads and roadsides.

b) Builders shall be responsible for regular cleanup of the lot. Scrap and trash too large to be put in the container shall be removed from the site weekly.

c) Building materials shall be stacked and organized weekly.

7) Post Construction - The lot shall be completely cleaned when construction ends or upon issuance of an occupancy permit, whichever occurs first.

E. Administration

1) The Board of Directors (the "Board") of Pine Island POA, Inc. (the "Association") shall establish the Committee which shall consist of not less than three (3) members. Committee alternates may be appointed by the Chairman.

2) The regular term of office for each member shall be one (1) year, coinciding with the fiscal year of the Association. Any member appointed by the Board may be removed (with or without cause) at any time by written notice from the Board; a successor or successors appointed to fill the vacancy shall serve the remainder of the term of the former member.

3) The Committee shall elect a Chairman and Vice Chairman to preside at meetings.

4) The Committee shall meet when necessary, as determined by the Chairman and/or Administrator but not less than quarterly. Meetings shall be held at a place designated by the Chairman. Teleconference and electronic media will be the preferred methodology for conducting committee business. The Committee is authorized to retain consulting architects, landscape architects, designers, engineers, inspectors, and/or attorneys in order to advise and assist it in the performance of its duties set forth herein. The Association

shall pay all costs incurred by the Committee in the performance of its duties except that an application fee shall be assessed as shown below.

5) The Committee may appoint an Administrator, who is not a member of the Committee, to administer routine management of the Committee, including:

- Receiving and processing all applications to the Committee.
- Answering questions concerning the Committee and representing the Committee to property owners and the general public.
- Rendering administrative approval of routine applications.
- Supervising inspections.
- Scheduling meetings and contacting members of the Association at the Chairman's direction.
- Preparing routine correspondence for the Committee.
- Hiring and supervising support personnel as approved by the Board.

6) The Administrator will report to the Chairman of the Committee.

F. Plan Submission

1) Prior to commencing new construction, complete rebuild or applicable repairs, complete plans, application fee (if required as shown in the schedule below) and a completed application form (to be provided to the applicant by the Administrator or obtained from the Association website) must be submitted to the Committee *in electronic format*.

2) Plans may be submitted to the Administrator at the convenience of the applicant.

3) Fee Schedule

Work Which Requires ACC Approval	Application Fee (Non-refundable)
a) Major Impact: requires permits, dumpsters, mechanized equipment, etc. (e.g. new construction, changes to building footprint, adding a pool, grading filling or bulkhead installation, adding a bedroom, changing roof lines)	New Home (including re-build) \$100 Other \$50
b) Minor Impact: requires permits, dumpsters, mechanized equipment, ladders (e.g. complete repainting of house and/or trim <u>regardless of color</u> , exterior remodeling, complete re-roofing, complete re-siding, increasing impervious coverage ratio)	NONE
See SECTION III. B) for projects which <u>do not</u> require ACC approval	N/A

4) An artist's rendition or schematic rendering of proposed improvements may be submitted prior to a formal application in order to help portray the suitability of an intended style or design. The Committee will render its opinion as to whether that particular design is acceptable. Because such renderings are not always accurate depictions of a design scheme, the Committee's opinion will be non-binding and will be offered only in an effort to save the applicant the time and expense of pursuing a design that would likely be rejected.

5) Final plans must be submitted in complete form in order to obtain approval to commence any construction (including site work and tree removal).

6) Final plans must include a site plan submitted in consistent scale. Unless otherwise impractical, the scale should be 30 feet = 1 inch. The site plan must be shown on an accurate survey stamped by a licensed surveyor and must depict:

a) Access to streets and walkways, drives, boardwalks, dune decks and other exterior improvements

b) Parking plan

c) Grading and drainage plan

d) Excavation and fill plan indicating run-off and tree preservation

e) Foundation plan

f) Exterior lighting plan

g) Location of service yards (propane tanks, trash receptacles, HVAC equipment, etc.)

h) Tree survey showing location and species of trees three (3) inches or larger in diameter at a point two (2) feet above ground. Indicate trees to be removed

i) Site plan to scale, overlain on tree survey, indicating all structures and other improvements to be included in the scheme with an indication of trees to remain and trees to be removed (at the same scale as boundary/tree survey)

j) Location of contractor's I.D. sign, portable toilet and temporary power pole

7) Architectural Drawings must be submitted electronically and shall include:

a) Total enclosed heated/air conditioned square footage (stated by floor in case of multi-floored buildings)

b) Floor plans, including an exact computation of the square footage of each floor and drawn to the scale of 1/4 inch = 1 foot.

c) Elevation drawings - all sides. Indicate existing grade, fill and finished floor elevation (include treatment from grade to floor in elevated homes).

d) Detailed sections including typical wall section, patio wall section (if appropriate, exterior walls and other features for clarification such as screens, pools, pool fence and deck etc.)

(e) Architectural Drawings must include a North Carolina engineers stamp or be drawn and sealed by a licensed architect

8) Each application shall include materials specifications and samples of exterior materials including roof shingles, fascia, soffit and siding. Material samples and intended colors must be submitted with final plans.

9) A submission that does not include all plans and other required items will not be reviewed until all requirements have been met.

G) Architectural Control Committee Meetings

The Committee will conduct meetings as designated by the Chairman.

The quorum requirement will have been met if two (2) members of the Committee are in attendance at any regular or special meeting. Committee alternates in attendance may be counted to achieve a quorum.

Approvals or rejections may be passed only upon majority vote of Committee members present in person or by proxy. Proxies will not qualify to meet the quorum requirements.

Applicants will be notified, in writing, of Committee decisions. Oral representations of any decision will not be valid and will not constitute an official decision of the Committee.

On request, applicants may have returned to them, a copy of plans reviewed by the Committee with appropriate markings to amplify Committee comments or recommendations. Markings on plans so received will not bind the Committee to any design indicated therein but will be offered only as advisory comments.

One set of plans received will be retained by the Committee as part of its permanent records, along with color and materials samples.

Special visual aids such as models, slides, etc. may be reclaimed by the applicant at his or her expense.

II. NON-COMPLIANCE WITH ACC GUIDELINES

A) *Inspections*

The management company and Architectural Control Committee (ACC) will conduct periodic compliance inspections (not less than once annually) of each property. The Owner(s) of any property found to be in violation of the Pine Island Architectural Guidelines will be so notified, in writing, by the management company and will be asked to remedy the violation within a specified time. If the property owner fails to comply, the Board of Directors will take action against the property owner. This action may include suspension of privileges at the community facilities, fines, a lien against the property, and other appropriate action as permitted by law.

B) *Notification Procedure*

1) Initial Notice – will include a courtesy call and written notification. A written response is required from the homeowner within 30 days and must include a plan of action and timetable to bring the home into compliance with the guidelines. The homeowner and ACC will mutually agree as to the corrective action and timetable.

2) Second Notice – A homeowner who does not respond to the initial notice, or who fails to take corrective action as agreed, will receive a second notice and warning of possible suspension of community amenity and pool privileges for homeowners, their guests and, if applicable, renters. The ACC letter will also advise that the rental company will be notified of the non-compliance and possible suspension of privileges. A written response from the homeowner is required within ten days and will include a revised plan of action and timetable.

3) Final Notice – A homeowner who does not respond to a second notice, or who fails to take corrective action as agreed, will receive a final notice and warning. The management company, at the direction of the ACC, will send the homeowner and the rental company a letter stating that non-compliance issues remain unresolved and Pine Island community privileges for the homeowner, guests and renters will be revoked in ten days. A written response from the homeowner is required within ten days and must include a revised plan of action and timetable. **No further ACC notices will be issued.**

C) *Enforcement and Remedies*

If corrective action is not completed as agreed and/or it becomes apparent, in the sole judgment of the ACC, that the homeowner is not acting in good faith, then all remedies provided for herein may be imposed without further notice. The North Carolina Planned Community Act, Chapter 47.F-3-107.1 will provide the basis for enforcement and imposition of these punitive actions ... a) use of community amenities may be suspended as described in the PIPOA Covenants, b) a fine of not more than one hundred dollars (\$100) per day may be imposed for each day a property is non-compliant after fifty (50) days from initial notification and c) a lien may be placed against the property to collect unpaid fines and costs.

D) Corrective Action Plan and Timetable

It is expected that most circumstances of non-compliance will be corrected within the initial 30 day time frame outlined above. Conditions requiring additional time necessitate a written plan of action and timetable for completion. Any such plan of corrective action and related timetable must be mutually agreed to, in writing, by the homeowner and ACC. Many factors will influence what actions must be taken, how they should be undertaken and what constitutes a reasonable timetable for completion. These factors include, but are not limited to, the severity and extent of the violation(s), health and other personal circumstances of the owner, weather, time of year, whether or not the condition was pre-existing (i.e. prior to acquisition of the home), availability of tradesmen and previously executed contracts. Once established, timetables may be adjusted, by mutual consent, as circumstances warrant.

E) Right to Appeal

A homeowner has the right to appeal an ACC decision at any time. Homeowners who disagree with the ACC may appeal to the PIPOA Board of Directors (BOD) by submitting notice, through the management company, of their intent to appeal. Such notice may be in writing or via e-mail and must be received by the management company within 30 days of the date of their initial notice of non-compliance. The appeal must specify the reason for disagreement, indicating why the ACC decision is incorrect or not applicable, and should include any extenuating circumstances. Failure to appeal within the specified time constitutes a waiver of the right to appeal that particular ACC decision. The BOD will consider the appeal and will respond, in writing, within 10 days of receipt thereof. The decision of the BOD is final.

III. ARCHITECTURAL GUIDELINES

A. *Introduction*

Pine Island is a planned development in which manmade improvements have been designed and installed in such manner as to harmonize with the natural environment. Care has been taken to preserve natural features and to create homesites which take maximum advantage of the physical features of the development. Architectural Guidelines are established so that similar care will be taken to assure that homes within Pine Island will contribute to, rather than detract from, the appearance of the community.

The Association's documents require owner's to obtain prior approval from the Architectural Control Committee (ACC) for any exterior addition, modification or alteration to their property. All plans, paint samples, etc. must be submitted to the ACC for review and approval before work begins. The homeowner agrees to comply with all applicable county, state, and town building codes and laws, and to obtain all necessary building permits and approvals and inspections required. Requests for ACC approval shall be submitted to the management company which will expedite and coordinate the approval process. The ACC will respond to all applications within thirty (30) days of receipt of the submittal.

B. *Projects Requiring Approval*

1) Approval required - In general, projects which may materially alter the physical appearance of a structure or property require ACC approval. Such projects include, but are not limited to, those outlined in the Fee Table (Section I. F) 3) above.

2) Approval not required - Projects which do not require approval include, but are not limited to:

- routine landscape maintenance
- cleaning (including power-washing) homes, decks, driveways etc.
- partial replacement of roof shingles
- partial siding replacement
- window/door replacement
- partial re-painting (i.e. touch-up) using existing colors
- replacement of decking using existing materials
- replacing HVAC units in the same location
- minor repairs to beach access structures (provided that the structure is not out of compliance for any reason, including its location relative to the dune line)

The management company is responsible for assuring that all exterior work conforms to the standards established by these guidelines, and will, therefore, determine which projects require ACC approval. All exterior projects are subject to inspection. The management company can provide valuable guidance and may contact homeowners and/or contractors while work is in progress. If it encounters an ongoing project that requires Committee approval, and for which there is no application and approval on

file, it has the authority to halt the project. This may include use of a court ordered injunction.

This process is in place to help protect property values and to maintain uniformity within the community. Feel free to contact the management company to request an ACC application or to ask questions regarding the application process. The management company's contact information is contained in an addendum to this document and is also available on the Pine Island website.

Your cooperation in helping maintain Pine Island as a premier community on the Outer Banks appreciated.

C. Building Restrictions

These policies apply to all new construction, additions, and/or modifications of existing homes, structures and other improvements in the community.

1) Permitted Structures - The only structures permitted on private lots in Pine Island are single-family residential dwelling units, pools, "pool houses" (or similar, pool-related structures approved by the Committee which are finished in the same colors and materials as the home) and beach access structures. Detached garages or carports are prohibited.

2) Maximum Height - No home or other permitted structure on a lot is to have an overall height more than forty (40) feet above the average, pre-construction grade of the lot. The height of pool related structures may not exceed the elevation of the floor of the home's mid-level deck. Pools and pool decks may not be constructed above natural grade.

3) Minimum Size - Homes on oceanfront lots shall have a minimum of 2,200 square feet of heated living area and homes on interior lots shall have a minimum of 1,800 square feet of heated living area, as measured between exterior walls.

4) Maximum Size - Home size is controlled by set-back, lot coverage, and parking requirements, however, in no case shall a home contain more than ten (10) bedrooms.

5) Building Setbacks and Lot Coverage - The buildable area of a lot is determined by the easements and setbacks shown on the subdivision plat recorded in Plat Cabinet E, Slides 50 through 52, of the Currituck Public Registry, CAMA restrictions, and the following setback requirements or as indicated by Currituck County zoning restrictions. Requirements for setbacks and lot coverage are shown below. The ACC will consider the most current county requirements but will enforce whichever is more restrictive.

- | | | |
|----|---------------------------------------|---------|
| a) | Front or side yard adjoining a street | 25 Feet |
| b) | Rear Yard | 25 Feet |
| c) | Side Yard | 15 Feet |

All homes and other approved structures shall be constructed within the buildable area of the lot.

The percentage of the lot which may be covered with impervious surfaces (including, without limitation, structures and paved surfaces such as walkways, patios and driveways) may not exceed 25% (regardless of amendments to county requirements which may approve a greater percentage).

In oceanfront phases of Pine Island which are characterized by a primary and secondary dune configuration, and where lots have adequate depth, homes will be located west of the 145 foot area of environmental concern or west of the secondary dune. In those areas which do not have a two dune configuration, all homes will be located west of the 60 foot CAMA line and west of a line as shown on the plat recorded for any such phase. Notwithstanding any of the above, once a building line along any phase of oceanfront lots has been established by the construction of homes, no subsequent homes will be permitted to be located any nearer to the oceanfront than such established line in order to maintain a continuity of building setbacks within each phase.

Furthermore, pools and pool walls shall be similarly restricted. That is, no pool or pool wall may be installed or altered such that it extends farther East than the comparable pool or pool wall of adjacent properties.

Prevailing Federal, State and County requirements are minimum acceptable standards which must be observed at all times. In some circumstances however, Pine Island may impose guidelines which are more restrictive than those of governmental agencies.

6) Foundations, Pilings and Lattice - The foundation must receive the same careful attention to detail and finishes as the main body of the home. Any concrete block foundation must be pargeted and finished in an approved color. Exposed round pilings are not appropriate. The foundation may be fully enclosed or partially enclosed with lattice or siding or a combination of these treatments. Lattice may be installed in either of two ways: (1) continuous horizontal strips of 1x4 boards with 2 1/2" spaces between each board to enclose the perimeter of the building, decks and stairs as a unit; or (2) crisscross lattice installed vertically and horizontally and framed between pilings to enclose the perimeter of the building, decks and stairs as a unit. Horizontally installed board lattice shall be finished in a color that matches the home's color. Crisscross lattice may be finished in a color matching either the color of the home, the color of the trim, or white. Any gates or doors installed in the lattice shall be constructed of the same material as the lattice so that a continuous surface is maintained around the exterior of the home.

7) Exterior Wall Materials - It is the intent of these Architectural Guidelines to achieve a harmonious environment throughout Pine Island. Only wood, cement composites and approved PVC materials will be permitted on exterior wall surfaces. New building materials, such as those with enhanced fire retardant capabilities, may be considered on a case by case basis. A variety of finishes may be utilized with ACC approval.

Wood shingles, horizontal lapped siding and board and batten sidings are appropriate. All other structures, such as pool houses, should have the same exterior wall finish as the home. Examples of prohibited siding materials include, but are not limited to: stucco, metal siding, synthetic wood-like siding, exposed decorative plywood siding (such as T-111), any wood siding run at a diagonal, or any vinyl or aluminum siding covering the majority of the home or other permitted structure. Aluminum fascia and vinyl soffit will be considered for trim material in addition to wood. All windows and doors must be trimmed on all sides with wood or other approved trim at least 4 inches in width.

8) Exterior Colors - Exterior home color is a dominant visual element and a major expression of the overall theme of the community. Each home and other permitted structure (excluding beach access structures) must be finished with paints, stains or oils in colors approved by the ACC. Subtle, sensitive colors which favor “earth tones” constitute the list of “Approved Exterior Colors”.

The Architectural Control Committee will maintain and make available the list of approved exterior colors (which may be amended or expanded from time to time). Homes and other permitted structures shall be finished in not more than three exterior colors as follows: (a) body of home (siding) (b) trim (corner boards, eaves, rails, doors, etc.) (c) accent features (architectural accents, doors, etc.). Exterior doors shall be painted in one of those three colors or homeowners may select one additional color not on the approved list for one or more exterior doors. Generally, exterior doors will all be the same color. In the alternative, the front door only may be painted in an optional color of the owner’s choice.

Complete repainting of siding and/or trim, regardless of color, requires an application and approval prior to commencing work. Partial repainting (i.e. touch-up using existing colors) does not require approval.

NOTE: Owners applying to repaint a non-compliant home must submit approved color selections in order to bring their home into compliance. Pre-existing non-compliance (regardless of its origin or history) does not constitute grounds to repaint with non-approved colors.

Please adhere to the following policy as it relates to exterior painting:

- All structures (except beach access structures) must be painted or stained.
- Stains/paints applied to the exterior of any structure must be of a color listed on the ACC’s list of permitted colors. (In order to accommodate different manufacturers, colors which match those on the approved list will be considered acceptable even though they may have a different color name or number).
- No more than three exterior colors, plus an optional door color, may be used (white is considered a color).
- Colors must be submitted for approval even when repainting with the existing color or another permitted color. Partial repainting (i.e. touch-up) does not require pre-approval but such work will be subject to inspection.

- Horizontally installed lattice shall be finished in a color that matches the color of the dwelling.
- Crisscrossed lattice shall be finished in a color that matches either the color of the dwelling or trim.
- Deck handrails and pickets must be finished to match the color of the dwelling or trim.
- Gabled ends, including but not limited to “fish scales”, “diamond shakes”, etc must be painted either the color of the house exterior or the color of the trim.
- These colors must be chosen from the list of approved colors and must be compatible.
- While exterior doors may be painted a color that is not an ACC permitted color, they must be compatible with the dwelling’s overall color scheme.
- Stair risers may be painted a color to match the front door.

9) Windows and Doors - Areas with major fenestration should be oriented to afford privacy while taking advantage of special views, such as open spaces, the ocean and ponds. Windows should be carefully proportioned and located to enhance the exterior appearance and interior light quality and views. Window and door frames may have anodized aluminum, vinyl, or painted or stained finishes, in colors as approved by the ACC. Natural color aluminum finishes are not allowed. It is recommended that houses not have openings (doors and windows), which total more than 50 % of the exterior wall area. In an effort to achieve adequate fenestration on each elevation of a home, windows and/or doors should be provided for each level. All homes must have a minimum of two entry doors which shall be hinged, either single or double entrance.

10) Roofs - Roofs for each home and any other permitted structure should be similar in form, materials and color in order to contribute to the desired homogenous character of Pine Island. The main roof should slope equally in each direction from the roof peak. Gable and hip roofs with slopes of at least 6/12 are recommended for the main body of the home. Not permitted are flat roofs (which constitute more than 25 % of the total roof area), A-frame roofs, dome roofs, “butterfly” roofs, or shed roofs composed of only one plane as an overall roof shape for the majority of the building. The only approved roofing material is composite asphalt shingles, although new roofing materials, such as those with enhanced fire retardant capabilities, may also be considered on a case by case basis. Metal roofing and flashing for bow windows or other functional or decorative purposes may be permitted provided it does not exceed 20 % of the total roof area. Roofing material on all composite shingle roofing shall have a minimum weight of 305 pounds per square. The finished color of all roof material must be approved by the ACC. Shingle colors shall be in shades of gray, or earth tones. Copper may be permitted to weather to a natural patina. Other metal shall be finished in a color to match the home’s shingle color and must be approved by the ACC. Covered porches and other structures on the site (i.e. pool house) should have the same roofing material and roof color as the home. Overhangs should not exceed 30 inches.

11) Roof Structures - All roof accessories such as vent stacks and roof vents shall be painted to match the roof and located away from the street side elevation. All flashing shall be copper which is allowed to weather to a natural patina or copper or aluminum painted to match or blend with the shingle color. All plumbing vents exhaust fans, or similar protrusions through the roof shall be as low profile as possible and aligned where possible on the surfaces where more than one is required.

12) Chimneys - Chimneys must conform to the overall building height limitations stated by Currituck County while providing adequate draft. Exposed metal flues are not permitted, and all chimney caps should be finished in a complementary finish to the home and trim colors. Cantilevered fireplaces on walls without any decking are not permitted.

13) Antennas - A proposal must be submitted in writing and approved by the ACC prior to the installation of television antennas, satellite dishes, radio receivers, senders or any other similar devices. These devices may not be visible from the street.

14) Solar Panels - The use of solar panels as an integrated element in the overall design of the home will be considered and may be approved by the ACC on a case by case basis.

15) Greenhouses - The use of manufactured greenhouse rooms or units as an integrated element in the overall design of the home will be considered and may be approved by the ACC on a case by case basis.

16) Skylights - Skylights and operable roof windows will be permitted provided no more than three are located in any one home and are situated in such a manner that they are located on the sloped surface of the roof and are not installed in the peak or on any vertical surface of the roof.

17) Decking - All decking (including girders, decking material, handrails, and pickets) shall be constructed of salt treated wood or Committee approved composites. Vertical salt treated pickets of 2" x 2" or architecturally designed balusters are permitted. Other handrail details will be considered if they conform to the North Carolina Building Code and maintain the classic architectural feeling of the community. Handrails and pickets must be painted or stained in a color to match the color of the home or the trim of the home. The following deck treatments are not permitted: (a) decks erected above the slope of any roof surface of the home (b) decks standing on or supported by exposed, open posts and beams (c) decks higher than the highest interior floor level. Decks located at second floor levels can present a significant design challenge from an aesthetic perspective. The perimeter of any deck above the first floor level must align vertically with the perimeter of any deck or other construction underneath it, except that on one side such a deck may be cantilevered beyond the perimeter below by no more than 30 ". Decks above the first floor level (not counting the ground floor) may not appear to be supported by pilings running all the way to the ground and such construction or plans will not generally be approved. Such decks may be approved

only if it is demonstrated to the ACC that the final appearance will be consistent with the architectural style which characterizes the community.
Maximum deck coverage shall not exceed 60 % of the heated space of any home or other permitted structure.

18) Stairs - All stairs shall be constructed of the same materials as the adjacent decks and the hand-rails will match and conform to the approved hand-rails of the home. All stairs between decks must be constructed within the perimeters of the decks. No cantilevered stairways will be allowed. Stairs not visible from the street will be allowed to run from the first floor elevation to grade level outside the perimeter of the deck provided they are parallel to the deck. No stair may be constructed above such a stair to provide access to an upper level deck.

19) House Numbers and Rental House Signage - For safety reasons, the official street address numbers (at least four inches in height) should be displayed in an easily visible location near the front entrance for the benefit of emergency personnel. They should be made of antique brass, bronze, copper, or painted wood. Signs designating house names are not to be more than 30" in height and 48" in width or cover a total area of more than ten square feet.

20) Free Standing Structures - Prohibited structures include, but are not limited to: satellite dish antennas visible from the street; freestanding hot tubs; fences (other than fences used for screening, landscaping or approved pool surrounds), yard/garden art, driveway gates, gate posts or any outbuilding or other structure not approved by the ACC.

21) Grills - To reduce the risk of fire, it is STRONGLY RECOMMENDED that these procedures be followed by all homeowners in Pine Island:

- a) All homes should have fixed or stationary metal grills permanently situated on the property in an appropriate area.
- b) All grills should be placed in an area that is clear from all plant life/brush etc. and has a non-flammable base around it such as concrete, or pea gravel to prevent sparks from igniting the grass. This clear area should be no less than ten (10) feet around all sides of the grill. A fireproof ash can should be provided.
- c) Charcoal grills should NEVER be used on or under decks, and should be stationed at least ten (10) feet from any structures.
- d) Gas grills can be located on decks, but should be secured to the deck in an appropriate location at least 3 feet away from the house and railings.
- e) Homeowners should provide an operating, easily accessible fire extinguisher in close proximity to the grill.

22) Boardwalks and Beach Access - The purpose of this section is to establish standards for dune decks, walkways and stairs that provide a means of beach access with the least amount of impact on the oceanfront dune system.

In order to provide access to the beach, preserve the integrity of the dune system, reduce the impact of man-made structures on natural erosion and accretion, maintain consistency, protect private property and community infrastructure, present an aesthetically pleasing appearance and preserve property values, it is strongly recommended that all homeowners abide by the following standards.

These standards apply to new construction, repair, renovation/reconstruction or replacement of walkways, steps (both east and west side of the dunes), dune decks and any other structure that may be approved for construction on or over the ocean front dune system. It is recommended that all property owners and contractors doing business in the community become familiar with and observe these standards as their implementation provides an added measure of protection to the entire community.

An application for the approval of new construction, repair renovation/reconstruction or replacement of any structure governed by these standards shall be submitted to the Pine Island POA, Inc. (PIPOA) Architectural Control Committee (ACC). Written approval must be received from the ACC prior to the beginning any construction repair, renovation/reconstruction or replacement. The application shall include information sufficient to fully define the work to be performed. It shall include, but not be limited to, a design drawing or sketch with dimensions, specification list, site plan on survey.

In order to prevent random foot traffic through the dunes, oceanfront owners are required to provide a means of access from their properties to the beach. In general, however, man-made structures increase dune erosion, especially during strong winds or high water events, and erosion is worse around beach access stairs and dune decks. Therefore, homeowners are strongly encouraged to **share walkways, access stairs, and dune decks or tie into adjacent community walkways**

To facilitate sharing of walkways, access stairs and dune decks, homeowners are strongly encouraged to build them near property lines where appropriate. The PIPOA will provide sample documents and will assist with the preparation of filing of easements necessary to share these structures.

All structures shall be constructed of pressure treated lumber. Other materials may be considered, but must be approved in writing by the PIPOA Ocean Dune Board (ODB) (in consultation with the PIPOA ACC) prior to commencement of construction.

Note: the “experimental” steel structure stairways have not proven to reduce erosion and, therefore, will not be considered in the future. Existing stairways using this construction will be grandfathered until replaced in their entirety.

In order to minimize storm damage to walkways and/or decks on top of the dune, stairs located on the east side of the dune should be “break-away” (i.e. without through bolts at the points of attachment of stair segments to landing or deck joists).

Access walkways and stairs should be as lightweight as possible to reduce potential storm debris. Stair supports shall be either 4 x 4 inch or 6 x 6 inch posts buried 4 to 5 feet below grade.

The NC Building Code, Section R4603.4, requires that structures in the Ocean Hazard Area be supported by 16' pilings. Installation of such long pilings requires the use of heavy equipment which would severely damage the dune. Structures less than 4' wide are exempt from this requirement. Therefore, residential property access walkways and stairs should be 4 feet wide. Dune-top seating areas can be accommodated by the use of cantilevered benches on either side of such walkways.

As an alternative to a four foot wide walkway with cantilevered benches, decks not more than 8' x 10' (with the longer axis running east to west) may be installed provided that they are at least 15' west of the crest of the dune at the time of construction. Benches may be cantilevered along two sides of such decks and an integral walkway is *included* in the size calculation.

Decks and walkways over the top of the primary dune shall be no more than 18 inches above grade (at the time of construction). Walkways from the house to the west toe of the primary dune shall be no more than 18 inches above grade at any point except where appropriate to minimize excessive elevation changes, in which case they shall be no more than 30 inches above grade. They shall take the shortest route possible to minimize man-made materials in the dune system. Dune stairs shall be approximately 18 inches above the slope of the dune (at the time of construction).

Stairs which project onto the beach are unsightly, may impede the movement of emergency vehicles, restrict dune repairs, are more susceptible to damage and may accelerate erosion. Therefore, to prevent stairs from projecting significantly onto the beach, the top tread of east side stairs is best located just seaward of the vegetation line. The lower one-third of the staircase should turn to the south which will help minimize storm damage to dune-top structures. Stairs should be constructed with “open” (i.e. no) risers except that a lath strip should be installed to prevent riser openings from exceeding 4”.

To discourage pedestrians from walking on the dune, walkways shall include hand railings on both sides of that portion which crosses the top of the primary dune. Dune decks shall have railings around that portion which does not have benches. Stairs on both the east and west sides of the primary dune shall have railings on both sides. All railings shall be 36 inches high and of a three-horizontal-rail design. Vertical balusters are not authorized. Walkways through the secondary dunes will have no railings.

The construction, repair, renovation/reconstruction, and replacement of dune decks after a storm may not be undertaken without ACC approval. Premature work may impede community dune restoration after severe storms thereby exacerbating the damage and/or increasing repair costs.

Electric lines and water pipes are prohibited more than ten feet (10') east of pool walls or house pilings and are, therefore, not authorized on dune decks.

Roofs and gazebos are prohibited, as are any other structures that would project more than 36 inches above dune deck or walkway floors.

In addition to the standards set forth above, structures subject to section 22 of the ACC guidelines shall be in compliance with all local and state codes, laws and regulations which govern said structures including, but not limited to, the Code of Ordinances of the County of Currituck, the North Carolina Building Code, the North Carolina Residential Code, the North Carolina Administrative Code and the North Carolina General Statutes. All applicable codes, laws and regulations will be taken into consideration during the approval process of any new construction, repair, renovation, reconstruction or replacement of structures governed by these standards. PIPOA may impose standards more restrictive than those of relevant governmental bodies.

23) Parking and Driveways - Each home must provide a minimum of one parking space (garage and carport spaces included) per bedroom. Parking spaces shall be a minimum of 10' x 18' and must be designed such that vehicles can easily maneuver in and out. Not more than one space may be obstructed (i.e. blocked-in) by another parking space. Driveways and parking areas must be concrete, or brick/concrete pavers. Clay, asphalt, sand or gravel drives are prohibited. Garages, carports, driveways and off-street parking should be screened with planting or fencing or be located away from the front of the home when possible. All concrete driveways and parking areas must be finished in a natural color concrete although exposed aggregate or brick drives are permitted. All parking spaces must be located within the buildable area of the lot. Setback yards cannot be used for parking spaces.

24) Service Yards - Service yards must be screened from view of roads and adjacent properties by a visual barrier (wooden or vegetated) at least six (6) feet high and approved by the ACC. HVAC equipment, trash cans, propane tanks and other equipment stored outside a home must also be screened from view. Fencing material should be consistent with any lattice treatment of the foundation of the home and must be consistent with color and materials used on the home. Chain link fencing is not permitted. The location of all HVAC equipment, propane tanks and other equipment stored outside a home must appear on the foundation plan submitted to the ACC.

25) Landscaping - Plans for grading, excavation or filling of lots must be approved by the ACC before site work can begin; this also applies to landscaping that involves grading or excavation. These plans must show the ratio of the area to be covered by the home, paved surfaces, decks, patios, and other structures versus the area to be left in a natural state. Total impervious coverage of any lot shall not exceed twenty-five percent of the total area of the lot.

Landscaping plans must show topography, all trees larger than three (3) inches in diameter (measured 2' above grade at tree base) and their approximate spread and all groupings of smaller trees and shrubs whose spread is more than twenty (20) feet in diameter, and all flowering shrubs.

No trees or shrubs larger than three (3) inches in diameter (measured 2' above grade at tree base) may be removed without prior approval of the ACC.

All landscaping plans, including (without limitation) terraces, walks, paths, outdoor lighting fixtures, fences, bulkheads, walls, pools, boardwalks, dune crossings and screens, are to be shown on the plans and are subject to approval by the ACC. All landscaping must be completed within ninety (90) days of occupancy.

Owners should consider implementing a landscaping plan that is "firewise". Firewise landscaping involves creating survivable space by selecting, placing, and maintaining plants around your home that will make it less vulnerable to wildfire. By using firewise landscaping, you can decrease the risk of damage to your property from a wildfire.

All vegetation is potential fuel for a fire. There are no "fireproof" plants. But the type, amount, and placement of vegetation can have a dramatic effect on fire behavior. In fact, plant choice, spacing, and maintenance are critical to firewise landscaping.

Select plants with a low flammability rating for the areas nearest your house. By selecting plants with certain characteristics, you can reduce the flammability potential of your landscape and provide habitat for wildlife.

Keep plants widely spaced. Fire can race rapidly from one plant to another when there is no space between plants. Maintain ample space between plants by placing them in small irregular clusters and islands. This will reduce the threat from wildfire by decreasing the volume of fuel available to a wildfire in your landscape.

Most shrubs, hedges, and specimen plants should be pruned annually to maintain the plants' Firewise properties by keeping them green and healthy while maintaining an attractive shape. Trees should be pruned to encourage proper mature shape and to discourage disease. Removal of dead or diseased limbs should be done immediately. Foundation plants should be pruned so that they do not exceed the height of the lattice around the base of the home. Ornamental grasses such as "pampas" should be cut back to near ground level every year.

Lawns are to be used as a general landscape material and to fill the areas between the home and pavements, graveled areas, or native landscaping. A mixture of turf grass and native lawns on a property is desirable.

Lawns can be of two types: Type 1- warm season turf grass such as Bermuda grass, centipede grass, zoysia, and St. Augustine. Type 2- "natural" native grasses such as love grass, beach grass, sea oats etc. In general, Type 2 lawns require less water and less maintenance than turf grass lawns. Both types of lawns need to be fertilized

regularly and reseeded occasionally. All turf grasses require irrigation to thrive. Once established, native grasses do not require irrigation. Certain types of beach grasses such as American Beach Grass have limited longevity (4 years or less) away from the natural dune environment and salt spray. We discourage their use except on barrier dunes. Away from the beach, slope protection and cover is best accomplished with ground covers such as low creeping juniper or densely planted weeping love grass. Whether Type 1 "turf grass" or Type 2 "natural", lawns are to be kept healthy year round, green in peak growing season, of uniform texture, and dense enough so there are no bare spots or sandy areas visible from the street. Lawns should not contain excessive weeds. Type 1 "turf grass" lawns should be mowed so their height does not exceed 3-4 inches, however, warm season turf grasses are healthiest when cut low to 2 inches or less. Type 2 "natural" lawns consisting of native grasses should be cut back and raked in late winter/early spring to remove dead material and promote new growth and eliminate the fire hazard due to dry material. Mowing is not needed or beneficial to Type 2 "natural" lawns after the re-greening period in spring. Sand spurs and other tall weeds should be removed from natural lawns periodically.

The ACC will identify deficiencies requiring additional lawn maintenance.

26) Lighting Fixtures - The standard bulb type for exterior lighting shall be incandescent (including all filament type lamps, e.g. tungsten-halogen). Directional lamps with built in reflectors shall be clear or white. Lamps (light bulbs) for non-directional fixtures shall be white, inside frosted and not exceeding 60 watts.

The concentrated brightness of the filaments of adjustable directional lights (spot lights, flood lights, etc.) should not be visible from adjacent properties or the street. If such lamps or fixtures are used, they shall be aimed so that the filaments are shielded from the view of windows and decks of adjacent properties.

Permanent lights are not permitted on stair or deck railings, band boards, walkways, pool decks, dune decks or beach access stairs under any circumstances. Spotlights directed so as to light the beach are strictly prohibited.

Non-directional, general purpose light fixtures should have enclosures that conceal the shape of the lamp (light bulb). Enclosures should be translucent, not transparent. Positioning of exterior light fixtures to conceal the source of the light is preferable.

Fixtures not attached to the building may not be taller than 24 inches above grade.

Smoke or dark colored glass for exterior lighting is recommended.

Not permitted: mercury, metal halide, or sodium lamps in any fixture.

Light fixtures within 20 feet of the property line on the street should be designed so that the source of light is not directly visible from such property line.

Exhibit "A"

MANAGEMENT COMPANY CONTACT INFORMATION



Please feel free to contact the Pine Island Property Owner Association's management company, Seaside Management, to request copies of the following documents:

Attachment 1 - Owner's & Builder's Plan Submission

Attachment 2 - Application for Exterior Alteration or Improvement

Attachment 3 - Approved Exterior Colors

These documents are also available on the association's website. If you have any questions regarding these guidelines or the application process please contact Seaside Management: P.O. Box 1465, Kitty Hawk, NC 27949, Office: (252) 261-1200 Fax: (252) 261-1224, info@seaside-management.com.