

Pelican Bay Property Owners Association

PO Box 5607 North Myrtle Beach, SC 29597



ARCHITECTURAL REVIEW COMMITTEE

MASTER GUIDELINES

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Required Actions

A. Building a new house – Fill out Application

1. Pre-design Meeting
2. Preliminary Review
3. Final Review
4. Landscape Plan
5. Completion Review

B. Revisions, Changes or Modifications – Fill out Application

1. Notification and letter of intent

C. Pools and fences

1. Notification and letter of intent

D. Tree Removal

1. Trees within the building site or within 20 feet of the main dwelling (10 feet for Phase 2) do not require ARC approval to be removed. All other trees 6" or larger require ARC approval.

List of Fees

1. Plan review.....\$ 500.00

2. Final Review
 - Contractor Performance Bond.....\$3,000.00
 - Owner's Compliance Bond.....\$1,500.00

2. Any change or add orders to
 - Original plans during the building process.....\$ 25.00

4. Application fee for Revisions, Changes or
 - Modifications to the home.....\$ 250.00

5. Road fee for pool construction after
 - Building process.....\$ 250.00

6. Fence approval.....no charge

I. Architectural Review Committee (ARC)

The Architectural Review Committee is appointed by the Executive Board of Pelican Bay Property Owners' Association and serves as the entity that regulates all forms of site work, excavation, irrigation, drainage, construction, landscape design, lot layout, plot plan, drainage plans, arbors, tree removal, fencing, gazebos, docks, storage buildings, exterior colors and all other construction within Pelican Bay Property Owners' Association, Inc. The ARC promulgates and enforces the Design Guidelines to carry out the intent of the Declaration of Protective Covenants, Restrictions, Easements, Charges and Liens for Pelican Bay Property Owners' Association, Inc. (The "Covenants") and assists lot owners in the interpretation of the Design Guidelines. The ARC reserves the right to revise and/or amend these guidelines. The Design Guidelines and the Covenants are instruments that stand side by side for the protection of the project in the present and in the future. In the event that the Design Guidelines conflict with the Covenants, the recorded Covenants shall prevail.

Plans must be submitted in accordance with the Master Declaration and these guidelines. The ARC may approve or disapprove plans and/or require changes prior to approval. The ARC has authority to inspect all lots, at any time, prior to and during construction for the purpose of implementing and enforcing these requirements and monitoring compliance with the approved plans.

A. Purpose

The maintenance of harmonious neighborhoods to foster overall aesthetic appeal and continued value of the property is of the utmost importance in Pelican Bay Property Owner's Association, Inc.

To assist property owners in the planning and construction of their home at Pelican Bay Property Owners' Association, Inc., the following guidelines are presented:

Provide a systematic and uniform design review process.

Ensure the site and architectural design of structures is visually compatible with the existing terrain and vegetation and adheres to the overall design intent of the development.

Ensure the landscape plans provide visually pleasing settings, functional satisfaction and the landscaping blends with the natural landscape and neighboring properties.

Ensure the construction of all buildings and the installation of all landscaping comply with the provisions of the covenants and these guidelines.

Ensure the irrigation plans provide functional satisfaction with coverage to 100% of required areas.

B. Development Theme

Pelican Bay Property Owners' Association, Inc. has established certain objectives to achieve a certain design character. To achieve these objectives, the ARC has established certain architectural and design construction philosophies. Dwellings and other structures shall be unobtrusive in form and color and fit appropriately into the landscaping (existing and new). The use of traditional, craftsman and low country are recommended. The use of clay tile roofs will not be permitted.

The ARC expects that the common elements be of quality design and material. Fad and "fashions" of current architecture should be avoided. The ARC encourages the use of brick, tabby stucco and clapboard siding. The use of vinyl siding is not permitted.

Each building is part of the total neighborhood and should not be an individual creation or architectural entity, arbitrarily placed on the site. The various designs should complement and enhance the neighboring properties as they evolve: through consistency of scale, quality of material and exterior material color.

II. The Design Review Process

The process of review has not been put in place to be a burden to property owners. Rather, it is to protect property owners and their investment as well as to secure the aesthetic quality of Pelican Bay Property Owners' Association, Inc. With that in mind, each property owner should:

1. Become familiar with the Covenants and Restrictions and these Guidelines. In order to prevent any misunderstandings or miscommunications, no verbal approvals or agreements of any kind will be valid. All approvals and/or agreements must be in writing and signed by a member of the ARC to be valid.
2. Procure the appropriate design consultants, architects, architectural designers, interior designers, contractors/builders (to be licensed with the State of South Carolina and the County of Horry). Also, any and all subcontractors are to be fully licensed, bonded and insured. Landscape design and installation to be performed by an individual or company who has the knowledge of residential landscaping to include principals, plant material and installation.
3. The property shall be surveyed by a registered surveyor licensed in South Carolina. The survey must have a title block to include the property owner's name, address and phone number and the surveyor's name, business address, phone and license number. In addition, a tree survey will also be required prior to beginning any work on the lot. The following will be needed as part of the surveys for review by the Architectural Review Committee:

***ALL PLANS SUBMITTED SHALL BE SENT ELECTRONICALLY INCLUDING SAMPLES ***

- a. Pelican Bay Property Owners' Association, Inc. infrastructure to include improvements, roads, and utilities
- b. Property lines with dimensions and bearings
- c. Setbacks, right of ways, easements
- d. Contours at one-foot increments. Illustrate elevation above sea level.
- e. Locate all existing trees with a caliber of 6" or over
- f. Scale to be 1/8" = 1'- 0" minimum
- g. North arrow
- h. Locate all other features of the site
- i. The tree survey shall show all trees with a caliber of 6" or over located on the lot, with those proposed to be removed indicated

4. Analyze your needs and create a design concept using the expertise of your design consultant

A. The Pre-Design Meeting

Before any design is begun, the Owner must coordinate a "pre-design" meeting with the ARC. Invite your architect, designer, landscape designer, and/or contractor to join you. These consultants will be able to provide expertise and consideration of the lot size, dimensions, site orientation, and adjoining homes prior to designing the residence. This should also alleviate any conflicts between the design process and the Master Guidelines. **Any plans submitted prior to this meeting will not be reviewed.** Schematic sketches will be allowed for this meeting to help communicate the architectural intent.

B. Preliminary Review

The Architectural Review Committee is to be notified by the owner four (4) days prior to the scheduled meeting. The owner shall submit the following documentation:

1. Preliminary Review Application.

- a. A \$500 non-refundable application fee, payable to Pelican Bay Property Owners' Association, which will be placed in a special account for upkeep of the roads in the subdivision

2. The completed Architect's Questionnaire.

(Should be submitted electronically)

3. Exterior Finish Board to include samples of:

- a. Roofing material
 - b. Exterior wall paint or stain
 - c. Trim paint or stain
 - d. Door paint or stain
 - e. Columns
 - f. Window trim and frame colors (including mullions)
 - g. Exterior lighting
 - h. Garage doors
 - i. Fencing (if applicable)

4. Tree Survey (per Section II, Item# 3 on page# 2)

5. Site Plan at 1/8" = 1' 0" or 1.0" = 10.0' scale. This drawing must be prepared by a licensed surveyor and to include

- a. North arrow

- b. Property lines with bearings and dimensions
 - c. Contours and proposed contours
 - d. Trees with 4"- 6" caliper located and any proposed trees to be removed noted
 - e. Foundation plan with entry indicated and roof and decks indicated with dashed located on the property
 - f. Elevation of 1st floor (ABOVE **MEAN** SEA LEVEL)
 - g. Setbacks, easements, right of ways indicated
 - h. Driveways and walkways located, and materials indicated
6. Floor Plan at 1/4" = 1' 0" scale to include:
- a. Rooms labeled
 - b. Walls, windows, door swing and any other notable features
7. Ground Level Plan at 1/4" = 1' 0" scale to include:
- a. Foundation and/or pier locations
 - b. Driveways
 - c. Garbage and HVAC enclosures
 - d. Stairway
 - e. Parking
 - f. Satellite dish
 - g. Mailbox
 - h. Any other enclosures
8. Elevations at 1/4" = 1' 0" scale to include:
- a. Front, rear and both sides
 - b. Relationship to grade
 - c. Screening type and location
 - d. Mean roof height and ridge height
9. Prior to review all POA dues and assessments must be current
10. Signed compliance form.

At the time of the Preliminary Review, the owners shall have the corners of their lot staked, as well as the corners of the dwelling and the dwelling should be located as proposed. All trees that are to be removed should have surveyor's tape tied around them.

C. Final Review

The Final Review is required. The construction documents submitted must have been reviewed for complete compliance with the Master Guidelines and the Covenants by the Owner and Contractor prior to submittal. Upon completion of the final drawings, the complete document set, materials samples and color samples will be submitted to the ARC for review.

1. The Bond in the amount of \$4500.00
2. Final drawings, blueprints, specifications, and construction documents.
3. To ensure that soil/foundation is capable of supporting structure to be constructed, it is recommended that a soil test be performed and submitted to the lot owner's structural engineer.
4. Final Review Application completed by the owner
5. Revised Site Plan, if necessary, shall be scaled at $1/8" = 1' 0"$ or $1" = 10'$ to include:
 - a. Water and sewer locations
 - b. Driveway and walkway locations, dimensions and fabrication material
 - c. Location of all construction signage, dumpsters, portable toilets, construction material and staging areas for construction material
 - d. Exterior lighting plan and description of fixtures
 - e. Description of screening and location of trash and HVAC area
 - f. Meter locations
 - g. Roof plan
 - h. Any other site fixtures or features
6. Ground level plan at $1/4" = 1'0"$ scale to include:
 - a. Foundation and/or pier locations
 - b. Driveways
 - c. Garbage/HVAC enclosures (PVC will not be allowed)
 - d. Stairway (s)
 - e. Accessory structures
 - f. Pool, deck or pool enclosures
 - g. Any other enclosures or improvements
7. Floor Plan shall be scaled at $1/4" = 1' 0"$ and will include:
 - a. Dimensioned wall, window and- door openings

- b. Dimensioned foundation plan by structural engineer licensed by the State of South Carolina
8. Elevations to be scaled $1/4" = 1' 0"$ and to include any revisions required by previous reviews.
9. Detail sheet to include:
- a. Enlarged details fully delineating the exterior features of the house
 - b. Service yard screen wall section
 - c. Typical wall section
 - d. Screened porches, decks, railings and exterior stairs
10. Structural Plans scaled to $1/4" = 1' 0"$ signed by Structural Engineer licensed in the State of South Carolina.
11. Schedules:
- a. Finish
 - b. Doors
 - c. Windows
12. Roof plan indicating all slope conditions
13. Site photos indicating all existing conditions, any pre-construction damage to curbs, sidewalks or roadways and views towards adjacent properties.
14. After Slab and Post foundation survey an elevation certificate must be provided and approved prior to any framing.

Property owners will be notified by registered, certified mail or signed delivery receipt of hand delivered approval of their plans and documentation by the ARC. The approval will be effective for twelve (12) months from the date of approval. If construction has not substantially begun within that twelve (12) month period, the approval will become void and the entire process must be repeated.

Any progress by the owner and/or builder before full approval of the ARC may cause legal actions. Any modification to the exterior design of the house during construction must be submitted to the ARC for approval before commencement of the modification. The ARC reserves the right to have the modification changed back to the original design at the cost of the owner.

Approval by the ARC is in no way an assumption of liability or an endorsement by the ARC of the structural design or engineering of the dwelling, nor is approval given, expressed or implied, to damage any of the adjacent property or common areas incidental to the approved construction. Alterations and additions to buildings, exterior lighting, exterior paint, landscaping, fences or the addition of shrubs, or trees must be approved by the Architectural Review Committee.

D. Landscape Plan

1. Complete landscaping and irrigation plans to be submitted with the final review application.
2. The Landscape Plan shall be scaled 1" = 20'0" and will include:
 - a. Plant material name, variety, size, location and quantity
 - b. Lawn area and type of lawn and installation
 - c. Grading illustrating direction of flow of drainage and how drainage ties in to master drainage plan
 - d. Any other landscape fixtures or features
 - e. Irrigation description and plan
 - f. Landscape plans shall be submitted with proper and clear graphics or will not be reviewed.
 - g. A drainage plan including swells and piping.

Note: Any alterations or additions to the original landscape areas or any additional landscape areas must be approved by the Architectural Review Committee.

E. Completion Review

After completion a final review of the property by at least three (3) of the ARC members is required to assure compliance and to authorize the refund of Bond.

F. Building Permits

Final building permits in accordance with local and state law must be obtained before construction can begin. Application and payment of any fee for permits is the responsibility of the owner.

G. Review for Revisions, Changes or Modifications

Homeowners cannot make any revisions, changes or modifications to their homes without this review. This review requires the following:

1. Notification to the Architectural Review Committee with a letter of intent which describes any changes.
2. A \$250 application fee for any changes, revisions or modifications made more than twelve (12) months after final approval will be required. This fee will be put in a special account for the upkeep of the roads.
3. Samples of colors and/or materials and a clear and concise graphic of the proposed modification.
4. A scaled Site Plan noting the changes.
5. Revised elevations (if applicable).
6. Coordinate with the ARC architect for the requirements based on the actual scope of the modifications.
7. Final approval from the ARC.

8. Approval for any work as referenced above shall be good for a period of twelve (12) months following the date of the ARC's letter of approval, and if the work is not begun within that 12-month period, the approval will become void and the process, as listed above, must be repeated.

H. Variance

In certain circumstances, the owner may request a variance. This shall be submitted to the ARC in writing. The following factors will be weighed heavily in considering whether a variance is needed:

1. The requested variance would not affect the overall community or deter the purpose of the guidelines or covenants.
2. The property, because of size, shape or topography, creates extreme circumstances.
3. The owner would suffer hardship unnecessarily from the guidelines or covenants.

It will be necessary for three (3) ARC members to make an on-site inspection with the owner. A majority vote of the ARC is required to grant a variance. Any variance granted by the ARC does not, in any way, preclude the necessity of the owner obtaining a variance from any governing or regulatory agency. The owner shall confer with their building or design consultant to assess this need for a variance

III. Design Guidelines

A. Size

Every effort should be made to ensure the building size does not block views from adjacent structures. The design should be harmonious with the vegetation, terrain and adjacent homes. No structure should dominate the surroundings. Owners should familiarize themselves with the Covenants and the ARC Master Guidelines before beginning to design and size their home. The ARC recommends a minimum of 2400 heated sq. ft. for homes on interior lots and 3100 heated sq. ft. for homes on the intracoastal Waterway.

This square footage includes heated living space **exclusive** of garages, screened porches, covered decks, open decks, storage spaces and other unheated spaces. Two identical or similar house plans will not be allowed within 500 feet. Mirrored or reversed floor plans of existing houses or houses in planning will not be allowed.

B. Setbacks

Phase One: All improvements to the lot must comply with Horry County easement and setback requirements. All structures shall be no less than ten (10') feet from the side property line, except on a corner lot, in which case, no less than a twenty (20') foot side setback from the street edge shall apply. The front setback line shall meet or exceed Horry County subdivision regulations, but shall be no less than seventy-five (75') feet to any existing or newly constructed road, unless with prior approval of the Architectural Review Committee. The front setback line for waterfront lots shall be no less than seventy-five (75') feet from the road edge, no less than seventy-five (75') feet from the back-property line and no less than ten (10') feet from the side property line. All waterfront homes must face the street. The front setback lines for interior lots shall be no less than seventy-five (75') feet from the road edge, no less than twenty-five (25') feet from the back-property line. The back-setback line for lots which back up to a creek bed will be twelve (12') inward added

to the county easement line and no less than ten (10') feet from the side property line. Setback lines for fences and walls shall require written approval of the Architectural Review Committee.

Phases 2A and 2B: All improvements to the lot must comply with Horry County easement and setback requirements. All structures shall have a front setback of no less than forty (40') feet from the lot side of the street curb edge (where the curb and lot join) and no less than ten (10') feet from the side property lines, except on a corner lot, in which case, no less than a twenty (20') foot side setback from the street curb edge (where the curb and lot join) shall apply. The back setback shall be no less than twelve (12') feet added inward to any public, private or regulatory recorded easement, except for pond lots in Phase 2B in which case the setback and the recorded twelve (12') foot easement will be the same. No structure of any kind will be allowed in the easement or setback areas.

Note: Additional building restrictions contained or referred to on the recorded plat may apply.

C. Floor Elevations and Building Heights

All building floor heights shall be indicated on the site plan and the building elevations with regard to existing grade and Mean Sea Level (MSL). The design professional shall ensure that all applicable building codes be incorporated into the design process and are included in the final construction documents. No structure within Pelican Bay Property Owners' Association Inc. shall exceed a mean roof height of thirty-five feet (35'). This dimension shall be measured from the predominate or average final grade of the site to the ridge of the highest roof element. These height limitations do not apply to chimneys. The Minimum floor elevation shall be 24" above the highest point of the road. The ARC reserves the right to examine nearby properties to determine if it may cause drainage problems for existing homes.

D. Roofs

Plans shall specify roofing materials and roof pitch, and will be subject to approval by the Architectural Review Committee.

E. Chimneys

Chimneys must be constructed or finished with brick, stucco or stacked stone.

F. Facade Treatment

Pelican Bay Property Owners' Association, Inc. has a southern vernacular as it's architectural theme, typically found in the coastal areas of North Carolina, South Carolina, Georgia and parts of Florida with special attention given to compatible massing of structures. Structures must blend from one to the next in character and owners must present a well thought out plan, which not only takes their own needs into consideration, but the effect on the whole community. Colors should be selected from those that have been researched for historical use (see" K " Colors). Lines should be symmetrical and clean with attention paid to detail. Exterior meters and other such devices should be painted and positioned to blend with the exterior.

G. House Numbers

It is the responsibility of the owner to mark their mailboxes and house with identifying numbers. These numbers should be appropriate in size for the application. They will be black, or brass and the font style is to be as illustrated here (**25563**) unless otherwise approved by the Architectural Review Committee

H. Exterior Doors

Exterior doors should be used that are appropriate for the architectural period of the house. Doors with stained, colored glass or etched glass, or sidelights with stained, colored or etched glass will be permitted with approval of the Architectural Review Committee. A spec sheet should be submitted with the colors shown, if colored glass is desired. Clear leaded glass is permitted with approval of the Committee.

Storm or screened doors should be appropriate with the design and period of the house and must be approved by the Committee.

No carport or garage door in Phase 1 (only) shall face the street. Garage doors must be angled less than 30 degrees from the horizontal line of the building which is parallel to the front street to be considered "not facing the street" and must be approved by the ARC.

I. Porches and Entrances

Only designs typical of the architectural period of the house are permitted. If screening is desired, it should appear to look as if the porch is "open" with architectural features, such as columns, railings, etc. intact.

J. Exterior Trim

Details are what make a design exceptional. Exterior cornices, trims and moldings should be used as appropriate for the architectural period of the dwelling. The owner and the design consultant need to study the period they have selected and make every attempt to produce a pure and well-designed home.

K. Colors

Colors should be in keeping with the selected period of the house. All colors are subject to ARC approval.

L. Mailboxes

Mailboxes shall be located adjacent to the driveway and installed in accordance with U.S. Postal guidelines. Mailbox design, color and material shall be approved by the ARC and shall be uniform throughout the entire Pelican Bay Property Owners' Association, Inc. community. Ordering information is:

Mail Boxes by Design, Inc.

6257 State Route 132

Goshen, Oh 45122

www.mailboxtime.com

Phone: 513-625-1409 Fax: 513-625-1140 Box order number is IMP311K

M. Fences

Solid privacy fences will not be allowed on pond or waterway lots, except lots 62,63,64, 73,74,75,84,85,86 that may have a solid privacy fence along the access road only with the approval of the ARC must be beige in color with exception of lot (63) and must be of like material as existing fences

N. Storage Buildings

Storage buildings will not be allowed on Pond or waterway lots. Storage Buildings will be of like material and/or color as the primary building. All storage buildings need to be adequately landscaped and approved by the ARC.

O. Windows (Phase 1) Grids need to be approved by the ARC

The Pelican Bay Property Owners' Association, Inc. Architectural Review Committee hopes the experience of building a home and living at Pelican Bay will be one of personal growth and a source of enjoyment.

IV. FORMS & APPLICATIONS

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Compliance Form

Owner to submit to ARC

I/We, _____, have read and understand all The Pelican Bay Architectural Review Committee Master Guideline requirements, standards, work rules, procedures and requirements for building construction within the sub-division.

| | | |
|----------------|---------|------|
| Property Owner | Witness | Date |
|----------------|---------|------|

| | | |
|---------------------|---------|------|
| Builder /Contractor | Witness | Date |
|---------------------|---------|------|

Date: _____ Lot#: _____

Preliminary Review Application

Owner to submit to ARC

Date: _____

Lot#: _____

Street/Blvd/Rd: _____

Owner: _____

Address: _____

Telephone: _____ Fax: _____

Architect/Designer: _____

Telephone: _____ Fax: _____

Contractor: _____

Telephone: _____ Fax: _____

Surveyor: _____

Landscape Designer: _____

Variance requested? Yes No

FOR ARC USE ONLY

| | | | | |
|---------------------|---|--------------------------|---|--------------------------|
| Site Plan | Y | <input type="checkbox"/> | N | <input type="checkbox"/> |
| Floor Plan | Y | <input type="checkbox"/> | N | <input type="checkbox"/> |
| Building Elevations | Y | <input type="checkbox"/> | N | <input type="checkbox"/> |

Architect's Questionnaire

Architect to submit to ARC at First Review

Lot#: _____

Owner's Name: _____

Design Professional Name: _____

Firm: _____

Address: _____

Phone: _____ Fax: _____ E-mail: _____

1. Has the site been visited? Y N Date of last visit: _____

2. Have the covenants and guidelines been read and the house designed accordingly? Y N

3. Has the house been designed to the Standard building codes of South Carolina and Horry County with emphasis on wind resistance? Y N

4. Has every effort been made to minimize site grading? Y N

5. Has every effort been made to minimize the removal of existing vegetation? Y N

6. Does this home block the major views of adjacent homes or those across the street? Y N

7. Was every attempt made to keep from blocking major views? Y N

8. Has the house been staked on the lot? Y N

9. Have trees that are to be removed been tied with surveyor's tape? Y N

10. Site low point (AMS): _____
11. Highest roof range above low point (#10 above): _____
12. First floor elevation (FFE): _____
13. Footprint area to include decks, stairs, roof overhangs: _____
14. Finished grade within footprint: _____
15. Portion of lot to be graded: _____
16. Area under main girder that is enclosed: _____
17. Material to be used for screening: _____
18. First floor heated sq. ft.: _____
19. Second floor heated sq. ft.: _____
20. Other heated sq. ft.: _____
21. Total porch sq. ft.: _____
22. Total deck/balconies sq. ft.: _____
23. Total heated sq. ft.: _____

24. Please describe any variances that are being requested and give reason: _____

25. Circle which of the following features will be on the site. Locate, describe, and give color:

Basketball hoop Swing set Pools/Enclosures Other

Describe: _____

26. Manufacturer, model number, color, samples (where applicable) for the following:

a. EXTERIOR WALL MATERIAL: _____

Color: _____

b. TRIM: _____

Color: _____

c. ROOFING: _____

Color: _____

d. DOORS: _____

Color: _____

e. SCREENING GRADE LEVEL: _____

Color: _____

f. PAVING: _____

g. WINDOW & WINDOW TRIM: _____

Color: _____

h. OTHER: _____

29. Describe driveway construction to main road:

TO THE BEST OF MY KNOWLEDGE, THE FOREGOING STATEMENTS ARE TRUE:

DESIGN PROFESSIONAL SIGNATURE

DATE

Variance approved? Yes No

DATE: _____

Final Review Application

Owner to submit to ARC

Date: _____

Lot#: _____ Conceptual Approval Date: _____

Street/Blvd/Rd:

Owner:

Address: _____ Phone: _____ Fax: _____

Architect: _____ Phone: _____ Fax: _____

Contractor: _____ Phone: _____ Fax: _____

Landscaper: _____ Phone: _____ Fax: _____

Describe Variance Request. Please attach.

FOR ARC USE ONLY

| | | | | | |
|---|---|-------------------------------|---|---|-----------------------|
| Y | N | Site Plan | Y | N | Electrical Plan(s) |
| Y | N | Landscape Plan | Y | N | Floor Plan(s) |
| Y | N | Foundation/Framing Plan | Y | N | Details Sheet |
| Y | N | Building Elevation(s) | Y | N | Door/Window Schedules |
| Y | N | Construction Details/Sections | | | |

Approved

 Not Approved

 Conditional Approval

Approval Date: _____

V. Construction Guidelines

A. Builders/contractors will be required to post a Contractor Performance Bond in the amount of \$3,000.00 to ensure that during the construction, the contractor:

1. Keeps the property neat, clean and in a workmanlike manner
2. Completes improvements in accordance with the approved plans and specifications
3. Ensures the streets and curbs are maintained throughout the construction process and kept in the same good quality condition as they were when the construction began
4. Ensures proper reseeded, cleanup of right of ways and drainage swells for any damage by the contractor and/or its agents.

Should the above not be done at the end of any business day or the end of construction, some or all of the bond may be used to bring the contractor into compliance with approved plans and for any necessary site maintenance. Upon compliance, \$1,000.00 of the total \$3,000.00 will be refunded to the builder/contractor. The remaining non-refundable \$2,000.00 will be placed in a special account for the upkeep of the roads.

B. Owners will be required to post a Compliance Bond in the amount of

\$1,500.00 to ensure the owner adheres to the ARC Guidelines. Upon compliance, \$1,000.00 of the total \$1,500.00 will be refunded to the owner. The remaining non-refundable \$500.00 will be placed in a special account for the upkeep of the roads.

C. Builders and/or owner must obtain all city and county permits and post appropriate permit at the job site.

D. Before construction can begin, the owner must receive final approval from the Architectural Review Committee.

E. Each construction site is to have portable toilets provided and located in an inconspicuous area.

F. All construction materials must be kept within the job site and maintained in a neat and orderly manner.

G. Special care is to be taken during construction to preserve all existing vegetation. Clearing, grading or building on site without prior ARC approval will result in fine and suspension of work.

H. Fires are not permitted on any construction site.

I. Temporary power poles are to be erected plumb. Temporary utilities may be installed for electricity and water as indicated on the site plan.

J. The owner will be responsible for any immediate repairs to curbs, paving, storm drains, utility lines and other existing features damaged as a result of construction.

K. Owners are responsible for their contractors and contractors are responsible for the actions of their employees and subcontractors

1. Workers must wear proper dress including shirts & shoes at all times
2. Workers will not bring pets onto construction sites

3. No abusive "cat calling" or cursing will be tolerated
4. Sounds from radios, tape players, CDs, etc. shall be kept at such volume that will not create a nuisance or annoyance to neighbors
5. The possession of, or consumption of alcohol or drugs is prohibited, and violators will be removed
6. Firearms or other weapons are prohibited
7. The exterior of all buildings must be completed within twelve (12) months from the date of approval

L. In addition to any silt fencing installed for the purpose of controlling silt; install a silt fence fully along the front of the site (25 feet may be left open at the site of the proposed driveway) and the edge of the street, and fully along the sides (to extend 20 feet beyond the rear most part of any proposed structure) of the lots beside your lot, obtaining permission of neighboring properties owners where applicable. This measure is solely intended to protect neighboring properties from construction damage and to prevent mud being tracked onto roads from the construction process.

M. Pelican Bay Subdivision construction work and delivery hours are:

Monday -Saturday 7:30 a.m. until 6:00 p.m.

Sunday - No work or deliveries

Holidays - No work on the following holidays:

New Year's Day

Labor Day

Memorial Day

Thanksgiving

Independence Day

Christmas Eve & Christmas Day

****NO WORK ON JOB SITES BY HOMEOWNERS ON SUNDAYS OR HOLIDAYS UNTIL A C/O IS DELIVERED TO ARC****

VI. Landscape Guidelines

A. Minimum landscaping required is as follows:

1. Grass sod or a combination of sod and mulch or pine straw to be placed at all cleared areas on lot. Acceptable grasses are St. Augustine, Centipede, Bermuda and Zoysia only.
2. Foundation shrubs, purchased in three (3) gallon or larger containers, placed in key locations around all sides of the house on no greater than five (5) foot centers.
3. Two medium growing shade trees used on each lot. Two shade trees for the front yard of 10' overall height and 2 1/2" caliper. Existing healthy trees left to remain may be credited to this calculation with approval of the ARC. Suggested trees are maple tree varieties, elm trees, beech trees, oak trees, chestnut trees, honey locust trees, sycamore trees, ash trees, poplar trees and magnolia trees. Other Trees will be considered. Lots 62,64,73,75,84,86,96,98,107,and 109 only require one (1) shade tree.

4. Large natural areas of mulch without planting will not be allowed. Mulch in beds is suggested to retain moisture and limit weeds as well as provide a neat, well-kept appearance.
 5. A landscape plan drawn to scale, and an irrigation plan shall be presented to the ARC for approval.
 6. Irrigation systems must include automatic timers located in garage on outside wall. Automatic timer connections to outside hose bibs are not allowed.
- B. All approved landscaping must be completed prior to Certificate of Occupancy.
- C. Except within the actual building site or within twenty (20) feet (10 feet in phase 2) of the main dwelling, no trees of any kind may be removed without prior approval of the ARC.
- D. Location and type of irrigation wells must have prior approval of the ARC.
- E. The Architectural Review Committee shall have final approval regardless of any interpretation of the Landscape Guidelines.

VII. **FINES**

As the Pelican Bay community continues to grow, there is a greater and more constant need to protect the integrity of our Architectural Review Committee rules and regulations. There is a greater tendency to "just do things" and not ask for approval. This creates a real problem when others see something in violation and just assume that it is O.K. and then repeat the problem. To this end, there is a schedule of fines for violations of ARC rules. They are as follows:

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|--|---|------------------|
| Unauthorized exterior changes to home or lot | <u>\$50.00</u> up to <u>\$500.00</u> | per day |
| Commencing construction without ARC approval | <u>\$50.00</u> up to <u>\$500.00</u> | per day |
| Lot clearing without ARC approval | <u>Minimum \$1000.00</u> | plus restoration |
| Working during unauthorized hours | <u>\$50.00</u> up to <u>\$500.00</u> | per infraction |
| Fires on job site | <u>\$50.00</u> | per occurrence |
| Removal or damage of specimen trees without ARC approval or replacement, or failure to maintain 2 ARC approved trees | <u>\$100.00</u> up to <u>\$1,000.00</u> | per tree |
| Trash container not in place to start framing | <u>\$50.00</u> | per day |
| Unauthorized dumping of debris and/or storage of construction material | <u>\$100.00</u> | per day |
| Blocking mailboxes by contractor vehicles | <u>\$50.00</u> | per infraction |
| Dumping of concrete/concrete washing on areas other than the jobsite | <u>\$500.00</u> | per incident |
| No portable toilet | <u>\$50.00</u> | per day |
| Breaking storm drain covers | <u>Actual replacement cost</u> | |
| Inadequate trash pickup | <u>\$50.00</u> | per day |
| Inadequate street clean up | <u>\$50.00 up to \$500.00</u> | per day |
| Construction over the one-year timeline | <u>\$200.00</u> | per day |

All storage buildings, propane tanks, and mechanical equipment, not adequately landscaped and screened from public view **\$100.00** fine plus remediation.

Any lot that has become unsightly due to fallen trees, or limbs, overgrown grass, weeds and debris **\$100.00** fine plus remediation.

Trailers on property longer than 48 hours prior to or after planned use. **\$100.00** per day

Guest with RV's must be in driveway and obtain permission from Board or Management company with enter and exit dates.

NOTE: Any change or add order to original plans (i.e.: out buildings, fences, etc.) during the building process **\$25.00** fee

-Property owners will be liable for any damage and repairs occurred to the subdivision during home construction due to builder/contractor negligence.

It is the responsibility of the property owner to provide a copy of the "Fines" schedule to their builder/contractor.

****Owners and their builders/contractors must sign that guidelines have been read and understood.

Fines are the ultimate responsibility of the property owner, as the builder and subcontractors are working as agents of the owner. As such, these fines, if levied, become assessments/lien against the property.

It is recommended that you, the property owner, add the following, or something similar, to your construction contract:

I _____ having read and understand all Pelican Bay Architectural Review Committee work rules, standards, requirements and procedures will be responsible for all fines levied against the property owner. Property owner has the right to deduct fines from payment to contractors. Contractors who violate the Architectural Review Committee rules and regulations can be banned from Pelican Bay.

Builder/Contractor Date