

Construction Guidelines and Architectural Committee Oversight



South Landing Property Owners Association, Inc.
2060 FALLING STREAM • SANFORD • NC 27332

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Construction Guidelines and Architectural Committee (AC) Oversight

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Forward: The following guidelines are a supplement to the By Laws and/or Covenants and Restrictions established for South Landing Property Owners Association, Inc., (SLPOA) as filed with the Lee County Registrar of Deeds. In the event of any conflict between the two, the By Laws and/or the Covenants and Restrictions shall apply.

Article I:

Purpose, Structure and Operations of the AC

- A. Purpose.** To control and enforce certain architectural standards as hereafter set forth.
- B. Organization.** The AC shall consist of three (3) members elected to a one-year term by the members of the SLPOA, Chairman to be a member of the Board.
- C. Meetings.** The AC shall meet as required at a time, date and place set by the Chairman.
- D. Operations.** In reaching decisions, the AC will review and consider all information submitted, including visiting the site. In most instances, this document sets forth the standards and guidelines that the AC will use in making decisions. In some instances, the standard to be applied will be determined on an individual basis. Decisions will be made and communicated in writing to the requesting owner or contractor acting on owner's behalf.
- E. Variances.** The AC may grant reasonable variances from the provisions of this document, and from the provisions of the Covenants, when literal application would result in unnecessary hardships, and if the granting of such variances would not materially harm other owners or the environment.
- F. Violations.** The AC will notify the contractor and/or owner, in writing, of any violation of these construction guidelines or any applicable provisions of the By Laws and/or Covenants and Restrictions of the SLPOA. Failure to take corrective action, or to notify, in writing, of intent to take corrective action, within fifteen (15) days after issuance of such notice, subjects the violator to appropriate imposable sanctions.
- G. Sanctions.** Sanctions imposable by the SLPOA include issuance of stop work orders. (See Article XI).

**Article II:
Projects Requiring AC Approval**

Property owners are urged to meet with the AC prior to making any building plans so that they understand their responsibilities regarding the SLPOA Construction Guidelines. This is particularly true for all **new** construction applications.

Projects, which **must** be submitted to and approved by the AC before work can commence and which must abide by all guidelines herein, include, but are not limited to, the following:

- A. Construction of a new residence, structure, building, dock or alteration of vacant lot in preparation thereof. Improvements not included in the original permit or to be started after the final inspection of a previous permit will require a new application and approval.
- B. Improvements, alterations, additions, changes or repair of existing residences, structures or other buildings which will alter or change its exterior dimensions or appearance, including colors and types of materials.
- C. Construction, replacement, alteration or change of an access drive that connects to roads and streets.
- D. Installation of fences, hedges, retaining and other walls, and any other structure.
- E. Any clearing or landscaping that will alter the appearance of, or the flow of, surface water on any adjacent lot. (See Articles IV & V)
- F. Installation of exterior lights. (See Article IX)
- G. Dock construction requires an approved application from **both** the AC and the Carolina Trace Country Club (CTCC) owners. Homeowners should submit their application **only** to the AC and if AC approval is granted, the AC will pursue approval from the CTCC.

**Article III:
Submittals to AC**

All submittals for consideration by the AC shall be in writing, dated and signed by the requesting owner. Each request shall clearly identify the lot number or numbers affected by the request and shall include appropriate documentation and/or information as specified herein.

A. New Construction

1. One set of plans for the proposed construction containing all information and data as specified in Appendix A. Samples of building materials, (i.e., brick or siding, roofing) paint colors, etc. must be provided and approved in writing before construction begins.
2. Field location requirements, **which must be accomplished prior to submittal to the AC for approval.**
 - a. The surveyor or contractor shall locate accurately by means of stakes and string, the perimeter of the structure to be built, including decks, porches, and garages so that the position of the structure can be determined readily at the time of the initial field inspection.
 - b. The location of the driveway and parking area shall be similarly staked and strung.
 - c. Strings along the property lines to allow verification of setbacks.
3. One set of survey plot plans containing the following:
 - a. Location of building and setback measurements.
 - b. Location of driveway and parking areas.
 - c. Location of easements, erosion control devices and exterior lights.
 - d. Expected direction of surface water flow from driveway and roof eaves.
 - e. A surface water drainage plan. (See Article IV)
4. One set of specifications for the proposed construction.
5. One copy of the application form in the format of Appendix B, complete with the information and data indicated, signed and dated by the requesting Owner and the Contractor.
6. A copy of the Lee County Building Permit **before** the start of construction.
7. Construction Indemnity Agreement & Proof of Workman's Comp and Liability Insurance.

B. Improvements, Alterations, Additions, Changes or Repairs to Existing Structures and/or Property

1. One set of working sketches of the proposed work, including floor plans, elevations with appropriate dimensions and an indication of the location of the proposed work relative to the existing building or structure and to property lines.
2. One set of specifications including the type and color of exterior materials to be used on the roof, walls and exterior surfaces including color swatches.
3. One copy of application form in the format of Appendix C.
4. A copy of the Lee County Building Permit **before** start of construction.

C. Other Submittals

1. Requests for approval of all other projects shall be made by application forms in the format of Appendix C, signed and dated by the requesting Owner. The application shall identify the lot number involved and shall state the type and scope of the proposal and reasons therefore. If construction (e.g., a dock) is proposed, the application shall include a sketch of the proposed work with appropriate dimensions, materials to be used and color schemes.
2. The road maintenance fee must be submitted to the committee along with the documents requested above. If the plans to build are cancelled, it will be returned.

D. Time of Submittal

All proposals submitted for approval by the AC must be delivered to the Chairman as soon as possible to allow proper review. The AC will meet as soon as practical to consider the request. No construction can be started without written approval by the AC.

**Article IV:
Surface Water and Erosion Control**

- A. A detailed water and erosion control plan must be submitted to the AC along with the building plans. If deemed necessary, this plan will be reviewed by a professional water resources engineer, at the owner's expense, before approval for construction is given by the AC. The owner and

contractor are jointly responsible to ensure construction complies with the approved erosion control plans.

- B. Any damage (washing, trenching, etc) to adjoining lots or lots in the drainage field of the improved lot resulting from construction activity is the responsibility of the owner and the builder and must be corrected.
- C. Properly erected silt fences must be installed while the construction is in progress to ensure there is no silt run-off into the lake or streams leading to the lake. After construction is completed, and before the builder leaves the site, the silt fence must be removed, and the collection of materials properly disposed of to prevent post construction run-off.
- D. Culvert requirements will be determined by the AC prior to the approval of any building request and details of requirements will be included in the approval letter as a prerequisite for approval. Costs for such improvements are the responsibility of the homeowner.

Article V:

Tree Removal, Clearing, Grading, Driveways, Parking, and Landscaping

- A. The following regulations apply within the property lines of all lots in SLPOA.
 - 1. **Tree cutting and preservation during site preparation and construction**
 - a. The complete removal of all trees from any parcel of land without the **prior** written approval of the AC is **prohibited**.
 - b. Every effort should be made to preserve as many mature trees as possible in order to maintain the location's natural beauty and prevent erosion.
 - c. Removal of trees for construction site clearance shall be limited to those within the foot print of the building foundation and not more than twenty-five (**25'**) feet beyond; and those within the boundaries of walks, driveways and parking areas. Location of buildings, walks, driveways and parking areas shall be planned to minimize tree removal. Stumps within such boundaries shall be removed. All uprooted stumps are to be removed from SLPOA.
 - d. Tree stumps, which are not removed, shall be trimmed to ground level.

- e. Care must be exercised during clearing of trees and construction to avoid damage to trees on adjoining properties.
- f. The owner/contractor is responsible for any damage caused to adjoining property by their construction activity.

2. Grading

- a. Natural existing slopes and grade shall be maintained to the fullest extent practicable.
- b. Grading for driveways should direct all drainage to existing ditches or natural drainage swales.

3. Driveways and Parking Areas

- a. Each lot upon which a residence is constructed, shall be provided with a suitable driveway and with parking areas for not less than four (4) automobiles within the boundaries of the lot, including the garage.
- b. Driveways and parking areas should be **immediately** covered with an adequate course of broken stone or gravel at the start of construction to prevent any erosion. Every effort must be made to minimize carrying mud and other debris onto existing road surfaces. When mud is deposited on the roadways, it is the responsibility of the contractor to clean it off as soon as reasonably possible.

4. Utility Easements and Lines

- a. As required by Article III. A. 3, the survey plat shall indicate all easements.
- b. All utility lines must be flagged by the appropriate utility companies **prior** to the commencement of foundation excavation or grading operations for driveways and walks.

Article VI: Building Construction

- A. **Minimum Floor Area.** Each dwelling constructed shall meet the minimum square footage of ground coverage as set forth in the South Landing Covenants and Restrictions, Section IV. A. 4.

B. Site Inspections. The AC shall make the following inspections:

1. An initial Site inspection.
2. An inspection before footings are poured to ensure that the setbacks are correct.
3. Random inspections to check erosion control devices and compliance with submitted plans.
4. Final Inspection and verification of Certificate of Occupancy.

C. Minimum Setback Distances. The following minimum setback distances are prescribed by the Covenants and Restrictions, Section IV. A. 4., and/or the recorded plat.

1. **Road Side Setback.** The building or structure shall be located no less than fifty feet (50') from the front property line.
2. **Side Setback.** The building or structure shall be located no less than twenty feet (20') from any side property line.
3. **Rear Setback.** The building or structure shall be located no less than fifty feet (50') from the rear property line.
4. **Methods of Measurement.** The defined setback distances shall be measured on a level plane from the foundation of the building or structure (porches, decks, steps) to the surveyed property line. If the lot is located on a curve of the paved road or street, and the curve is not adequately marked by monuments, the front setback shall be measured from the outside line of the prescribed road or street easement as set forth by the recorded plat for the unit in which the lot is located. For lots located on the ends of courts where the front property line is defined by the radius of a circle, the survey should locate and mark the center of the circle.
5. **Special Consideration.** Setback requirements for a structure to be built on an irregular lot will be considered on an individual basis.

D. Exterior Walls. The material of exterior walls of buildings shall be approved based on harmony with the existing standards of the neighborhood and with consideration of the location of surrounding structures and topography. The primary construction material for all road-facing exterior walls must be **brick or natural stone and can be in combination with fiber cement siding**. Non-road-facing walls must be

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of brick or fiber cement siding. Vinyl siding shall **not** be used as the primary exterior construction material. However, vinyl may be used as an accent material such as soffits, eaves, windows, etc.

- E. Exterior Colors.** Color swatches of exterior walls and trim shall be included in any building request (as described in III. A. 1). The sample shall be of the exact paint and gloss proposed and applied to a section of the siding to be used, not less than 2 feet long and 9 inches wide. The AC will determine if color selections meet the existing standards and harmony requirements of the environment. Color selection should blend in with existing constructed homes and environment. The AC decision on color acceptance is required prior to granting an approval letter.
- F. Roofs.** Exterior roofing shall be asphalt Class A or fiberglass shingle, or slate. Requests for a variance for the use of some other specific material will be considered on an individual basis.
- G. Enclosure.** Construction of a home in which the crawl space, or space between the ground and lowest habitable level, is open is prohibited.
- H. Trailers, Mobile and Modular Homes.** The installation of a trailer, mobile or modular home or a structure having the appearance of a trailer, mobile or modular home is prohibited.
- I. Detached Buildings.** The construction of any detached building including but not limited to storage and garage structures is prohibited.
- J. Garages.** All new home construction must have a minimum of a 300 sq. ft. attached garage.
- K. Satellite Dishes.** Although permitted, satellite dishes must be hidden from view to the extent possible. When installed in the ground, they must be shielded from view by plantings or some other form of shielding so as not to be noticeable from the street.
- L. Other.** No trade materials, inventories or commercial vehicles may be stored on the premises and no boats, trailers, buses, motorized camping vehicles, or tractors may be stored or regularly parked on the premises except in garages or well-screened enclosures, the latter of which are subject to AC approval.
- M. Jacuzzis.** No outside Jacuzzis or “hot tubs” are permitted without written approval of the AC. Any such installations must be well screened from public view.

**Article VII:
Construction Permits and Inspections**

No field-work, including lot clearing, or new construction can proceed until permits have been issued by Lee County, and permits have been conspicuously posted at the job site. An exception to the above is the removal of brush to facilitate the survey of the property or the placement of strings to indicate the proposed locations of house and driveway.

Permits must remain posted during the construction process.

- A. **Lee County Building Permit.** A photographic copy of the county building permit shall be provided to the AC by the owner/contractor for incorporation into the documentation file.

**Article VIII:
Constructions Procedures and Requirements**

- A. **Construction Signs.** The Contractor may utilize a suitably designed sign bearing the name of the firm in letters not exceeding three (3”) inches in height. This sign should be placed on or near the front property line of the construction site. No other signs shall be placed on the property by the contractor, subcontractors, or material suppliers, with exception to Permits required to be displayed. The sign shall be removed within fifteen (15) days after completion of the project.
- B. **Temporary Toilet.** A self-contained type toilet **must** be installed at the construction site by the owner/contractor at a location least offensive to people in adjoining houses or those passing by the site. The facility shall remain in place until the inside toilets are operable.
- C. **Construction Site Trash. Burning of trash in SLPOA is banned.** The owner/contractor is responsible for the containment and removal from South Landing of all trash generated during construction. Trash must be removed at regular intervals during construction. To maintain a neat appearance, all trash shall be contained daily, until regular interval removal.
- D. **Road Repair.** Contractor/owner is responsible for ensuring the repair of any road damage caused by the cutting of roadways for utilities, or by construction vehicles. The roadway must be returned to equal or better condition than when approval was granted.

- E. Construction Schedule.** Construction must start within thirty (30) days of date of AC approval and the exterior must be completed within six (6) months from the date construction commences.
1. Construction must be complete, and Certificate of Occupancy issued within one (1) year of construction start.
 2. Any home that is not completed within one year of the start of construction will automatically be added to the POA listing as a **completed** construction. All appropriate fees for **completed** construction will be assessed.

**Article IX:
Exterior Lighting**

- A. Type**
1. Only incandescent, compact fluorescent or LED exterior lighting is permitted.
 2. Spotlights or floodlights may not be used in any manner that unreasonably annoys other property owners. Spotlighting and floodlighting may not be directed towards any public road or towards any lot other than that on which it is placed.
 3. Accent garden lighting of trees within property lines of lot are allowed provided they do not distract from natural beauty or negatively affect neighbors in any way.
 4. Lamppost(s) with dusk-to-dawn light may be located near the front of the lot as near the street as possible. This practice is encouraged, as we do not have streetlights in SLPOA.

**Article X:
Miscellaneous Items**

- A. Fences.** The installation of privacy fences along property lines in SLPOA is **prohibited**. The AC will consider on an individual basis requests for installation of appropriately designed fences for landscaping or screening purposes or for the containment of pets.
- B. Fuel Tanks.** Fuel tanks must either be buried or screened from view.
- C. Firepits/Outdoor Fireplaces.** Based on NC DEQ NCAC 15A 02D.1902-3 open burning within Carolina Trace is not permitted. Outdoor fires must be

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kept within a contained system including a chimney, stack, and/or spark arresting device, and require AC approval prior to installation/setup and use. Outdoor grills and other cooking appliances are permitted. At no time shall non-vegetative material, garbage/trash, or other refuse be burned within South Landing.

- D. Off Street Parking.** Driveways and parking areas must be completed before occupancy of the dwelling.
- E. Central Water and Sewer System.** All dwellings must be connected to the community central water and sewer system.

Article XI: Judicial Process

The following guidelines are to be implemented by the AC as to the judicial process for contractor and/or contractor/Owner violations.

- A.** All violations are to be discussed with the property owner and/or contractor by the AC.
- B.** The AC will prepare a violation report.
- C.** A letter will be sent by the AC to the contractor/owner describing the violation and the amount of time to make a correction.
- D.** If the violation is not corrected, SLPOA Board of Directors, after reviewing the violation, can issue a stop work order until the violation is corrected.
- E.** Should the violation(s) continue and not be corrected in reference to road damage or erosion control violations, SLPOA Board of Directors may take necessary action to correct the violation and charge the costs thereof to the contractor/owner.
- F.** Should the violations be other than road damage or erosion control, and violation(s) is/are not corrected within the specified time, the violation will be turned over to the SLPOA Board of Directors to prepare the proper sanctions.
- G.** The SLPOA Board of Directors is to receive copies of all violation reports and is to review all violation notice letters prior to issuance, and any documentation that the AC has for the proper issuance of sanctions.

**Article XII:
Documentation Files**

- A. GENERAL.** A file folder by lot number is to be maintained for each residence, building, or structure at SLPOA for use during the AC review and approval processes, for reference during construction and for use as a record for administrative purposes and requirements. A copy of all documents, correspondence and other matters affecting the property will be maintained in the file. These documents shall include but not be limited to:
1. Plot plans
 2. Plans of the building/structure
 2. Specifications for the building/structure
 3. Application Form
 4. Lee County Building Permit
 5. Proof of Insurance
 6. Construction indemnity agreement
- B. Records Access.** The documents, records and correspondence placed in the documentation files shall be available for use by the owner, the AC and the SLPOA Board of Directors. The Building Plans will typically be shown to adjacent Property owners as a courtesy.

Appendix A



South Landing Property Owners Association, Inc.
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Construction Plans

General. As set forth in Article III A, Submittals to the AC, one set of plans for proposed new construction is required for AC review. Each drawing shall be provided with a title block in which the name of the owner, and unit and lot number are shown. Each drawing shall be clearly identified and provided with a graphic scale. Scales of less than $\frac{1}{4}'' = 1'0''$ shall not be used. All dimensions shall be clearly printed, indicating feet and inches on arrowed dimension lines.

Required Plans and Documents. To carry out its duties, the AC requires the following construction plans in the indicated detail.

1. Foundation Plans. The foundation plans shall indicate the type and size of foundations and footings for basement walls and piers, interior walls, if any, steps, outside entrances and garage area.

2. Floor Plans. A plan shall be provided for each floor of the proposed building and basement, if any. These plans shall indicate the type and dimensions of all exterior and interior walls, doors, windows, projections from the principal structure, including porches, decks, patios and garages. Dimensions shall be provided in feet and inches on arrowed dimension lines. The square feet of heated space on each floor shall be computed and entered on each floor plan drawing.

3. Elevations. Elevations shall be provided indicating the front, each side and rear views of the proposed building. These elevations shall include the exterior wall finishes, roofing, solar fixtures, if any, chimneys, doors, windows, porches, decks, vents, flashing and other features to clearly indicate the exterior appearance.

4. Site Plans. A site plan shall indicate property lines, building location including overhangs, porches, decks, patios and garages with dimensions provided in feet and inches. Any surface water and drainage controls, both temporary and permanent, must be shown. Any exterior lighting must be shown.

5. Construction Indemnity Agreement and Proof of Insurance

Operation. After review and approval of construction plans by the AC, the complete set of documents shall be retained in the AC's documentation file for the residence.

Appendix B



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Owner Application for New Construction/Additions

Project: New Building Addition **Location:** Lot no. _____ Street _____

| | |
|-------------------|--------------------------|
| Owner: | Contractor: |
| Name: _____ | Name: _____ |
| Address: _____ | Address: _____ |
| City: _____ | City: _____ |
| State, Zip: _____ | State, Zip _____ |
| Telephone _____ | Telephone _____ |
| Mobile # _____ | Mobile # _____ |
| | N.C. State License _____ |

General Information:

House will be full time / part time residence.
 Living area to be one or two floors
 Basement: Y N Crawl Space: Y N
 Garage: 1 car 2 car 3 car Golf Cart

Documents Submitted:

One each attached. Lee County Building Permit:
 Proof of Insurance Construction Indemnity Agreement
 Construction Plans: Construction Specifications:
 Site Plan Plot Plan Surface Water Control Plan Exterior Lighting Plan

Setbacks:

Square Footage:

| | |
|--------------------------------|---|
| Road Side _____ ft. | 1 st Floor _____ sq ft. heated |
| Left Lot Line _____ ft. | 2 nd Floor _____ sq ft. heated |
| Right Lot Line _____ ft. | Basement _____ sq ft. heated |
| Rear Lot Line _____ ft. | Screened Porch _____ sq ft |
| Corner Lot: Front _____ ft. | Deck(s) _____ sq ft |
| Side _____ ft. | Garage _____ sq ft |
| Total Heated Area _____ sq ft. | |

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Foundation Type:

Slab Basement Crawl Space

Exterior:

Primary Material: _____ % of exterior Brick Brick Color _____

Stone Stone Color _____

Fiber Cement Siding Siding Color _____

Secondary Material: _____ % of exterior Brick Brick Color _____

Stone Stone Color _____

Fiber Cement Siding Siding Color _____

Trim Material: _____ Painted Trim Color _____

Asphalt Driveway Gravel Driveway Concrete Driveway

Roof Type: Shingle Slate Roof Color _____

Other Exterior colors not covered above: _____

NOTE: Color swatches/samples must be included for all paint, brick, and trim.

Landscaping:

Grass Pine straw Wood chips Bark (Check all that apply)

Owner & Builder acknowledge reading and understanding the “**Construction Guidelines and Architectural Committee Oversight**” document.

Owner Signature _____ Date _____

Contractor Signature _____ Date _____

Architectural Committee Approval Date _____

If any changes or modifications to the above descriptions are made without the express written (signed and dated) approval of the South Landing Architectural Committee the approval for occupancy will not be issued.

Appendix C



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Owner Application for Improvements, Alterations, Changes or Repairs to Existing Structures and/or Property

Date: _____

Owner: _____

Address: _____

Subject: AC Approval Request

Describe the project, including a diagram with specifications and location on property.
(Attach additional pages if necessary)

Owner Signature _____ Date: _____

AC Approval _____ Date: _____