



# Architectural Design Standards & Guidelines

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# 1. Introduction to Turtlewood at Southport

## 1.1 Association Standards and Guidelines

The Turtlewood at Southport Architectural Design Standards and Guidelines are established to assure and implement a high level of design and aesthetic appeal for the community as well as maintain that through time. They will serve as a framework of procedures, design concepts, performance and quality standards that will guide the design and construction as well as maintenance of homes. They are established to complement the “Declaration of Covenants, Conditions and Restrictions” for Turtlewood at Southport. According to these documents, responsibility is assigned to the Architectural Review Committee (ARC) to establish standards by which they may review and administer the planning, design, and maintenance of the community. The ARC, under the direction of the Homeowners Association (HOA) reserves the right individually to revise and update the criteria as well as the performance and quality standards within these standards and guidelines.

Design approval by the ARC is for external aesthetic appeal and consistency only and for the good of the community as a whole. Approval by the ARC does not assure nor intend to assure governmental approval or design integrity. Owners should rely on their contractor and architect for structural integrity, functional soundness, appropriateness of materials or any other necessary attributes.

All plans for new construction must be submitted to, and approved by, the ARC prior to starting any build. In addition, any change to plans previously submitted and approved must be resubmitted for approval prior to proceeding with any change, including, but not limited to, government agency required changes.

All plans for external changes to an existing home must be submitted to, and approved by, the ARC prior to starting any work. An external change can include, but is not inclusive of, external building features (windows, additions, porch enclosures, doors, decks, hardscapes, etc.), major landscaping (yard replacement, drainage, lighting, etc), tree replacement, fencing, outbuildings, passive solar heating or charging, roofing, and other aspects. Note, as with new construction, any and all change to plans submitted must be resubmitted prior to implementing any change to a previously approved plan.

### 1.1.1 Approval of the ARC Architectural Design Standards and Guidelines

The Turtlewood at Southport HOA Board of Directors (BoD) is responsible for reviewing and approving the ARC Architectural Design Standards and Guidelines.

## 1.2 Governmental or Other External Authorities

Each contractor and/or homeowner must conform to any and all governmental or other external authority’s requirements. This includes appropriate permits or other applications. Should there be a conflict in standards or guidelines, the more restrictive requirement takes precedence.

## 1.3 Fees & Bonds

**a. Construction Plan Review Fee: \$400** (new building, current building addition, any work requiring a permit, and new construction landscaping)

**b. New Construction Bond: \$5000**

**c. Addition to Existing Home Construction Bond: \$1000**

Bond must be submitted by the builder prior to plan approval or any clearing / construction. The bond will be returned upon:

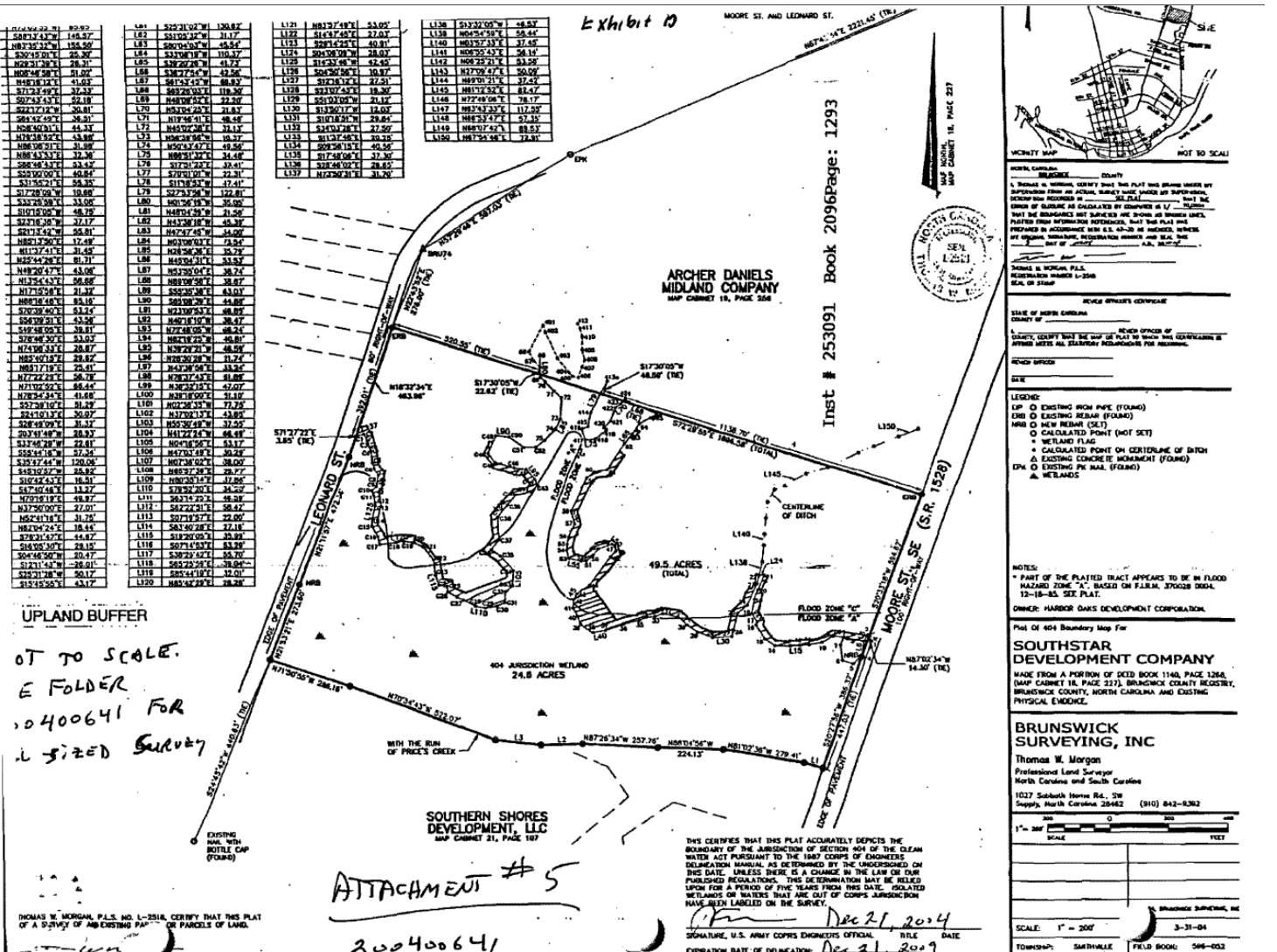
- a) Successful final inspection of finished home and landscaping by the ARC and
- b) Receipt of Occupancy Permit (if required).

The cash bond will be placed in a non-interest-bearing account. Any fines accrued by the builder will be deducted from the construction bond and the builder will be required to replenish the reduced amount so as to maintain the required balance.

## 1.4 Wetland Buffer

The Department of Army Corps of Engineers has issued a permit, Action ID Number 200400641 for the development of the Properties. As mitigation for wetland impacts authorized by that permit, the Declarant, as developer of the Properties, is required to prohibit the development within certain conservation areas as shown on the plat prepared by Thomas W. Morgan, L-2518, Brunswick Surveying, Inc., 1027 Sabbath Home Rd., Supply, NC 28462, a copy of which is attached hereto as Exhibit A and incorporated herein by this reference. Additionally, the Wetlands Buffer can be seen for each lot of the final plat. Accordingly, all conservation areas shown and delineated on the aforementioned plat(s) shall be left in their natural state and no building or site improvement shall be permitted within the conservation areas. Prohibited activities within the conservation areas include, but are not limited to, construction or replacement of roads, walkways, buildings, signs or structures of any kind; filling grading excavating, leveling, or other activities that may alter the drainage patterns on the property; cutting mowing, destroying, removing or damaging vegetation, disposal or storage of any debris, trash, garbage, or other waste material. Nor shall any action be taken by the permittee that will adversely impact the wetlands or waters on conservation property, except as specifically authorized by the aforementioned permit.

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Any sale, lease or other conveyance of the conservation property shall include restriction on use of the property described hereinabove. Such restrictions shall include language proving for third party enforcement rights in favor of the Department of the Army Corps of Engineers.

Those provisions shall not be modified or amended without the express permission of the Department of the Army Corps of Engineers.

This part of the Architectural Guidelines is also set forth in Article XVI of the DCCR's and is intended to ensure continued compliance with the mitigation condition of the Clean Water Act Authorization issued by the United States of America, U.S. Army Corps of Engineers, Wilmington District Action ID 200400641 and therefore may be enforced by the United States of America.

The properties impacted by are:

- Turtlewood Drive:** 6085, 6087, 6089, 6091, 6093, 6095, 6097, 6099, 6101
- Gray Squirrel Path:** 5075, 5981, 5982
- Canvasback Court:** 5012, 5013, 5014, 5015, 5016, 5017, 5018, 5019

1.5 Storm Water Swales

The storm water swales in Turtlewood at Southport are regulated by the North Carolina Department of Energy and Natural Resources (DENR). Turtlewood at Southport has been issued a Storm Water permit (SW8 041002) and is required to assure that the Storm Water Swales are maintained to the standards as set forth by DENR.

1.5.1 Storm Water Swale Locations and Adjacent Properties

Storm Water Swales are located adjacent to the following properties:

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- 5018 and 5019 Canvasback Court
- 5094 and 5096 Gray Squirrel Path
- 5091 and 5093 Gray Squirrel Path
- 5093 Gray Squirrel Path and 6096 Turtlewood Drive
- 6096 and 6098 Turtlewood Drive
- 6095 and 6097 Turtlewood Drive
- 6101 and 6103 Turtlewood Drive

**1.5.2 Storm Water Swale Maintenance**

The homeowners and builders with properties adjacent to a Storm Water Swale as defined in 1.5.1 are responsible for the proper maintenance of that Storm Water Swale. Storm water swales are meant to keep our properties from being inundated during serious storms and merit our attention.

Required features include, but are not inclusive of:

- The length of the storm water swale must be one hundred (100) feet long with vegetation three to five inches tall.
- The vegetation in the storm water swale must be maintained at the proper height by mowing.
- The base of the storm water swale must be a minimum of two (2) feet across at the bottom.
- The storm water swale must be kept clear of brush / trees ten (10) feet from the center which could be on an incline from the bottom area. All trees within the ten (10) feet from the center of the storm water swale must be removed or approved by DENR.
- The storm water swale must be kept clear of all debris, kept from filling up with sand or dirt.
- Stone can be laid at the front and be no farther in length of the Storm Water Swale than ten (10) feet.

At a minimum, homeowners should maintain a swale to the state in which it was after the last passing inspection by the State of North Carolina. Note, however, this could change based on the requirements of the State of North Carolina at any time.

**1.5.3 Impact of Non-Maintenance of Storm Water (Drainage) Swales**

The ARC will monitor the conditions of the Storm Water Swales. Should a Storm Water Swale be found out of compliance, the ARC may fine the homeowner(s) up to \$500 per incident. Both bordering homeowners will be responsible for the full Storm Water Swale.

The State of NC DENR will inspect Storm Water Swales and may fine the permitted entity up to \$25,000 if found out of compliance. Should that occur, DENR would fine the Turtlewood at Southport HOA as the permitted entity who, in turn, will fine the bordering homeowners to the non-compliant Storm Water Swale the same amount.

**1.6 Sewage Grinder Pumps**

Sewage grinder pumps are required on the homes at the western end of Turtlewood at Southport. Each homeowner is responsible for the costs associated with installation, maintenance, and replacement. As the State of NC holds the Turtlewood at Southport HOA responsible to assure the grinder pumps are in working order the HOA has established a procedure and escrow accounts for each homeowner impacted by the use of a grinder pump. Refer to the document Grinder Pump Escrow Account Procedure for details.

Note that all transactions for installation, maintenance, and replacement must go through the HOA for approval and execution. Only HOA approved vendors may install or work on grinder pumps.

Homes addresses impacted by sewage grinder pumps are:

- **Canvasback Court:** 5001, 5002, 5004, 5005, 5006, 5009, 5010, 5012, 5013, 5014, 5015, 5016, 5017, 5018, 5019
- **Gray Squirrel Path:** 5972, 5974, 5975

**1.7 Order of Precedence for Regulations**

In the case of conflicting regulations between the HOA, City of Southport, Brunswick County, and the State of North Carolina the order of precedence will be:

1. State of North Carolina

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- 2. Brunswick County
- 3. City of Southport
- 4. Turtlewood at Southport HOA ARC

Note that the most restrictive regulation will take precedence at all times.

## 2. Architectural Design Standards

### 2.1 Site Layout



### 2.2 Understanding Setbacks

Setbacks have been determined in order to provide a comfortable distance between homes. Buildings shall be set on the lot relative to setbacks specified for each lot type. Stoops, chimneys, balconies, and bay windows may encroach within the setback lines specified. A buildings frontage is considered to be the elevation facing the primary thoroughfare. All proposed structures shall follow the City of Southport Zoning Ordinance. The builder is responsible for reviewing the City of Southport Ordinance publication for updates to ensure compliance.

**Setbacks:**

**Building (minimum):**

- Front Yard: 25 feet from street, 25 inches from property line
- Side Yard: 8 feet from property line
- Rear Yard: 20 feet from property line
- Maximum Building Height: 40 feet from lowest elevation

**Accessory Structure (minimum):**

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Side and Backyard: 5 feet

**Notes:**

1. No accessory structure shall cover more than 75% of rear yard.
2. All accessory structures shall be behind the rear elevation of a building.

**2.3 Architectural Standards – Construction / Undeveloped Lots**

These standards apply to all new construction builds as well as existing home updates and require approval by the ARC. There will be no mobile / modular homes allowed to be erected on any lot.

**NOTE:** \*Notwithstanding the architectural design code as stated in this document, the ARC reserves the right to have approval on all elements that pertain to design, proposed structures, alterations to existing structures, site conditions, landscape elements, lighting, aesthetics as it relates to the configuration of each lot.

**2.3.1 Pre-Construction Maintenance**

The homeowner is responsible to maintain an undeveloped lot trimming trees and mowing grass. Grass must be kept below 8 inches in height. Tree limbs must not encroach on the adjacent properties or sidewalks. Brush must be removed.

**2.3.2 Construction Hours**

Work is permitted Monday through Friday between the hours of 7:00am and 5:00pm without any special approval.

To work on Saturdays between the hours of 9:00am and 5:00pm a request must be submitted to the Turtlewood at Southport ARC via Form J for approval. The ARC will survey the neighbors in the area of the construction and request their agreement prior to any approval.

**NO WORK** may be done between 5:00pm and 7:00am of any day, before 9:00am on Saturday, or from Saturday at 5:00pm to Monday at 7:00am.

**2.3.3 Home Styles:**

Whenever possible individual home facades should not be repetitive from home site to home site along individually designed homes with consistent architectural style of the area are encouraged.

**2.3.4 Size:**

All homes shall range from a recommended minimum heated square footage of 1650 square feet with no maximum square footage. This footage is exclusive of garages, terraces, decks, open porches, roof overhangs, and stairs.

**2.3.5 Finished Floor Elevations and Ceiling Heights:**

Each residence submitted for review shall be analyzed according to site topography and adjacent structures. Due to its architectural appropriateness, all single-family homes shall be constructed on a crawl space or raised slab foundation with a minimum dimension of 24" to the bottom of the first floor, a solid wall, parged wall, lattice wall or other appropriate treatment. No slab on grade construction will be allowed. The ARC requires that the floor to ceiling height for the first floor be a minimum of 9 foot 0 inches and the second floor be a minimum of 8 foot 0 inches. All exterior doors must be a minimum of 6 foot 8 inches in height. The height of the dwelling may not exceed 3 floors in height.

**2.3.6 Roofs:**

The pitch of the main structure should not be less than 7 feet in 12 feet. Pitches for porches, breezeways and other secondary structures could be less. Flat roofs (pitch less than 1/12 are only acceptable when used to create an historic century character. No mansard roofs will be allowed. Contemporary or other irregularly pitched roof styles will not be allowed. All roof penetrations, such as gas flues, exhaust vents, plumbing vents, skylights etc. should be located on the rear roof slopes so that they are not readily visible from the street and must be a color that is compatible with roof color. Any penetrations, which are visible from the street, must be approved by the ARC in writing prior to installation.

**2.3.7 Chimneys:**

Chimneys are an important part of the architectural statement of the architectural theme. Their location and massing should be in keeping with that theme. No exterior metal fireboxes are permitted unless encased in masonry or other approved surrounds. Interesting and appropriate detailing at the chimney peak is encouraged. All fireplaces must be top vented where possible. Direct vented fireplaces must be approved by the ARC in writing prior to installation.

**2.3.8 Garages:**

All doors should be compatible with the exterior design and therefore, will be custom embellished, as necessary. All doors are required to have custom trim elements. All garage doors will have an automatic opener installed. Where home site frontages

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allow, side entry garages will be required unless approved by the ARC. Garages shall be located and treated so that the garage does not visually dominate approaches to individual homes. When garages are detached from houses, they shall maintain the architectural style of the house.

**2.3.9 Façade Treatments:**

Symmetry is expected, and all facades should illustrate a clean well thought out appearance. Primary exterior wall finishes shall be brick, lap cypress, cedar, cedar shingles, stone, beaded edge clapboard, fiber cement, hardiplank, or equal materials as approved by the board. No vinyl or aluminum siding material will be permitted. All electric meter bases and other similar devices attached to the exterior of a building shall be painted to match the siding or trim. Detailing must be consistent on all elevations and structure.

**2.3.10 House Identification:**

Every house will have a number identification located on the mailbox at the street so emergency vehicles can readily identify the location of every house in Turtlewood. The location and size of numbers will be uniform and at the discretion of the ARC. Installation of the mailbox and the house identification post should be in approved locations. See section 2.3.21 for requirements for mailboxes.

**2.3.11 Doors:**

Exterior doors should be appropriate to the Architectural theme. Exterior sliding doors are not permitted except on the rear elevations and not visible from the street. Leaded glass may be allowed when the glass is clear, however, it must be pre-approved by the Board. Storm and screen doors are not permitted unless they are of the appearance of a typical exterior door (such as a six-panel door with glass in the panels instead of wood) or they are fully louvered wood doors. In all cases, storm and screen doors of this type must be pre-approved by the ARC.

**2.3.12 Windows / Roof Windows:**

Windows are restricted to single hung, double hung (6 over 6 or 6 over 9) windows. Simulated divided light is encouraged. Exterior window insect screens when installed shall be gray. Window proportions shall be in keeping with the house style. Only the use of a high-quality wood, vinyl, PVC, and clad windows will be permitted. Glass block is not permitted. Skylights and or roof windows will not be allowed on the primary elevations of the home. These roof windows will only be permitted on a secondary elevation if the properly align and complement the home elevation. Dormer windows are the preferred alternative and must maintain an alignment balance with the home elevation.

**2.3.13 Decks and Porches:**

Detailing of all patios and decks must be architecturally compatible with the home. Patios and decks shall be designed to serve as an extension of the house. Rails, pickets, and underpinning should be painted to match the trim of the house, lattice, or louvers. Porch screening colors shall complement and be limited to bronze and copper. Views to the underside of decks and porches must be screened with underpinning and/or landscape material large enough to provide screening upon installation.

**2.3.14 Cornices and Exterior Trim:**

The use of traditional crown molding and detailing at cornices, as well as authentic detailing around window and door openings and at exterior porch railings and decks, will be an important part of an overall appearance or quality appropriate to Turtlewood, such detailing is strongly encouraged. Such detailing must be consistent on all elevations. All are to be approved by the ARC.

**2.3.15 Awnings and Shutters:**

Awnings and canopies shall be permitted or affixed to the exterior of the residence without the prior approval of the ARC. Hurricane storm shutters shall not be stored on the exterior of the residence. Exterior shutters, when used, should be an integral architectural feature. Vinyl shutters are allowed.

**2.3.16 Building Materials:**

Only a high quality of materials shall be used in Turtlewood. Materials shall be utilized and applied consistently on all sides of the buildings and in a manner consistent with the manufacturer’s instructions and good building practice. Please see above paragraph entitled Façade Treatments.

**2.3.17 Color:**

All exterior colors shall reflect coastal colors and traditions. Soft pastels and other coastal colors are recommended for exterior siding with white trim and dark colors for shutters and entrance doors. White, browns, or dark grays are discouraged as the primary color.

**New Construction:** Exterior Color must be included in ARC requests of new construction for approval from the ARC. Exterior colors should be individual to each home and not be repeated within close proximity of another in the same color family.

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**2.3.18 Outbuildings:**

No home site shall have more than one outbuilding (a detached garage is considered to be an outbuilding for purposes of this restriction). Generally, a formal approach with axial and formal lines will be in keeping with the intended architecture. Building materials should reflect those of the main house. Wherever possible, buildings should be oriented so that access is indirect, and their opening does not directly face the street. Storage of bicycles, golf carts, etc. should always be in an enclosed area. All outbuildings must be approved by ARC. All outbuildings must be located within the building setbacks.

**NOTE Grandfather Clause:** at the time of this revision all existing outbuildings as of 8 June 2021 are **grandfathered** in, however, a new ARC approval will be required for any outbuilding that is already established and needs to be replaced for whatever reason but does not meet these ARC Guidelines.

**2.3.19 Fencing, Hardscape & Driveways:**

Fences used for screening or privacy and that complement the aesthetic appeal of the home may be approved for side or rear lots. Fencing material for a privacy fence must be wood. Fencing material for a 4 foot picket style fence must be PVC, wrought iron or anodized aluminum that resembles wrought iron and must be compatible with the architectural style of the house. Any other materials must be approved by the ARC. PVC for privacy fences, Chain link, wire or split rail fencing is not allowed. The maximum height of a fence is 4 feet. Lots 1-10, 33-38, and 21-22 may have a 6' privacy fence (wood only) at rear of property line and lot 38 may fence road-side and rear property line. Perimeter fencing around the property line of the entire lot is not permitted. Fencing will only come to the front elevation of house from the back elevation on the side of the house with no fencing in the front yard. All fencing must be approved by the ARC prior to installation.

Walls should complement the aesthetic and architectural style of the home and should be used primarily for screening and landscape applications. Neither fences nor walls should negatively impact the home or adjacent homes or views.

Driveways and walks should be carefully designed for ease of circulation and aesthetics. Driveways should be of concrete, brick, or asphalt material. Driveways should be located no closer than 3 feet from the property line and shall be no wider than 12' unless approved by the Board.

**NOTE Grandfather Clause:** At the time of this revision (8 June 2021) all existing fencing is Grandfathered in, however, a new ARC approval will be required for any fence that is already established, but does not meet these ARC Guidelines and would need to be replaced due to storm damage, etc., where the damage sustained is 50% or greater.

**2.3.20 Utilities:**

**Heating:** Electric heat pumps for heating and air condition are commonly used in this climate. Units should be located in inconspicuous places on the back side of the house and are required to be screened with a wall or screen of material similar to the house facades or landscape elements. Units should always be placed within the building setbacks.

**Passive Solar Heating / Solar Electrical Charging:** Such design elements are not forbidden but are discouraged. All uses of passive solar heating shall be approved by the ARC. Uses will be reviewed for authenticity in design with relation to proposed architecture: i.e., if owner intends to use passive solar heating or solar electrical charging it shall be incorporated into the architectural design tastefully, without detriment to the overall elevations or façade, then they may be approved.

**Electric, Telephone, Television Cable:** All of these utilities are served underground to the individual home sites and shall be taken to the house and any outbuildings as required, underground, by the individual owner. Meter boxes shall be located in inconspicuous areas on the house and covered as allowed by building code. TV antennas of any type, satellite dishes (except for 18" dishes) and other electronic hardware of receiving units will not be permitted. Location of an 18" dish will be approved by the ARC, if it is within an alcove of the principal or secondary structures, with no street visibility allowed.

**2.3.21 Mailboxes**

Mailboxes must be white or black on a post. The mailbox style chosen must be similar in design to the types within Turtlewood at Southport.

**2.3.22 Storm Shutters**

Storm shutters on any window or door are allowed on homes as long as their permanent hardware does not detract from the overall architecture of the home. Homeowners should submit an ARC request to install storm shutters that includes the design of the storm shutters.

**2.3.23 Storm Water (Drainage) Swales Construction**

During construction all storm water swales adjacent to their property must be maintained by the builder / homeowner. See Section 1.5.1 for a list of properties impacted. See Section 1.5.2 for details on requirements.

**2.3.24 Parking on Property**

On property parking areas must be hard surface and designed as part of the original build or added at a later date (under ARC and City approval).

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**2.3.25 Exterior Lighting**

All exterior lighting must comply with the City of Southport’s regulations for external lighting.

In addition, the Turtlewood at Southport HOA requires that all floodlights be installed with motion sensors or timers to assure that they turn off when not needed. Any floodlight (or other lighting) that imposes light pollution on a neighboring property must be shielded or turned to remove the light pollution.

**2.3.26 Treatment of Neighboring Properties**

Construction of a property must pay attention to and be respectful of neighboring properties. At no time should construction impede or damage a neighbor’s property. If a neighbor’s property or utilities be damaged in anyway, the homeowner and/or builder will be held responsible for the damages which can be taken out of the construction bond. The homeowner and/or builder can also be assessed a fine.

**2.4 Architectural Standards – Existing Home Sites / Developed Lots**

**2.4.1 Post Construction Maintenance**

After the completion of the project on new or existing homes the homeowner is responsible for the maintenance and upkeep of the home and property. Fines may be assessed for lawn and homes that are not maintained.

Maintenance includes painting, repairs of broken or worn elements of house construction, broken sidewalks, roofs, damaged driveways, overgrown shrubbery or trees, lawn mowing, worn or damaged shutters or awnings, etc.

All post construction maintenance must follow the architectural standards found in Section 2.3.

**2.4.2 Post New Construction Additions**

After the completion new construction any new additions to an existing house (e.g., room, porch, deck, outbuilding) must following section 2.3 and be approved by the ARC.

**2.4.3 Construction Hours**

See section 2.3.2 for construction hour requirements.

Homeowners are allowed to do interior work on their own home during the weekend and after hours.

**2.4.4 Treatment of Neighboring Properties**

See section 2.3.26 for treatment of neighboring properties for post new construction additions.

**2.4.5 Storm Water (Drainage) Swales Maintenance**

All storm water swales adjacent to their property must be maintained by the homeowner. See Section 1.5.1 for a list of properties impacted. See Section 1.5.2 for details on requirements.

**2.4.6 Parking on Property of Operable Vehicles**

On property parking areas for licensed, insured, and operable vehicles must be hard surface and designed as part of the original build or added at a later date (under ARC and City approval). All vehicles are required to park on the hard surface provided on a property and not on lawn / dirt areas. Temporary parking on lawn / dirt areas is allowed, period of time should be less than 3 days (i.e., weekend visitors).

Parking on common areas (HOA maintained property) is not allowed and the owner can be fined. Parking on another homeowner’s lot / yard is not allowed without their express consent.

Homeowners are responsible for their contractors and where they park as they are held to the same requirements. Homeowners should inform their contractors of the parking requirements.

**2.4.7 House Maintenance:**

All houses must be maintained to be presentable. Siding, cornices, and other features of house construction maintained in good working order. Roofing kept in good working order. Paint must not be peeling, cracking, or fading. Damaged sidewalks or driveways repaired.

**2.4.8 Color:**

All exterior colors shall reflect coastal colors and traditions. Soft pastels and other coastal colors are recommended for exterior siding with white trim and dark colors for shutters and entrance doors. White, browns, or dark grays are discouraged as the primary color.

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**Repainting Existing Construction:** Repainting of existing construction will require a submission to the ARC noting the intended color. Acceptable color palettes will be the same as for new construction. Should a house already be white, brown, or gray as of 12 Dec 2022, then those colors are grandfathered as acceptable to use for repainting.

If the chosen color is different than the existing primary color, then that color must conform to the acceptable color palettes. Colors similar (does not have to be exact, just similar) to another home in close proximity are not recommended and would not be approved.

**2.4.9 Yard Maintenance:**

Yards are expected to be maintained to be neat.

- Grass must be maintained on all lots which will require irrigation (see section 2.6.3).
- Grass length must be kept at 6 inches or below.
- Yards are to be maintained to reduce or eliminate weeds employing a weed control program.
- Flower beds maintained to eliminate weeds and shrubs trimmed.
- Trees are to be trimmed so as to not interfere with walkways or roads.

**2.4.10 Garages:**

For your safety and security garage doors are suggested to be kept closed when not in use.

**2.4.11 Storm Shutters**

Installed storm shutters should be used during hurricane season (June 1 through November 30). The storm shutters can be put up or closed a week before a storm event and must be taken down or opened within two (2) weeks after the storm event ends. If a homeowner will be away for an extended period during hurricane season and wishes to put up / close their storm shutters for that period, they should inform the ARC by email, putting up / closing the storm shutters no more than one week before they leave and taking them down / opening within 2 weeks of returning.

Should a storm occur outside of hurricane season, homeowners with storm shutters can put up / close the storm shutters and take them down / open within the same time periods as noted during hurricane season.

Extenuating circumstances can be taken into account (e.g., unable to return to home in a timely manner) and the ARC should be informed via email.

**2.4.12 Inoperable Vehicle Storage on Lots:**

**Inoperable Vehicle Storage:** There will be no provision made to store inoperable vehicles (with or without current insurance and/or current registration / license plate) in open view on any property. Inoperable vehicles must be kept in a garage if at the homesite. Inoperable vehicles must never be parked in an undesignated area such as a lawn or undeveloped lot.

**2.4.13 Street Parking**

Street parking regulations are set by the City of Southport, Brunswick County, and the State of North Carolina. Cars not parked according to the street parking regulations are subject to ticketing or towing by the subject regulating agency.

However, as the streets in Turtlewood at Southport are narrow and driveways offset, homeowners must be aware of parking across from another homeowner’s driveway which can impede the access to their driveway as well as potential damage. If a homeowner requests the homeowner parking the car parked opposite their driveway, the homeowner owning the car must move the car and avoid parking in that position.

**2.4.14 Recreational Vehicles (RV)**

Recreation vehicles should not be parked on or in front of a homeowner’s properties (or any other area of Turtlewood at Southport) for more than 7 consecutive days or 10 days in a given calendar month.

Exceptions may be granted should circumstances occur that require the RV be on or near the homeowner’s property. A request must be made to the ARC at [Turtlewoodhoarc@gmail.com](mailto:Turtlewoodhoarc@gmail.com) for approval.

**2.4.15 Watercraft / Trailer for Watercraft Storage on Lots:**

**Watercraft / Trailers for Watercraft:** Watercraft/trailers for watercraft are approved for storage in open spaces with the following criteria being met:

- Owner must submit an ARC Request for approval by ARC Committee,
- Size restriction: cannot be >30 feet,
- Tongue of the trailer should not extend past the front facade of home,
- Watercraft must be seaworthy (current registration etc.),
- Owner must ensure to provide screening for boat/trailer (shrubs or approved fencing/screening barrier) to ensure not to impact view from adjacent lot.

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**2.4.16 Exterior Lighting**

See section 2.3.24 Exterior lighting for requirements. Exterior lighting must be maintained and kept in working order. Seasonal lighting (i.e., holiday lighting) is allowed. Seasonal lighting must be taken down after the season.

**2.4.17 Utilities:**

Updates – repairs or replacements – to any utilities should follow the section 2.3.19 Utilities.

**2.4.18 Mailboxes**

See section 2.3.21 for mailbox requirements. Mailboxes must be maintained and in good working order.

**2.4.19 Fencing**

All installed fencing needs to be maintained to be operable / usable and presentable (i.e., painted, repaired).

**2.4.20 Yard Sales, Estate Sales, Auctions**

Yard sales, estate sales, and auctions on homeowner properties are allowed. The allowed hours are between 8:00am and 5:00pm. The homeowner is responsible to assure that the attendees for the event park appropriately – not blocking the street or driveways and not on any property,

**2.4.21 Homeowner Events**

Homeowners will host events such as birthday or other parties, meetings or other. The homeowner is responsible to assure that the event attendees park appropriately (not on a yard, not blocking the street or driveways) and act appropriately. Respect should be paid to the other homeowners in Turtlewood at Southport so that other properties or homeowners are not impacted.

**2.4.22 Noise Issues**

Homeowners are required to assure that there will not be excessive noise that impacts the neighborhood. Music should be muted after 8:00pm. If a homeowner notes to another homeowner that the noise from their property, event, or guests is excessive (beyond reasonable), the homeowner must take steps to reduce the noise level.

**2.4.23 Moving and Moving Vehicles**

From time to time homeowners will move into or out of Turtlewood at Southport. Movers should work between the hours of 8:00am and 5:00pm. All moving vehicles should not park on yards or block streets or driveways. All moving vehicles (i.e., trucks) should not park overnight in Turtlewood at Southport.

**2.4.24 Signs, Flags, and Mailbox Covers:**

Our neighborhood is a group of diverse people who wish to live in Turtlewood at Southport in a welcoming environment. It is important to be sensitive to your neighbor’s. To that end the following signs and flags requirements are in place that are externally displayed. Note that when signs and flags are referenced, mailbox covers are also included.

- **Allowed:**
  - National (US Flag), State (NC Flag), County (Brunswick County Flag), City (City of Southport Flag), and US military flags are allowed at all times.
    - **Note:** The US Flag should be flown during the day and, unless there is a light on the flag, taken down during the night.
  - Welcome flags or signs.
  - Patriotic Bunting for holidays (i.e., 4<sup>th</sup> of July, Memorial Day, Veteran’s Day).
  - Seasonal Flags and Signs (i.e., Spring, Summer, Fall, Winter, Holidays) to be taken down after the season.
  - Greeting and Fun Signs and Flags
  - Real Estate Signs on the Property ONLY – Note that Open House signs are allowed on the property and at the entrances ONLY on the day of an open house.
  - Yard / Estate Sale, or Auction sale signs are allowed at the entrances and on the property one week before the event and removed the day after the event. Signs are to be poster size – two by three feet maximum.
- **Not Allowed:**
  - Political Signs and Flags
    - **Exception to Political Signs and Flags:** 45 days before an election political signs and flags are allowed for candidates that are entered into the election only. All signs and flags MUST be removed the day after the election.
  - Organization Signs and Flags
  - Signs and Flags inciting hurtful or demeaning rhetoric or actions.
- **Sizes:**
  - Flags – 3 foot by 4 foot maximum
  - Signs – 2 foot by 3 foot maximum
  - Mailbox Covers – Size of the mailbox only

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**2.5 Impervious Surface Coverage:**

Pursuant to storm water rules adopted by the State of North Carolina and applicable permit requirements, each home site is subject to a maximum impervious coverage restriction. Impervious surfaces include the roof of any structure and all asphalt, gravel, concrete, brick, stone, slate, and similar materials, not including wood decking or the water surface of swimming pools. Roadside and home site lines swales may not be filled in or piped except as necessary to provide a minimum driveway crossing. These restrictions are set forth below.

See the appropriate governmental agencies to determine any different interpretations (i.e., materials) and quantifications of allowed impervious surfaces.

Lot #	Allowed sq ft	Lot #	Allowed sq ft	Lot #	Allowed sq ft	Lot #	Allowed sq ft	Lot #	Allowed sq ft
1	7545	11	8190	21	8190	31	7545	41	8555
2	8190	12	8555	22	8190	32	8190	42	8555
3	7545	13	8555	23	8190	33	7545	43	8555
4	7545	14	8555	24	7545	34	8190	44	8555
5	7545	15	8555	25	7545	35	8190	45	8555
6	7545	16	8555	26	7545	36	8190	46	8555
7	7545	17	8555	27	8190	37	8190	47	8555
8	7545	18	8555	28	8190	38	8190	48	8190
9	7545	19	8555	29	7545	39	8190	49	8190
10	7545	20	8555	30	7545	40	8190	50	8190

**2.6 Landscaping Standards:**

**General Principles:** Appropriate landscaping plays an important part in creating the overall look and feel of Turtlewood. The landscaping will be approached similar to the design and detailing of the house. Consideration should be given to the location, size, configuration, and type of lot; configuration of the house; site drainage; solar orientation; street trees; existing vegetation; and adjacent lots. Landscape designs should create a sense of order rather than a random and incomplete pattern. Outdoor spaces should be framed in as outdoor rooms having a defined, usable outdoor space instead of simply filling empty areas of the lot.

**2.6.1 The Landscape Plan:**

- a) Focus and enhance views
- b) Create outdoor spaces
- c) Accentuate architecture
- d) Screen utility areas
- e) Break up the foundation of the building
- f) Buffer driveways and parking areas adjacent to property lines
- g) Provide cover for areas disturbed during construction

**2.6.2 Planting Requirements:**

Where appropriate the foundation plantings and ground cover plantings should be grouped together to accent the architecture and frame outdoor spaces. Plants for screening should be of appropriate and sufficient size and spacing to ensure an adequate buffer within a year’s growing season. Foundation plantings, likewise, should be able to screen any crawl spaces under houses or decks. All lawn areas must be sodded and not seeded. All plantings and ground covers should have mulch beds. Only organic mulches such as pine needles, shredded pine bark, and pine bark chips should be used as mulch.

**2.6.3 Irrigation:**

All landscaped areas including the areas between the sidewalk and street curb should be properly irrigated. Automatic underground irrigation systems are encouraged; however, other methods of irrigation are also permitted. When installing a well source irrigation system, it is a good idea to add a water treatment system to protect your property. Because of the high iron content in the ground water, pavement, curbs, and walls are at risk of being stained with a rusty residue. As an alternative, one may consider using the municipal water supply.

**2.6.4 Maintenance:**

Long-term growth and maintenance should be considered. Landscape materials should be an attractive statement and properly maintained. Proper maintenance including watering, mowing, weeding, edging, fertilizing, pruning, and insect control should be attended to regularly.

**2.6.5 Clearing / Tree Removal:**

For new construction ARC requires the site plan indicate all trees over 2” caliper that will be removed. A request for a pre-construction inspection with a member of the ARC must be requested by the builder prior to clearing. For existing homes: any trees (especially Live Oaks 6” in diameter or greater) will require ARC approval prior to their removal.

Any removal of trees must be cleared with the City of Southport and may require a permit to be issued. The homeowner and/or builder are responsible for apply for and obtaining the appropriate permit for tree removal from the City of Southport.

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2.6.6 Landscaping Installs:

For all new installations of landscaping / sod or the reinstallation of a lawn (landscaping/Lawn renovations), ARC Guidelines require the installation/reinstallation to be completed within a 90 period and debris removal/install materials should not affect surrounding lots within the community.

### 3. Builders / Developers (Construction Site Maintenance)

While homes are under construction, Builders are expected to maintain a clean and presentable lot. Builders are required to ensure the following until construction activities have been completed:

- **Permitting** – must be obtained by the builder to ensure that the build is meeting City of Southport, Brunswick County, and North Carolina regulations for construction.
- **Mowing / Weeding** – maintain any weeds/grass that grow on the lot ensuring no overgrown material is allowed to remain
- **Portable Toilet (e.g. Port-o-Potty, Porta-John, Chemical Toilet)** – must have screening material placed around it to maintain a presentable lot to passersby. The screening should be constructed utilizing 4"x4" lumber as a frame and attaching the screening to the frame (not to the portable toilet). The door to the portable toilet must be facing away from the street.
- **Daily Material Clean Up** – the lot must be maintained and cleaned of any debris/building materials daily. Where applicable, materials will be stored out of sight from road. This requirement includes road frontage, where materials may have been dropped etc. in the road.
- **Dumpsters / Trash Containers** – Dumpsters should be onsite immediately after lot cleaning. All dumpsters stored on a lot must be maintained as to present a neat and tidy appearance with no spillover of debris etc., in plain sight daily.
- **Working Hours** – All work will occur between Monday at 7:00am US ET and Friday at 5:00pm US ET. A builder / developer may apply to work on Saturdays from 9:00am to 5:00pm US ET by submitting a request to the ARC via email who will survey the neighborhood to assure minimum impact prior to approving or rejecting the request. No work will occur from 5:00pm US ET on Saturdays to Monday at 7:00am US ET.
- **Construction Vehicles** – Construction vehicles should utilize the entrance on the side the construction is taking place. Construction on the west side of Turtlewood should have vehicles enter from Leonard Street. Construction on the east side of Turtlewood should have vehicles enter from Moore Street. No construction vehicle should cross the marsh on Gray Squirrel from either east to west or west to east. Any damage to the marsh or fines from the City of Southport will be the responsibility of the construction firm and therefore the homeowner. The HOA may fine the homeowner up to \$100 per incident.
- **Damage to Other Properties** – Should damage occur to the property or properties of homeowners or the development (i.e., common areas, sidewalks, curbs, roads, or other areas) the construction company and therefore the homeowner hiring the contractor is responsible for said damages. Should the construction company or homeowner not directly handle the damage either via appropriate compensation or arranging the repair thereof, the HOA may initiate the appropriate compensation needed to rectify the situation via the construction bond and also apply a five (5) percent administrative fee or a minimum \$100 fee. Additional fines may apply.
- **Underground Utilities** – It is the responsibility of the construction firm and therefore the homeowner to assure that all underground utilities are protected. It is the responsibility of the construction firm and therefore the homeowner to call 811 to understand where the utilities are located and to be able to protect them. If those utilities are interrupted or damaged for any reason, it will be the responsibility of the construction firm and therefore the homeowner to take care of any damages incurred. Should the construction company or homeowner not directly handle the damage either via appropriate compensation or arranging the repair thereof, the HOA may initiate the appropriate compensation needed to rectify the situation via the construction bond and also apply a five (5) percent administrative fee or a minimum \$100 fee. Additional fines may apply.
- **Tree Removal** – the responsibility for ensuring that the removal of trees is within the governmental regulations and HOA requirements rests with the builder and therefore the homeowner. Any tree removal that is not properly permitted with the governmental agencies nor approved through the ARC is subject to fines from both the governmental agencies as well as the HOA.
- **Construction Parking** – Parking by construction vehicles for a property should be limited to directly in front of the property or on the property itself. Onsite overnight parking of street legal vehicles (i.e. cars, trucks) is not allowed. Parking on adjacent properties can only occur with the express, written consent of the lot / homeowner. Fines may apply up to \$100 per day per vehicle.

### 4. Short Term / Long Term Home Rentals

#### 4.1 Long Term Rentals:

Long term rentals are approved by the HOA and defined as rentals where the lease period is equal to or greater than one (1) year. In the case of long-term home rentals, the owner will be required to submit the lessee information to the HOA Board at least thirty (30) days prior to final signature execution of the lease agreement. Should a lease be renewed with a lessee the home owner will again be required to submit the lessee information to the HOA Board at least thirty (30) days prior to final signature execution of the lease agreement.

#### 4.2 Short Term Rentals

Short term rentals (less than a one year lease) are currently not allowed in Turtlewood at Southport.

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### 4.3 Home Owner/ Renter Responsibility

Homeowners and renters are responsible for any and all activity and actions that are part and parcel of the Architectural Design Standards and Guidelines as defined in this document. Actions by a renter will be considered as if they are the homeowner and the homeowner is liable for any and all fines incurred by such actions and/or activity. The homeowner must insert a clause into their rental agreement outlining the renter’s responsibilities regarding the Architectural Design Standards and Guidelines and that the homeowner provide the renter with a copy thereof.

A homeowner is also responsible to perform an inspection of the premises at least every 6 months and submit the results of the inspection to the HOA Board. If issues are found during the inspection, a plan to resolve those issues with a required timeline must be submitted as part of the inspection report.

## 5. Revision Summary

### Version 5.0 / 12 Dec 22:

1. Added reference to existing home updates to section 2.3 introduction paragraph.
2. Moved section 2.3.20 Short Term / Long Term Home Rentals to Section 4 Short Term / Long Term Home Rentals. Included homeowner responsibility section.
3. Changed the wording for Short Term Rentals (new section 4.2) to define position on short term rentals.
4. Added paragraph for homeowner responsibility for renters in Section 4.
5. Section 3:
  - a. Better defined Port-A-Potty and requirements.
  - b. Defined responsibility for damage from construction.
  - c. Defined responsibility for underground utilities.
  - d. Added dumpster / trash containers should be onsite immediately after lot cleaning.
  - e. Defined working hours requirements.
  - f. Defined responsibility for construction parking.
6. Changed name of Form H to Violation Notification – New Construction and added potential lien on property.
7. Created Form I, Violation Notification – Existing Home.
8. Updated Section 2.2 Building Setbacks to better define units and what is allowed.
9. Exterior paint colors, section 2.3.16 updated for coastal colors.
10. Updated section 2.3.19 to include solar electrical charging.
11. Added section 2.3.21 dealing with storm shutters.
12. Added section 2.3.22 regarding drainage swales.
13. Added section 2.3.23 for parking on property.
14. Added sections 2.3.1 and 2.3.24 for Pre and Post Construction Maintenance.
15. Added reference in section 1.1 to the resubmission of plan changes for approval prior to work starting.
16. Moved note regarding architectural standards to beginning of section 2.3.

### Version 6.0 / DD July 2024:

1. Major update focused on mature property standards and guidelines – Section 2.4.
2. Minor wording updates to section 1.1 to include maintenance.
3. Paragraph in section 1.1 focused on plans for external changes to existing homes.
4. Added section 1.1.1 Approval of the ARC Architectural Design Standards and Guidelines
5. Updates to section 1.3 Fees & Bonds focusing on changes to existing homes.
6. Add list of homes impacted by the Corps of Engineers wetlands permit in section 1.4 Wetland Buffer.
7. Added section 1.5 Storm Water Swales to define in one place the requirements.
8. Added section 1.6 Sewage Grinder Pumps.
9. Added section 1.7 Order of Precedence for Regulations.
10. Changed title of section 2.3 Architectural Standards – Construction / Undeveloped Lots.
11. Added section 2.3.2 Construction Hours.
12. Eliminated reference to non-use of garage in section 2.3.7 Garages.
13. References Section 2.3.21 in Section 2.3.10 regarding mailboxes.
14. In section 2.3.19 added PVC to not allowed materials.
15. In section 2.3.19 a better definition of the location of fences.
16. Added section 2.3.21 Mailboxes.
17. In section 2.3.22 Storm Shutters removed references and requirements for established properties.
18. Updated section 2.3.23 to reference sections 1.5.1 and 1.5.2, removing details.
19. Added section 2.3.25 Exterior Lighting.
20. Added section 2.3.26 Treatment of Neighboring Properties.
21. Added section 2.4 Architectural Standards – Existing Home sites / Developed Lots. This section includes requirements for homes in existence.
  - a. Section 2.4.1 Post Construction Maintenance
  - b. Section 2.4.2 Post New Construction Additions
  - c. Section 2.4.3 Construction Hours.
  - d. Section 2.4.4 Treatment of Neighboring Properties.
  - e. Section 2.4.5 Storm Water (Drainage) Swales Maintenance
  - f. Section 2.4.6 Parking on Property of Operable Vehicles
  - g. Section 2.4.7 House Maintenance
  - h. Section 2.4.8 Color
  - i. Section 2.4.9 Yard Maintenance
  - j. Section 2.4.10 Garages

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- k. Section 2.4.11 Storm Shutters
  - l. Section 2.4.12 Inoperable Vehicle Storage on Lots
  - m. Section 2.4.13 Street Parking
  - n. Section 2.4.14 Recreational Vehicles (RV)
  - o. Section 2.4.15 Watercraft / Trailer for Watercraft Storage on Lots
  - p. Section 2.4.16 Exterior Lighting
  - q. Section 2.4.17 Utilities
  - r. Section 2.4.18 Mailboxes
  - s. Section 2.4.19 Feincing
  - t. Section 2.4.20 Yard Sales, Estate Sales, Auctions
  - u. Section 2.4.21 Homowner Events
  - v. Section 2.4.22 Noise Issues
  - w. Section 2.4.23 Moving and Moving Vehicles
  - x. Section 2.4.24 Signs, Flags, and Mailbox Covers
22. Updated section 2.5 Impervious Surface Coverage to include interpretations.
  23. Noted in section 2.6.5 Clearing / Tree Removal the requirement of a City of Southport permit.
  24. In section 3 noted the requirement to assure that the builder / developer has the appropriate permits.
  25. Noted in section 3 the responsibility of the builder / developer regarding the removal of trees.
  26. Updated name of Form H: Violation Notification – Construction (New / Modify) to assure the form applies to all construction.
  27. Updated Form A: Preliminary Review Application to include both Addition to Existing Home Construction items as well as the homeowner as responsible.
  28. Updated Form D: Construction Application to add responsibility for permits and tree removal for the homeowner / builder / developer.
  29. Updated Form F: ARC Request – Change Application removing the word “Minor.”
  30. Rewriting Form I: Violation Notification – Existing Home to be more appropriate for issues with existing homes.

## 6. Forms Addenda

In the following sections are forms used by the homeowners, ARC, and HOA Board of Directors.

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6.1 Form A: Preliminary Review Application

<b>Form A</b> (1 page)	<b>Preliminary Review Application</b>
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Application Fees:		
<b>Construction Plan Review Fee:</b>	\$400	This fee covers the cost of plan review and normal inspections. Should additional inspections be required the applicant may be required to pay additional fees.
<b>New Construction Bond Fee:</b>	\$5000	This cash bond must be submitted by the homeowner / builder prior to plan approval or any clearing or construction. The bond will be returned upon a) Successful final inspection of finished home and landscaping by the ARC; and b) Receipt of Occupancy Permit. This cash bond will be placed in a non-interest-bearing account. Any fines accrued by the homeowner / builder will be deducted from the construction bond and the homeowner / builder will be required to replenish the reduced amount within 30 days of said fines so as to maintain the balance.
<b>Addition to Existing Home Construction Bond:</b>	\$1000	

Date:	
Home Site Number:	
Street / Road:	
Owner:	
Address:	
Telephone:	
Architect / Designer:	
Address:	
Telephone / Fax:	
Contractor:	
Address:	
Telephone / Fax:	
Surveyor:	
Landscape Architect / Designer:	
Address:	
Telephone / Fax:	

For Committee Use Only Below This Line				
	Site plan to scale by registered land surveyor and plan showing all driveways, garages, decks, porches, walkways, and fencing.			
Architectural Questionnaire		Floor Plan		Sample Board
Elevations		Exterior Materials and Colors		Landscape Plan
\$400 Construction Plan Review Fee		\$5000 New Construction Bond Fee		\$1000 Addition to Existing Home Construction Bond
On-Site Inspections Conducted				
Comments:				
Approved / Date:		Disapproved / Date:		Note:



6.2 Form B: Final Review Application

<b>Form B</b> (1 page)	<b>Final Review Application</b>
------------------------	---------------------------------

Date:	
Date of Preliminary Approval:	
Home Site Number:	
Street / Road:	
Owner:	
Address:	
Telephone:	
Architect / Designer:	
Address:	
Telephone / Fax:	
Contractor:	
Address:	
Telephone / Fax:	
Surveyor:	
Landscape Architect / Designer:	
Address:	
Telephone / Fax:	
Utilities / Private Well for Irrigation:	

For Committee Use Only Below This Line				
	Site plan to scale by registered land surveyor and plan showing all driveways, garages, decks, porches, walkways, and fencing.			
	Architectural Questionnaire	Floor Plan	Sample Board	
	Elevations	Exterior Materials and Colors	Landscape Plan	
<u>Comments:</u>				
	Approved / Date:	Disapproved / Date:	Note:	



6.3 Form C: Landscape Architectural Questionnaire

<b>Form C</b> (1 page)	<b>Landscape Architectural Questionnaire</b>
------------------------	--

Date:	
Home Site Number:	
Street / Road:	
Owner's Name:	
Address:	
Telephone:	
Landscape Architect / Designer Name:	
Firm:	
Address:	
Telephone / Fax:	
NC Registration Number:	

Has the designer visited the site?	Yes:	<input type="checkbox"/>	No:	<input type="checkbox"/>
Date of last visit:				
Has the designer read the Master Declaration of Covenants, Restrictions, and Easements, the Protective Covenants, and Architectural Design Standards and Guidelines and designed the site accordingly?	Yes:	<input type="checkbox"/>	No:	<input type="checkbox"/>
Has the landscape architect attempted to minimize the removal or damage of existing vegetation?	Yes:	<input type="checkbox"/>	No:	<input type="checkbox"/>
Does the landscape screen undesirable views from dwellings on adjacent properties or properties across the street?	Yes:	<input type="checkbox"/>	No:	<input type="checkbox"/>
Have exterior spaces and circulation been staked out on the home site (required prior to submitting this form)? Note: Trees to be removed to be tied with orange surveyors tape.	Yes:	<input type="checkbox"/>	No:	<input type="checkbox"/>
Have drainage requirements been addressed? • How (explain)?	Yes:	<input type="checkbox"/>	No:	<input type="checkbox"/>
Are any variances from the Architectural Control Committee standards being requested under this application? • If yes, please describe and give reason.	Yes:	<input type="checkbox"/>	No:	<input type="checkbox"/>
Attach proposed plant location, species, and planting size of landscape materials. Also include location, dimensions, and material information for the following: driveways, walks, landscape areas, fences, hardscape areas, and pools.				
To the best of my knowledge, the foregoing statements are true.				
<div style="display: flex; justify-content: space-between;"> <span>_____</span> <span>Date: _____</span> </div>				
Designer's Signature				



6.4 Form D: Construction Application

<b>Form D</b> (2 pages)	<b>Construction Application</b>
-------------------------	---------------------------------

Date:			
New Construction:		Improvements to Existing Structure:	
Home Site Number:			
Street / Road:			
Owner's Name:			
Address:			
Telephone / Fax:			
NC License Number and Classification:			
Architectural Compliance Deposit:			

I, \_\_\_\_\_, as contractor for the construction project described above, do hereby submit this deposit in good faith to the Turtlewood at Southport Community Architectural Review Committee for assurance that the construction will be implemented in accordance with the final plans approved by the BOARD.

I further agree that:

- a) I have read the Architectural Design Standards and Guidelines, Master Declaration of Covenants, Restrictions, and Easements, and the Protective Covenants and do agree to follow them in full understanding.
- b) I agree to construct and fulfill the plans and specifications as approved for this project in the final review by the Architectural Review Committee (ARC). I understand that any changes to these plans must be approved by the ARC.
- c) At closing, I will accept full and total responsibility for the condition of the lot on all existing and future improvements. I will make repairs to any item damaged during the course of construction and will ensure that the lot and its improvements will pass all inspections required for a Certificate of Occupancy. I will accept full responsibility for the actions of my contractors, suppliers, and / or subcontractors and release Owner / Developer and his contractors, suppliers, and/or subcontractors from any further liability or responsibility with regard to above described site improvements. I understood and agree that both the property lines and the house footprint are to be staked by a registered land surveyor for review by the ARC prior to any construction activities on the lot.
- d) I agree to carry out construction according to the plans and specifications as approved in the final review by the ARC. No changes to these plans will be made without prior approval by the ARC.
- e) I am responsible for obtaining all necessary permits from governmental agencies.
- f) I am responsible for the behavior and actions of all my employees, agents, subcontractors, suppliers, and others coming on or about the job in connection with my performance under the contract.
- g) I am responsible for maintaining a clean construction site at all times. In order to comply with this requirement, I will provide a container on site with screening sufficient to block the view of its contents and large enough to accommodate the trash and refuge from my building project. In addition, I will provide a covered container so that employees can dispose of cans, bottles, lunch bags, and other minor refuse items so that they will not be lying loose on or around the lot. I will also empty these containers often enough so that they will be able to support the refuse generated from the building project. I will maintain a chemical toilet at all times at the REAR of the property with sufficient screening of white vinyl lattice to block its view.
- h) For the duration of the construction and upon completion of the building project, I am responsible for a thorough clean up of the construction site daily.
- i) I agree that should I or any other person for whom I am responsible violate any of the terms of the Declaration, these Guidelines or any term of this Agreement, that the ARC may:
  - a. Withdraw my right to enter Turtlewood at Southport to access any lot in the subdivision for construction purposes, and
  - b. That any such entry by me or any other person under my responsibility who should enter upon the streets to pursue a building project will be considered a trespass until such time as the right to enter has been restored by the ARC.
- j) I agree that I will immediately stop construction on the building project at any time should I be directed to do so by the ARC in writing, provided the written notice describes the manner in which I am in violation of this Agreement, the Restrictions, or the Architectural Standards and Guidelines. I further agree that any action I take after notice will be limited to the sole purpose of correcting any violation and/or as otherwise necessary to comply with this Agreement and those requirements. I will not commence work toward completion of the building project until the stop work order has been lifted by the ARC.
- k) I hereby represent to the ARC that I hold an intermediate or unlimited North Carolina General Contractor's License and that the license number shown at the head of this document is correct, is current and is sufficient to cover and authorize me to carry out the building contract as a general contractor.



- l) I understand the new construction bond in the amount of \$5000.00 or the Addition to Existing Home Construction Bond of \$1000.00, which has been submitted to the ARC, will be held by the ARC and should I fail to abide by this Contractor Agreement, the Architectural Standards and Guidelines, and Restrictions, that some or all of the performance (new construction) bond may be retained by the ARC. Should the ARC impose a fine or charge against my performance bond, it shall furnish to me a statement as to why the fine or charge was imposed, together with the amount charged. As a guide, the ARC may impose a fine or charge inclusive of, but not limited to, the following types of violations:
- a. Failure to control soil run-off into ditches, adjoining lots, or ponds.
  - b. Failure to maintain storm water swales on or adjacent to lot under construction.
  - c. Failure to provide a chemical toilet for the workers use.
  - d. Failure to provide the necessary refuse and trash containers.
  - e. Failure to properly screen the chemical toilet and/or refuse / trash containers from view.
  - f. Failure to empty the refuse / trash containers.
  - g. Removal of trees or shrubs in violation of the Covenants and Guidelines.
  - h. Failure to notify the Contract Administrator in a timely manner for the various inspections.
  - i. Failure to provide proper protection and/or allowing damage to the streets or curbs by the delivery and/or construction vehicles.
  - j. Failure to properly park at the worksite.
  - k. Damage to utilities and / or neighboring properties.
  - l. Working on a property outside of allowed times.
- m) Construction must be completed within 10 months from start date and landscaping must be installed within 90 days of occupancy.

This application, agreement, and deposit made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

By: \_\_\_\_\_

Signed: \_\_\_\_\_

Witness: \_\_\_\_\_

Deposit Date: \_\_\_\_\_ Amount Received: \$ \_\_\_\_\_ Check No.: \_\_\_\_\_

Approved by ARC by: \_\_\_\_\_ Date: \_\_\_\_\_

<b>Turtlewood Architectural Design Standards and Guidelines</b>						<b>Page 23 of 29</b>			
<b>Date:</b>	1Nov19	20May20	31Jul20	8Jun21	23Mar23	<b>25Jul24</b>			
<b>Version:</b>	1.0	2.0	3.0	4.0	5.0	<b>6.0</b>			



6.5 Form E: Request for Final Inspection / Deposit Refund

Form E (1 page)	Request for Final Inspection / Deposit Refund
Date:	
Home Site Number:	
Street / Road:	
Owner:	
Address:	
Telephone:	
Architect / Designer:	
Contractor:	
Landscape Architect:	
Requested Date of Inspection:	

I do hereby certify in good faith that the contracted structure on said home site does conform to the Standard Building Codes, Local Codes, and Turtlewood at Southport Architectural Review Committee (ARC) requirements and standards and the final plan as approved by the ARC. All site work, landscaping, cleaning, removal of temporary utilities and repair of damage to rights of way and common areas has been implemented. This constitutes a request for return of Architectural Compliance deposit.

Contractor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Architect's / Designer's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Landscape Architect's / Designer's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

For Committee Use Only Below This Line	
Deposit Returned in Full	Partial Refund
Amount Returned:	\$ _____
Date Returned:	_____
Authorized By:	_____
Reason for Withholding:	





6.6 Form F: ARC Request –Change Application

<b>Form F</b> (1 page)	<b>ARC Request – Change Application</b>
Date:	
Home Site Number:	
Owner:	
Address:	
Telephone:	
Designer:	
Designer’s Signature / Date:	
Landscape Architect	
Landscape Architect Signature / Date:	
Description of Requested Change:	
Reason for Change:	
Submit form by emailing to turtlewoodhoabod@gmail.com	

For Committee Use Only Below This Line			
On-Site Inspection Conducted	Date:		
Inspected By:			
Inspection Status			
Approved	Conditional Approval	Disapproved	
Notes:			
I understand and approve of this change. Signed:			
a.	_____	Date: _____	
b.	_____	Date: _____	



6.7 Form G: Mailbox Order Form (No Longer In Use)

This form is no longer used.

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Version:	1.0	2.0	3.0	4.0	5.0	<b>6.0</b>			



6.8 Form H: Violation Notification – Construction (New / Modify)

<b>Form H</b> (1 page)	<b>Violation Notification – Construction (New / Modify)</b>
Date:	
To:	
From:	Architectural Review Committee Administrator, Turtlewood at Southport

A violation of the Architectural Design Standards and Guidelines, Master Declaration of Covenants, Restrictions, and Easements, and/or the Protective Covenants for the Turtlewood at Southport Home Owner’s Association, Inc. was noted during a property inspection. A fine has been levied for the violation according to the schedule below. The amount of the fine is due immediately. Failure to remit payment may result in a stop work order, reduction of construction bond, hold on future permits, and/or liens on the property. Please avoid violations in the future to avoid additional fines. Please return a copy of this violation notification with your payment.

All residents appreciate your cooperation in keeping Turtlewood at Southport an enjoyable and beautiful place to live.

<b>Violation and Fine Schedule</b>			
<b>Category</b>	<b>Fine</b>	<b>Finding</b>	<b>Amt Due</b>
Lot Maintenance / Trash Containers / Littered Site	\$100.00		
Worker Conduct	\$100.00		
Cleaning paint brushes or dumping of any refuse material on any lot other than subject lot	\$100.00		
Construction equipment; material on adjacent lot.	\$200.00		
No temporary sanitary facility	\$100.00		
Temporary sanitary facility not enclosed	\$100.00		
No commercial trash / refuse receptacle	\$100.00		
Work outside allowed times	\$100.00		
Construction Vehicles Entering Incorrect Entrance	\$100.00		
Damage to Adjacent Sites, Utilities, etc.	\$100.00		
Non-conforming sign(s)	\$200.00		
Damage to natural areas, trees	\$300.00		
Burning	\$200.00		
Unauthorized clearing of lot	\$5000.00		
Unauthorized removal of trees	\$1000.00		
Unauthorized plan change (minor)	\$200.00		
Unauthorized plan change (major)	\$500.00		
Unauthorized exterior finishes (e.g. paint, stain, roofing materials, or design)	Forfeit Construction Bond		
Erosion across sidewalk	\$100.00		
Erosion into street	\$200.00		
Erosion into drainage facilities	\$500.00		
Other:			
Other:			
<b>TOTAL:</b>			
<b>Due By (to avoid other penalties):</b>			
<b>Payment Received (date):</b>			



6.9 Form I: Violation Notification – Existing Home

<b>Form I</b> (1 page)	<b>Violation Notification – Existing Home</b>
Date:	
To:	
From:	Architectural Review Committee Administrator, Turtlewood at Southport

A violation of the Architectural Design Standards and Guidelines, Master Declaration of Covenants, Restrictions, and Easements, and/or the Protective Covenants for the Turtlewood at Southport Home Owner’s Association, Inc. was noted during a property inspection. A fine has been levied for the violation according to the schedule below. The amount of the fine is due immediately. Failure to remit payment may result in a stop work order, hold on future requests, and/or liens on the property. Please avoid violations in the future to avoid additional fines. Please return a copy of this violation notification with your payment.

All residents appreciate your cooperation in keeping Turtlewood at Southport an enjoyable and beautiful place to live.

<b>Violation and Fine Schedule</b>			
Category	Fine	Finding	Amt Due
Yard Maintenance	\$100.00		
House Maintenance	\$100.00		
Storm Water Swale Maintenance (Note: This is in addition to any State of NC fines)	\$500.00		
Cleaning paint brushes or dumping of any refuse material on any lot other than subject lot	\$100.00		
Construction equipment; material on adjacent lot.	\$200.00		
Yard Debris Not Maintained	\$100.00		
Parking Outside of Allowed Areas	\$100.00		
Parking of Inoperable Vehicles	\$100.00		
House Color Not Approved	\$500.00		
Storm Shutters Not in Compliance	\$100.00		
Street Parking Not in Compliance	\$100.00		
Non-conforming sign(s)	\$200.00		
RV's Not in Compliance	\$300.00		
Burning	\$200.00		
Watercraft / Watercraft Trailers Not in Compliance	\$200.00		
Unauthorized removal of trees	\$1000.00		
Exterior Lighting Not in Compliance	\$100.00		
Mailbox Not in Compliance	\$100.00		
Fencing Not in Compliance	\$100.00		
Sidewalks / Walkways / Driveways Not in Compliance	\$100.00		
Events Not In Compliance	\$200.00		
Noise Not in Compliance	\$100.00		
Moving / Moving Vehicles Not in Compliance	\$200.00		
Property Not in Compliance with Rental Requirements	\$500.00		
Other:			
Other:			
Other:			
Other:			
Other:			
<b>TOTAL:</b>			
<b>Due By (to avoid other penalties):</b>			
<b>Payment Received (date):</b>			



6.10 Form J: Request for Saturday / Overtime Work

<b>Form J</b> (1 page)	<b>Request for Work Hours Approval</b>
------------------------	--

**Working Hours:** Work by a builder / developer / handyman conducted between Monday at 7:00 am US ET and Friday at 5:00 pm US ET does not require special approval. A builder / developer / handyman may work on Saturdays from 9:00 am to 5:00 pm US ET as long as it is approved by the ARC. Please submit this form to request approval for Saturday work.

**NOTE: NO WORK** may be done weekdays between 5:00 pm and 7:00 am nor on Saturdays before 9am or from Saturday from 5:00 pm until Monday at 7:00 am at all.

Date:			
Home Site Number:			
Street / Road:			
Owner:			
Address:			
Telephone:			
Contractor:			
Contractor Telephone:			
Contractor Email:			
Requested Dates of Saturday Work:	Starting:	Ending:	
Requested Times:			
Reason:			

For Committee Use Only Below This Line				
	Neighbor Survey Conducted		Date:	
	Conducted By:			
Neighbor Survey Notes				
	Approved	Conditional Approval	Disapproved	
Notes:				
Restrictions:				
Communicated to Builder / Home Owner:				