

# Kure Beach Village

## Architectural Review Committee

### Design Guidelines

#### **Why Guidelines?**

The Kure Beach Village Homeowners Association (KBV HOA) is concerned with preserving the inherent beauty of the community, with emphasis on value, quality and aesthetics.

In order to maintain the focus on these goals and to preserve property values it was essential that Design Guidelines be developed. These guidelines establish the design criteria for homesites, assist property owners in the design, construction and improvement of their residences and guide the growth of the community in a predictable and orderly fashion.

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#### **Architectural Review Committee**

The Architectural Review Committee has the responsibility of administering the Design Guidelines and reviewing all plans for (a) new residential construction, and (b) improvements or alterations to existing residences and lots. The goals of the Committee are to ensure that all plans submitted for review meet the criteria set forth in the Design Guidelines and that construction is completed in accordance with approved plans. All disapproval recommendations are referred to the Board for final decision.

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#### **Architectural Review Process**

In accordance with existing Village Covenants and By-Laws, all plans for new residential construction, and all plans for additions or alterations to existing residences and lots, must be approved by the Architectural Review Committee PRIOR TO the commencement of construction efforts.

Prior to the submission of plans to the Committee, owners, builders and/or architects may request an optional preliminary review of their design concepts, or may present any special conditions or hardships.

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#### **Plan Submission and Approval**

A set of construction documents, a completed Construction Application, a Surety Bond and Construction Agreement. (All of which are a part of this document) shall be delivered or mailed to the KBV HOA, Architectural Review Committee, 701 Sailor Court, Kure Beach, NC 28449.

Applicants will receive prompt written notification of all Committee and Board of Directors decisions. All approved plans are valid for twelve months.

If the plans are not approved, or approved with conditions, the owner will receive notification from the Committee and Board of Directors as to the reasons for denial or conditions. Owners are invited to contact the Committee again to discuss changes to the plans that may lead to full approval.

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## **Construction Surety Bond**

A refundable construction surety bond in the amount of \$2,000., made payable to the Kure Beach Village HOA, is required prior to the start of any new residential construction effort.

Projects that are additions or alterations to existing residences and lots also require Committee review and approval. A bond of \$200.00 is required for projects costing \$10,000.00 or less. More extensive projects require a refundable construction surety bond that the Owner/Contractor posts in the amount of 2% of the project construction cost over \$10,000, (but not to exceed \$2,000.00).

If the house or other improvements comply with the ARC Documents, the Association shall refund the Surety Bond to the Owner/Contractor, without interest, within 14 days after the final inspection and approval of construction by the Committee and, in the case of new residential construction, the submission of a certificate of occupancy by the Town of Kure Beach Building Inspector.

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## **Site Inspection**

Builders will stake the four corners of the lot to provide, throughout construction, an awareness of the property boundary lines.

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## **Insurance**

It shall be the responsibility of the owner to ensure that the contractor/builder has adequate and/or required liability and workman's compensation insurance.

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## **Changes During Construction**

If changes to an approved plan become necessary during construction, a written request describing the proposed changes shall be submitted to the Architectural Review Committee. The review process for these requests will be the same as that for new construction. The applicant will be notified promptly as to approval or disapproval of changes.

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## **Final Inspection**

A final inspection of all construction sites is required upon completion of all construction to verify plan compliance. The owner or their agent shall contact the Committee to schedule the final inspection. A Committee representative will make the inspection in a mutually agreeable, timely manner.

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## **Enforcement and Violations**

The Design Guidelines and review process have been developed to encourage good design, preservation of property values and community resources. Therefore, any construction which occurs that has not been approved will not be tolerated and a stop work order will be issued to the builder or contractor, and

other legal remedies may be pursued.

Violation of the building agreement may result in action by the appropriate authority: the KBV HOA, the Town of Kure Beach, or New Hanover County. A specific penalty will be determined by the charging authority or authorities.

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# Building Design

NOTE: Article V KBV Covenants “Use Restrictions” Sec 1 thru 5 for more detail.

## *Lot Size*

Pursuant to the Town of Kure Beach Building Code, Kure Beach Village requires a minimum building lot size of 5,000 square feet to approve construction of a residential building. Furthermore, all proposed residential construction must meet all Town ordinances regarding setbacks.

## *Building Size*

Minimum heated square footage is 1,350 square feet and is defined as the total of all interior areas within the roof line of the dwelling excluding open porches, terraces and like areas. However, up to 200 square feet of the minimum heated square footage requirement may be provided by covered porches if their roof line forms an integral part of the main dwelling. Homes shall not exceed 2 1/2 stories in height (35 feet) and may have one single level accessory building (storage, workshop, etc.) that is approved by the Architectural Review Committee.

## *Architectural Styles*

Village property owners may choose from a variety of compatible architectural styles that are harmonious with the community theme and image. It is the intent of the Committee to allow for individual preferences of architectural styles as long as they complement each other and the community as a whole. The design for each lot should consider the community theme, the natural site characteristics and the adjacent lots. All homes must be built on site.

## *Exterior Elevations*

In keeping with the neighborhood image of compatible architectural styles, the exterior materials and colors should also complement the surroundings. Obtrusive or inappropriate colors and materials which would draw undue attention to specific buildings are not allowed. Owners are encouraged to include color samples with the Request for Approval of Residential Construction form.

Approved exterior siding materials are:

Brick  
Horizontal wood siding  
Hardy board siding  
Cedar Impressions-type Vinyl

Approved windows and trim materials are:

Wood, painted or stained  
Aluminum painted  
Vinyl

Other materials may be considered by the Committee on a case by case basis. The Committee shall determine the appropriateness of exterior materials and colors for all construction.

## ***Entry***

The primary entrance to the home should have a sense of prominence that differentiates it from other entrances to the house. It should be sheltered on the exterior and have prominent single or double doors and detailing that is consistent with the architectural style of the home.

## ***Roofs***

Roof material may be wood shakes, 25 year or better architectural asphalt shingles, or slate. Colors that are compatible with the facade and that are harmonious with the surroundings should be used. Roof vents and accessories should not be located on the front elevation and must be painted to match the roof color. Gutters shall match the fascia trim color or they shall be copper. Downspouts shall match the exterior wall trim or be copper. Flue pipes are required to be encased in a chimney enclosure that matches exterior materials. A minimum roof pitch of 6/12 is required. Metal roofs will also be considered on a case by case basis.

## ***Foundations***

All foundations must be either a crawlspace, have the appearance of a crawlspace (filled with acceptable material) or piling construction. In the case of crawlspaces, filled or not, the exterior foundation must bear the weight of the structure and be constructed on concrete footings with the exterior walls of the crawlspace constructed on concrete block. A concrete cap or platform may then be poured (in the case of filled crawlspaces). The thickness of these caps or platforms must follow town building codes. Piling construction must also follow town building codes in determining depth size and spacing. Non-weight bearing pads or platforms may then be poured at ground level underneath the main structure of the piling home, in accordance with town building codes.

## ***Patios, Terraces and Decks***

Outdoor living areas should be constructed with materials and colors that are compatible with the exterior materials and detailing of the home. Railings should be designed to ensure safety and be consistent with the architectural character of the home. Patio and terrace surfacing materials should be concrete, stone or pavers.

## ***Fence***

Fences are limited to 4 feet in height except a 6 feet height will be permitted on the rear property line of a lot if approved by the Board of Directors. No fence or any portion of a fence shall be closer to the front line of any lot than the rear corner of any dwelling erected upon the lot unless approved by the Board of Directors. All fences shall be wood or other material approved by the Board of Directors and shall be finished in a color harmonious with the house.

## ***Garages***

Garage doors should include windows, panels, trim, etc. to enhance their appearance from the street.

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## **Site Design**

### ***Drainage***

Prior to grading and construction, it is REQUIRED that the Town Building Inspector, contractor, home

owner and a member of the architectural review committee meet at the LOT to view and agree to an acceptable “runoff” drainage plan.

Extensive lot grading is discouraged as it destroys vegetation and can be visually disruptive to the natural character of the land. Flat areas may require subsurface drainage solutions. Individual lot drainage must be designed to integrate into the Town master storm water plan. In any case, directing runoff to adjacent lots must be avoided.

### ***Utilities***

All utility services in the Village have been installed underground with the exception of transformers and junction boxes. These above ground facilities have been located at lot lines in most cases. Owners are encouraged to incorporate landscape screening around these facilities to reduce their visual impact. However, it is important not to block service doors with landscape materials.

HVAC compressors should be screened from view from the streets. LP gas tanks shall be placed at the rear of the structure or placed behind a screening enclosure. Solar collectors or terrestrial satellite antennas must be specifically approved by the Committee on a case by case basis. All utilities installed by lot owners must meet all state and local codes.

### ***Driveways and Walks***

Driveways and walks should be carefully designed for ease of circulation and aesthetics. Enlarging walk areas at the base of steps and at driveway connection points provides for more pedestrian movement and terminates each end of the walk with a visual "anchor."

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## **Construction Guidelines**

In the interest of safety and an appealing community environment for residents and visitors, construction regulations have been developed for the Village to control all construction activities.

### **General Construction Guidelines**

#### ***Completion Schedule***

The exterior under construction on any lot must be totally completed within six (6) months after the beginning of construction start date. This includes garage floor and garage doors, roof, windows, entrance doors, siding.

The interior construction must be completed within twelve (12) months after the beginning of the construction date.

Landscaping shall be in place within ninety (90) days of the issuance of certificate of occupancy.

If not completed you will be considered in violation. (See non-compliance Guidelines)

#### ***Builder Requirements***

All builders of residences in Kure Beach Village must be licensed by the State of North Carolina. A North Carolina Residential Builders License is the minimum licensing requirement.

## ***State and Local Code Compliance***

All construction must comply with State, local and HOA codes.

## ***Construction Entrance***

A gravel construction entrance should be provided and maintained on each lot during the construction period.

## ***Signs***

The General Contractor may post a standard identification sign and permit sign on lots during the construction phase.

## ***Working Hours***

Working hours for all non-emergency construction activities are:

Monday through Friday - 7 AM to 7 PM

Saturday - 8 AM to 5 PM

Sunday - No work allowed

## ***Conduct of Workers***

The conduct of all workers is the responsibility of the General Contractor. Loud vehicles, radios, tape players, etc. which can disturb residents will not be tolerated. The posted speed limits must be adhered to.

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## ***Before Construction***

### ***Plan Approval and Site Maintenance***

No lot clearing or other construction activities may begin until the Architectural Review Committee has approved all plans. The lot may not be used to store building materials or equipment prior to two weeks before actual construction is to begin.

### ***Temporary Facilities***

Each new residential construction site is required to provide a job toilet for the workers. A commercial dumpster is also required for each major construction job site. Temporary power poles shall be installed plumb and shall not be used for posting signs.

Silt fences and other erosion control devices should be installed prior to any grading activities. Pipes shall be installed in road swales to maintain flow at construction entrance to any lot. Construction office trailers and storage facilities must be approved by the Architectural Review Committee.

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## ***During Construction***

### ***Site Maintenance***

The general contractor is responsible for ensuring that the job site is maintained in a neat and clean

manner at all times. The General Contractor is required to install a “SILT Fence”/filter fence around construction perimeter prior to construction. Materials must be stored within the property lines maintaining a clear street right-of-way. Adjacent lots or common areas may not be used for parking or materials storage. Construction equipment shall be kept on the site and off the street. Vehicles parked on the street right-of-way during construction shall not impede traffic flow. Washing of vehicles (concrete trucks, etc.) shall occur on site and not in the streets. Excess concrete shall not be dumped on adjacent lots, common areas or right-of-ways.

### ***Sedimentation and Erosion Control***

Streets shall be kept free of mud, silt and debris from construction. Sedimentation and erosion control facilities on the lot shall be maintained so that they function properly.

**Any Non Compliance to the above statement will be considered a violation (see Non-Compliance Guidelines below)**

### ***Non-Compliance with Guidelines***

#### **Architectural Review Committee Design Guidelines:**

Administering the Architectural and Construction Regulations successfully requires striking a fine balance between and amongst the property owners in Kure Beach Village. Homeowners are required to play an active part in the system as well. In return for compliance with our guidelines each homeowner has the right to expect every other property owner to abide by HOA covenants, regulations and decisions.

I. Refer to Architectural Guidelines, section entitled “General Regulations”, “Completion Schedule”:

- A) **House Exterior**: failure to meet the completion date will result in a fine of \$50.00 per week until the violation is resolved.
- B) **Total House Construction**: failure to meet the completion date will result in a fine of \$50.00 per week until violation is resolved.
- C) **Landscaping**: failure to complete the landscaping deadline as stated will result in a fine \$50.00 per week until the violation is resolved.
- D) **All Other Construction and/or Remodel**: violations will result in a fine of \$50.00 per week, for each violation, until each specific violation is resolved.

Any violation that is not corrected within seven (7) days of notice, the specific fining will commence.

II. The property owner is responsible for ensuring that any construction is completed in accordance with the approved plans.

III. The property owner is responsible for the actions of his/her contractor as it relates to construction on the owner(s) property.

IV. The lot owner(s) will be responsible for payment of any fines. The lot owner(s) shall be given notice of the fine, opportunity to be heard by the KVB HOA Board, and will be provided notice of the decision.

V. Lot owner(s) that do not make payment on any specific fine(s) will result in the KBV HOA collecting those monies via lien or any other legal means.

**IF YOU ANTICIPATE ANY PROBLEMS OR DELAYS ADHERING TO THESE GUIDELINES, NOTIFY THE ARCHITECTURAL COMMITTEE OR THE HOA BOARD OF DIRECTORS.**

## Process Flow Chart

