

ESCOBA BAY
RESIDENTIAL ARCHITECTURAL STANDARDS

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STATEMENT OF PURPOSE

Escoba Bay is a master planned community revolving around a Georgian style clubhouse and equestrian center. It is designed for year-round living enjoyment, enhanced by swimming pool and water access.

The homes in Escoba Bay are a unique blend of contemporary and traditional architecture, designed to be affordable and attractive and provide for a quality lifestyle.

The Architectural Committee has as its primary goal, the preservation of this lifestyle by promoting the beautification of Escoba Bay, the recreation, health, safety and welfare of the Owners in Escoba Bay.

The standards, as presented in this document, will be used to help meet the above goals. They will be used as a working guide for the Architectural Committee. This Committee has the responsibility of approving construction plans and enforcing the covenants and the policies stated in this document

ARCHITECTURAL CONTROL COMMITTEE PROCEDURES

Preliminary Meeting with Architectural Committee

A conference with an Architectural Committee representative may be arranged before building begins, in order to obtain an early understanding of procedures and objectives. A conference is recommended for any unusual or difficult unit siting.

Plan Submission and Approval

1 One set of foundation plans and elevations are to be submitted for approval, together with an Escoba Bay Review / Approval Form. The set will be retained in the files of the Architectural Committee. Notice of approval or disapproval will be available no later than thirty (30) days after submittal. Refusal to approve part or all of any submission may be based upon purely aesthetic considerations.

2. In the event the Architectural Committee fails to approve or disapprove the design of any proposed improvements, within thirty (30) days after the plans and specifications have been submitted and received, approval will not be required and this requirement will be deemed to have been fully satisfied: provided, that the plans and specifications required to be submitted shall not be deemed to be received by the Architectural Committee if they contain erroneous data, or fail to present adequate information upon which the Architectural Committee can arrive at a decision.

Performance and Security Deposits

A one-thousand-dollar (\$1000.00) performance and security bond will be required from the applicant/building contractor before final approval to build is granted by the Architectural Committee.

The applicant and/or builder agree that construction will be completed according to the plans approved by the Architectural Committee and be responsible for payment of repairs for any damage caused to Home Owners Association (HOA) property during construction. The builder agrees to keep the construction site safe, clean and neat in appearance from all aspects.

The builder/applicant agrees to reimburse the HOA for the following, should these expenses be in excess of the one-thousand-dollar bond:

1. Removal of garbage and construction debris from the site if this has not been done by the builder/applicant seven (7) days of receiving written notice from the Architectural Committee that an unacceptable condition exists at the site.
2. Repair of any damage done to HOA property or any other lots during construction.

Any unauthorized construction and/or building site alteration, started without written approval of the Architectural Committee is prohibited. If any such action is started, the HOA will seek a legal injunction to stop any and all unauthorized construction and land alteration. The builder / applicant will be liable for all legal costs incurred by the HOA for such an injunction.

The deposit will be returned in full if not used for any “repairs and / or cleanup”.

Plan Criteria

If possible, plans should bear the seal of a registered architect or engineer. Residence plans should include the following:

1. A site plan drawn to a scale of 1" = 50', or greater, showing adjacent or nearby roads, proposed building location, driveways, walls, screens, tenaces, utility easements, parking, walks, property lines, setback distances, and any other improvements required by the County of Onslow. Two (2) drawings showing the proposed building, indicating shape and exterior materials and when colors are selected, they must be approved by the Architectural Committee.
2. All single and double floor buildings may be of brick, wood, cement board and/or vinyl siding, or any combination of these. Other materials will require special approval.
3. NO multi-unit residential projects will be allowed.

Changes During Construction

If, during the course of construction, changes are made to a project which cause it to be different from the approved plans, a request for approval of these changes shall be submitted to the committee for approval. Such submissions shall fully describe the change and the reason such change is desired. Procedures for review and approval/disapproval will be the same as for the initial plan submission.

Construction Period

All construction and landscaping must be completed within one year from the date on which construction is started. Exceptions will be granted with approval.

Enforcement

These regulations are administered in a manner to accommodate differing individual tastes and preferences and to encourage flexibility in design. However, in the event construction activity occurs which, in the opinion of the Architectural Committee, would represent abuses of these standards or the protective covenants, the HOA shall have the right to enforce, by and proceeding at law or in equity, all restrictions, conditions, reservations, and requirements imposed by the provisions off these development standards.

GENERAL REQUIREMENTS

Temporary Facilities

Temporary offices, storage sheds, trailers, parking areas, access roads, and fences shall be placed as inconspicuously as possible off the street right-of-way. Temporary facilities shall be removed promptly as such becomes no longer required.

Signs

1. No billboards or advertising signs of any kind shall be erected, placed, permitted, or maintained on any lot or improvement thereon except as herein expressly permitted.
2. Only one Realtor "FOR SALE" sign shall be allowed on houses or lots for sale. The sign shall not be larger than 24"x24".
3. Construction signs identifying the builder/contractor may be placed upon a lot during construction. This type of sign shall not be larger than 24"x24".
4. No other sign of any kind or design shall be allowed. The provisions of this ruling may be waived by the Architectural Committee upon written request. All signs must be removed at job completion.
5. Signs showing lot numbers may be placed on undeveloped lots. They shall not be larger than 8"x10" and shall be placed at least twenty feet from the edge of the street.

Site Maintenance

1. General Contractors are required to maintain the job site in a neat and orderly condition.
 - a. Receptacles must be provided by the builder for the storage of waste food, beverage containers and building debris. This may require a dumpster to be installed at the site during construction.
 - b. All garbage, trash and construction debris must be removed from the site by the builder as often as necessary.

- c. Washing of any vehicles, including but not limited to cement trucks, and dumping of cement residues is forbidden anywhere in Escoba Bay except at the specific job site.
2. Owners and/or Occupants of a site shall maintain buildings, improvements, landscaping and grounds in a safe, clean and orderly condition, free of any accumulation of rubbish, trash or litter. The Contractor is responsible for trash, including but not limited to, debris, nails, and screws on our roadways.

Erosion and Sediment Control

Plans for all development adjacent to a tidal creek or wetlands or adjacent to a storm water runoff course upstream of a tidal creek or wetlands must prevent erosion damage to paved streets and tracking of mud onto paved streets. Runoff onto adjacent lots must be prevented.

Utility Services

1. No permanent waste, sewer, gas, electric, telephone, CATV or other service line will be constructed, placed or maintained within Escoba Bay unless it is placed in underground conduits or cables concealed under or on building. No facility for alternative sources of energy (such as solar, wind, bio-mass or other), shall be erected or maintained in Escoba Bay.
2. Propane tanks must be screened from view of street and adjacent lots.
3. Satellite dishes, no greater than 36 inches in diameter, will be permitted if they meet the following criteria:
 - a. No mounts permit on the front of a house.
 - b. Device cannot extend above the roof line. Ground mounts shall not be higher than 4 feet.
 - c. Ground mounts shall not be greater than 5 feet from the house.
 - d. Exceptions to these rules may be granted by the Architectural Committee if these rules would interfere with clear reception of a satellite signal.

RESIDENTIAL SITE REQUIREMENTS

Clearing and Grading

Building and landscape elements shall be placed on a site that the maximum number of desirable tree and other natural features are preserved. Materials resulting from the clearing and grubbing and all other construction debris shall be promptly removed from the site. Finish grading methods shall prevent ponding or erosion of soil on the site or adjacent property. Land clearing debris (logs, branches, roots) may not be burned in the community.

Screening

Plans for all enclosures of this nature must be approved by the Architectural Committee prior to construction. Screening may consist of walls, fencing, or maintained vegetation that is compatible with the dwelling design and exterior finish.

Storage

Unless specifically approved by the HOA, no outside clotheslines, supplies, tractors, boats, trucks, trailers, vans, campers or other materials or equipment, except for the operating automobiles, shall be parked or stored in any area on a lot except inside a closed building or behind approved screening so that they are not visible from neighboring properties or public streets. Garbage and refuse containers, transformers, air conditioning and other mechanical equipment, including solar and other alternative energy devices, shall be either concealed by a screen or designed integrally with the building in the most inconspicuous manner possible.

Tree Preservation

No mature, healthy trees, greater than 12 inches in diameter shall be removed or destroyed on any site prior to approval. Approvals may be waived in certain situations such as emergency storm damage.

Fencing

Fencing shall be allowed only where a specific purpose is served by such fencing and then only with the approval of the Architectural Committee. Suitable construction materials consist of wood, vinyl, or ornate metal. Any woven metal or chain link fencing shall not be deemed to be suitable. No fencing shall be allowed on any street right-of-way. Where allowed, fencing shall be either at a property line or set back 2 or more feet.

Fencing, where approved, will only be allowed in rear yards and, in special cases, may be allowed to extend to a point even with the front wall of the house. Maximum allowable height is six (6) feet, unless otherwise approved by the Architectural Committee.

Driveways

All driveways shall be paved with a hard surface brick or concrete. Alternate surface materials may be considered in areas where hard surfaces limit proper drainage. Turnouts shall be in accordance with Onslow County standards and also be approved by the Architectural Committee. No symbols, pictures or lettering may be incorporated into the driveway surface. Where deemed necessary because of land slope and local drainage considerations, driveways shall be sloped and culvert pipe shall be installed. All driveways are to provide adequate space for off-street parking of two automobiles.

Sidewalks

Sidewalks shall be constructed of concrete or brick. Alternate materials in other areas may be allowed where special circumstances warrant.

Landscape Obstructions

No fence, wall, hedge, shrub planting or grades which may obstruct vehicular sight distance shall be permitted at any driveway turnout or intersection. No fence wall, hedge, shrubs or trees may be planted on any street right-of-way except as may be consistent with a streetscape plan approved by the Architectural Committee. Hedges shall not exceed a height of 4 feet.

Decks and Porches

All decks and stoops shall be made of brick, concrete, pressure treated lumber or suitable materials that meet construction standards. Other construction may be approved by the Architectural Committee. All elevated porch/deck foundations facing roadways must be covered with lattice or other material subject to approval. No metal may be used, including fencing.

RESIDENTIAL BUILDING REQUIREMENTS

Dwelling Size and Setback Minimums

No single-family dwelling unit shall be constructed with less than 1200 square feet of living space. No dwelling, outbuilding, or other appurtenance of any nature shall be located closer than 20 feet from the front property line, nor closer than 20 feet from the side property line in the case of any corner lot. All dwellings must comply with county set back requirements. The Architectural Committee may waive minor encroachments by written consent.

Colors and Textures

Colors and textures shall be harmonious and compatible with colors of other buildings within a residential cluster or neighborhood. The general character shall emphasize muted tones or colors. Once colors have been established and approved, they cannot be changed without the approval of the Architectural Committee. Owners wishing to repaint their homes must have colors approved by the Architectural Committee.

Non-acceptable Materials and Construction

Exposed standard concrete blocks, prefabricated metal buildings, simulated brick or stone, weeping mortar joints, unnatural brick tones, bright finish aluminum windows, doors, or siding, are not acceptable. No type of manufactured home shall be allowed.

Foundations

Foundations shall be constructed of concrete block or poured concrete. All foundations shall be covered with brick or stucco. Simulated brick may be used with the approval of the Architectural Committee. The foundation must be a minimum of twelve (12) inches above grade at the lowest point. Stucco must be a color that is a muted tone, white, beige, etc., and color must be approved by the Architectural Committee.

Roofs

No flat roofs shall be allowed. Minimum allowable roof pitch shall be a 6/12 pitch. Roofs shall be of materials harmonious with the surroundings and of a muted color.

Architectural grade shingles shall be the minimum quality roofing material to be installed on any dwelling.

Garages

Each dwelling unit shall have an attached, enclosed garage with adequate space for two full size automobiles. The size requirement may be changed with prior approval of the Architectural Committee if there is a space limitation on the lot.

Outdoor Buildings/Sheds/Greenhouses

All outdoor buildings should meet Onslow County building codes and set backs as applicable. All buildings must be located in the back yards of property. All designs must be harmonious with the community. Suitable construction materials include residential style wood, vinyl, and metal siding. Roofs should be covered in residential grade shingles or metal roofing. Colors should be muted and compatible with residential primary dwelling. The Architectural Committee has the right to disapprove plans purely based on aesthetic considerations. Freestanding metal carports, unassembled thin metal building kits, and vinyl sheeting (tarps) over frame style structures are not permitted.

Outdoor Structures

Any equipment in outdoor areas such as play structures, benches, planters, sculptures, etc., shall be either compatible with and harmonious with the surroundings, or hidden by approved screening. The Architectural Committee can disapprove.

Swimming Pools

All swimming pools, hot tubs, and spas that are permanent outdoor structures (in-ground, above-ground, and on-ground) intended for swimming or bathing that contain water over 24 inches deep are required to be pre-approved by the Architectural Committee. Structure must be completely surrounded by a fence or solid wall not less than four feet in height. Compliance with all Onslow County zoning and building permits are required.

Flag Poles

Flag poles should not exceed 25' in height. The setback should be at least 25' from road frontage (15' right of way plus 10' from property lines). Lighting should be subdued and non-invasive to neighbors or road.

Mail and Newspaper Boxes

The Architectural Committee shall require prior approval for any mail boxes and newspaper boxes that are of unusual design and would detract from the general appearance of the area. A newspaper box shall be attached to the post upon which the mail box is mounted. It shall be mounted in such a way that it will not interfere with mail delivery.

Amendments

From time to time, changes may be made to these standards by the Escoba Bay HOA, and/or the Architectural Committee. Such changes, if undertaken, will not affect covenanted standards for lots or sites previously recorded. Suggestions and recommendations for amendments from all sources are welcome and each will be given consideration by the Architectural Committee.

Conflicts

In the event of a conflict between these Architectural Standards and the recorded protective covenants relating to dwellings or structures in Escoba Bay, the recorded protective covenants shall prevail. The HOA Business Manager will be the point of contact for general inquiries, all form submissions, and escrow payments.