

**ARCHITECTURAL REVIEW BOARD  
POLICIES AND PROCEDURES**

All 5/27/22 updates are in red  
6/28/2022 updates are in blue

**SECTION I  
STATEMENT OF PRINCIPLES AND PURPOSE**

**1.1** In order to assure that the objective of the Architectural Guidelines are achieved and to assure a continuity of physical development such that future development will be compatible with existing development, Ocean Harbour Estates has declared and recorded covenants, conditions, and restrictions.

Any statements contained in this document are to condense, amplify, or clarify provisions of that declaration. In the event of a conflict, the declaration's provisions will prevail.

**1.2** PRIOR TO INITIAL SUBMISSION, THE APPLICANT IS URGED TO CAREFULLY REVIEW ALL PROVISIONS OF THE DECLARATION OF RESTRICTI ONS AND THE ARCHITECTURAL GUIDELINES

**1.3** The Architectural Review Board has been established for the purpose of defining aesthetic standards of construction in Ocean Harbour Estates and examining and approving or disapproving any and all proposed improvements for a building site within Ocean Harbour Estates, including, but not limited to; dwellings, garages, outbuildings or any other buildings, construction or installation of sidewalks, driveways, parking lots, mailboxes, decks, patios, courtyards, swimming pools, tennis courts, greenhouses , playhouses , awnings , walls , fences , docks , wharves , bulkheads , boat slips , flagpoles , exterior lights , statuary , any exterior addition to or change or alteration to existing structures; including ,without limitation , painting or staining of any exterior .

Architectural Review Board approval must be obtained for dredging and fill operations, shaping of land areas and drainage; as well as removal of any trees more than 5" in diameter, measured at a height of five (5) feet from the base.

**SECTION II  
ADMINISTRATION OF THE ARCHITECTURAL REVIEW BOARD**

**2.1** The Board of Directors of Ocean Harbour Estates Association, Inc. shall establish the Architectural Review Board, which shall consist of up to five (5) but not less than three (3) members all who may or may not be members of the Board of Directors.

**2.1.1** The regular term of office for each member shall be one year. Any member appointed by the Board of Directors may be removed with or without cause by the Board of Directors at any time by written notice to

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such appointee and a successor or successors appointed to fill such vacancy shall serve the remainder of the term of the former member.

**2.1.2** The Architectural Review Board shall meet monthly or upon call of the Chairman.

The Board is authorized to retain the services of consulting architects, landscape architects, urban designers, engineers, inspectors, and/or attorneys in order to advise and assist the Architectural Review Board in performing its functions set forth herein.

Each member of the Architectural Review Board may be paid an amount to be determined by the Board of Directors of Ocean Harbour Estates Association, Inc.

**2.2 ADMINISTRATOR** - Ocean Harbour Estates Association, Inc. Board of Directors may appoint an administrator, who may or may not be a member of the Architectural Review Board, to administer the day-to-day management of the Board.

The duties and responsibilities of the Administrator are as follows:

- a. Receive and process all applications to the Ocean Harbour Estates, Inc., Architectural Review Board.
- b. Schedule meetings of the Board in accordance with established policies, and contact members to assure attendance by a quorum at each meeting .
- c. Assist in interpreting covenants, policies and procedures and represent the Board to property owners, architects, builders, and the general public.
- d. Assist or conduct field inspections of approved projects during various stages of construction and upon completion to determine compliance with the approved plans. Communicates results of inspections to owner/contractor.
- e. Prepare and distribute correspondence concerning the Architectural Review Board, at the direction of the Chairman
- f. Maintain all files and records related to Architectural Review business and activities, including, but not limited to:
  1. Archives
  2. Correspondence
  3. Fee and bond collection; payments of stipends and refunds.

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4. Minutes of meetings and summaries of actions taken by the Board.
5. Statistical data, as needed.

g. Revise policies and procedures at the direction of the Committee Chairman and make changes available to applicants and design professionals.

All changes are subject to approval by the Ocean Harbour Estates Association Board of Directors.

**2.2.1** The Administrator will report directly to the Chairman of the Architectural Review Board.

### **SECTION III PLAN SUBMISSION PROCEDURE**

**3.0** The Architectural Review Board suggests phased documents to be submitted, including preliminary and final drawings.

This is done to avoid unnecessary expense or time delays on behalf of the owner.

Upon request a property owner may make a presentation to the Architectural Review Board.

**3.1** One complete set of plans, as well as PDF versions (whether Conceptual, Preliminary or Final) must be submitted along with a completed and signed application form to be provided to the applicant by the Architectural Review Board Administrator.

**3.1.1** Plans must be submitted least three (3) working days prior to the scheduled Architectural Review Board meeting to allow the Board enough time for a thorough review.

**3.1.2** Plans must be submitted to the office of the Architectural Review Board.

**3.1.3** All plans will contain the following signed statement from the owner,

"I have personally participated in the design of the project and have used reasonable care in complying with the intent of the Architectural Guidelines of Ocean Harbour Estates."

**3.2** CONCEPTUAL PLANS AND RENDERINGS:

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An artist's rendition or a schematic rendering of a proposed improvement may be submitted to the Architectural Review Board, in order to determine suitability of a particular style or design for construction in Ocean Harbour Estates.

The Architectural Review Board will render an opinion as to whether or not a particular design would be acceptable.

Because an artistic rendering is not always an accurate depiction of a design scheme, the Architectural Review Board's opinion will be strictly non-binding and will be offered only in an effort to save an applicant's time and expense in pursuing a design that would ultimately be disapproved.

### **3.3 PRELIMINARY PLANS**

**3.3.1** Preliminary plan submissions required to resolve potential problems before going to the time and expense of final construction drawings.

Each preliminary plan submitted, if acceptable in design, will be given PRELIMINARY approval only.

Preliminary approval DOES NOT constitute approval for lot clearing or construction activity of any kind.

In the event of disapproval, specific reasons will be stated.

**3.3.2** Preliminary plans may be schematic as to architecture, but should include, although not necessarily be limited to:

- a. Tree and topographic survey and boundary survey of existing Property.
- b. Site plan to scale, overlaid on tree/topo survey, indicating all structures and other improvements to be included in the scheme with an indication of trees to remain and trees to be removed (at the same scale as boundary/tree survey) .
- c. Key elevation drawings.
- d. Indication of exterior colors and materials.
- e. Spot elevations on anything outside and set-back lines noting the highest natural elevation.
- f. "As-built" footprint of structures on any adjacent lots so as to permit the Board to properly review set-back requirements

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**3.4 FINAL PLANS:**

Final plans, in complete form, must be submitted in order to gain approval to commence any construction on a building site, including removal of trees with a diameter greater than 5", measured five (5) feet from the base.

**FINAL PLANS MUST INCLUDE:**

**3.4.1** Site plans: all plans should be submitted in consistent scale. Unless otherwise impractical, scale should be 1/8" = 1' for all submissions.

Site plans must depict:

- a. Access streets and walkways, drives and other exterior improvements.
- b. Grading and drainage plan.
- c. Fill plan, if any (indicating run -off and tree preservation method) .
- d. Culvert/s, location, size, and flow direction.
- e. Foundation plan if other than slab on grade.
- f. Exterior lighting plan. Included any interior lighting and elements, which may be readily visible from the outside.
- h. Service yards.
- i. Service entry to lot, of water, electricity and telephone.
- j. Tree survey showing location and species of trees five (5") inches or larger in diameter at a point five (5) feet above ground.
- k. Site plan to scale, overlaid on tree survey indicating all structures and other improvements to be included in the scheme with an indication of trees to remain and trees to be removed (at the same scale as boundary survey).
- l. Location and identification of special features (e . g . , drainage ditch , lagoon, easements , adjacent structures , golf course fairways , et cetera) .
- m. Location of contractor's I.D. sign, dumpster and portable outdoor toilet facilities.

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n. Contractors for any construction on waterfront, lagoon, or marsh lots are required to install a temporary debris control fence, along the bulkhead, to protect the area during the construction period.

Please be certain that this fence is in place prior to the commencement of any construction activity.

o. "As -built" footprint of structures on any adjoining lots so as to permit Architectural Review Board to review set-back requirements.

### **3.4.2 ARCHITECTURAL DRAWINGS (Refer to Architectural Guidelines)**

Compliance with Design Intent, as stated in the Guidelines, is required.

Drawings submitted must include:

a. Total enclosed heated/air-conditioned square footage (stated by floor in case of multi-floored residences).

b. Floor plans.

e. Elevation drawings - all sides. Indicate existing grade, fill and finished floor buildings.

d. Detailed drawings of any other features desirable for clarification such as exterior walls, screens, pools, et cetera.

### **3.4.3 COMPLETE IDENTIFICATION OF EXTERIOR COLORS AND MATERIALS**

Please refer to the Architectural Guidelines, for specific information as to submission requirements.

**3.4.4 LANDSCAPE PLANS** - Complete landscape plan, to scale, indicating number, size, and species of plants to be installed, location of any statuary, as well as the ratio between grass/lawn areas and natural areas.

**3.5 Complete Submission:** Submission at any stage that does not include all plans, materials, applications , and other items as required by this section, will be rejected by the Board and will not be placed on the agenda until all requirements have been met .

**3.5.1** Rejected submissions must be resubmitted at least 3 working days in advance of the next meeting, at the discretion of the Board .

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**3.5.2** No changes can be made to the approved set of plans without the written approval of the Architectural Review Board.

**3.6** Upon approval of plans and specifications and approved inspection as outlined in section 8.2, no further approval shall be required with respect thereto, unless such construction has not substantially commenced within six (6) months of the approval of such plans and specifications (e. g. clearing and grading, pouring of footings, et cetera) or unless such plans and specifications are materially altered or changed.

### **SECTION IV ARCHITECTURAL REVIEW BOARD MEETINGS**

**4.1** The Architectural Review Board will conduct monthly meetings or as scheduled by the Chairman.

**4.2** All members will be notified in advance, and notification will include an agenda for the meeting.

**4.3** The three (3) working day advance submission requirement may be waived upon approval of the Board.

**4.5** A quorum requirement will have been met if a majority of the Architectural Review Board are in attendance at any meetings.

**4.6** Resolutions, approvals, and disapprovals of the Architectural Board may be passed only upon majority vote of those present or by proxy. Proxies will not qualify to meet the quorum requirements.

**4.6.1** For the purpose of passing a resolution, the Board may propose resolutions and vote on any resolutions.

**4.6.2** All decisions of the Architectural Review Board will be final unless appealed pursuant to the appeals procedures set forth and contained herein .

**4.6.3** Applicants will be notified, in writing, of all decisions of the Architectural Review Board. Oral representations of any Board decisions shall be non-binding on the Board.

**4.6.4** One set of stamped and approved plans will be retained by the Architectural Review Board as part of a permanent record, along with color and material samples.

The other set of plans will be returned to the owner marked with the Architectural Review Board's decision.

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**4.6.5** Special visual aids such as models, slides, et cetera may be reclaimed by the applicant .

**SECTION V  
CONSTRUCTION STANDARDS**

**5.1** House Number Signs: All house number signs will be uniform and will be installed upon completion of the home at the direction of the Association.

The property owner will be billed for the cost of this service.

**5.2** Construction Signs: As provided in Section 3. 4. 1 herein, signs must be indicated on a site plan in the final submission.

Signs may only be placed on the lot in the form, and size designated by the Architectural Review Board.

Signs not approved shall be subject to removal without notice.

**5.2.1** Signs may not be placed on any lot which constitute advertisement of any kind, unless expressly approved by the Architectural Review Board.

**5.2.2** Signs may only be placed on a building lot upon receipt of Architectural Review Board approval to commence construction.

Signs may indicate the name of the contractor, the architect, and landscape architect, provided that such information is contained on the same sign face.

See the Residential Construction Sign Illustration at the end of this document.

**5.2.3** Signs may be placed on a lot not closer than fifteen (15') feet from the front line, preferably along the midline of the lot.

**5.2.4** Only one sign may be placed on a lot.

No signs will be permitted on golf courses or waterways.

**5.2.5** Signs may be single faced only and must be placed with the sign facing the street.

**5.2.6** Signs must be removed promptly upon completion of construction, within two weeks of implementation of landscaping .



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**5.2.7** Subcontractors will not be permitted to place their signs within Ocean Harbour Estates.

**5.3** Portable Outdoor Toilet Facilities - Portable outdoor toilet facilities may be provided during construction only.

They may not be placed prior to final construction approval of the Architectural Review Board and must be removed promptly upon completion of construction.

**5.3.1** Facilities may be placed only in a location approved by the Architectural Review Board.

**5.3.2** Effluent removed from the facilities may not be disposed of in the Ocean Harbour Estates drainage systems

**5.4** Garden Walls and Fences:

**5.4.1** Garden walls and fences may be approved by the Architectural Review Board.

Fences, other than service area enclosures, are discouraged.

**5.4.2** Walls or fences must be integrated with and attached to the home.

Construction materials used for fences should be similar to or compliment the residence.

Chain link is not permitted within Ocean Harbour Estates.

**5.4.3** Some special restrictions apply to the use of walls and fences locations dependent on locations such are found within the Declaration.

**5.5** Mailboxes

**5.5.1** Mailboxes will be constructed at the direction of the Association as approved by the Architectural Review Board.

**5.5.2** The homeowner will be billed the reasonable cost of materials and labor to construct and install the mailbox.

As cluster mailboxes are intended such cost shall be prorated among the sharing owners.

**5.5.3** The Association will budget and bear the cost of repairs and maintenance of the boxes in first rate condition.

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**5.5.4** Nameplates or street number plates on the mailboxes shall be installed at the direction of the Association.

### **5.6 Home Nameplates:**

**5.6.1** Exterior nameplates will be permitted to be mounted on the front wall of the house only and may be no larger than 84 square inches.

No other Permanent signage or nameplate will be permitted with the exception of House Number Signs as outlined in Section 5.1.

## **SECTION VI POSTING BONDS**

**6.1** The Association requires that an owner place in escrow with the Association, a sum of Two Thousand Four Hundred Dollars (\$2, 400) in order to assure the completion of all improvements, including landscaping, within the time periods provided.

In the event that such improvements or landscaping are not completed within the provided periods, the Association shall be entitled to collect on or enforce any payment or performance bonds required hereunder so as to ensure the proper completion of any such improvements.

Furthermore, the Association shall be entitled to retain any sum so held in escrow and any interest thereon as a penalty for such failure to complete, and such sums shall be remitted to and shall be the property of the Association.

The Association shall be entitled to any additional legal remedies in order to assure the timely and satisfactory completion of all projects:

**6.1.1** The Association may assess, in its sole discretion a homeowner \$100.00 per day for every day the house is not complete, 12 months after commencement of construction. The Board can approve an extension if circumstances warrant.

**6.1.2** The Association may assess, in its sole discretion, a homeowner \$100.00 per day for every day that landscaping is not substantially complete 30 days after the substantial completion of the home.

**6.1.3** In the event of a violation, the Association may institute work stoppage on the property after due notification to the property owner and the property owner's failure to take action.

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**6.2** Upon completion of construction and all improvements to the satisfaction of the Architectural Review Board, all funds in escrow and accrued interest thereon, less penalties and holdbacks provided herein, will be returned to the owner.

### **SECTION VII PAYMENT OF SUBMISSION FEE**

**7.1** The Association has established a submission fee of One Thousand Dollars (\$1,000).

**7.1.1** The fee will be due payable at the time of the preliminary plan submission.

**7.2** It is the intent of the Ocean Harbour Estates Association that the Architectural Review Board be financially self-sustaining.

The submission fee may be adjusted to accomplish this.

**7.3** If minor modification of on approved plan is submitted by applicant/owner, if an owner is submitting plans for additions to an existing residence, or if an owner is submitting plans for an adjacent structure (pool, pier , et cetera) , the submission fee may be lowered at the discretion of the Architectural Review Board Chairman.

### **SECTION VII INSPECTIONS**

**8.0** The Architectural Review Board will perform periodic inspections at the building site to ensure that all construction activity accordance with plans approved by the Architectural Review Board.

#### **A) Lot Stake-out inspection.**

- a. Prior to any clearing, excavating, or filling of a lot for construction, a string stake-out inspection must be performed.
- b. Applicant must string out the lot lines, building lines and set-back lines; all trees to be removed must be clearly indicated.
- c. Upon notification from the applicant, the inspector will review the string stakeout for conformity to Architectural Review Board approved plans and will certify his findings to the Board.
- d. The Board will notify applicant of findings and whether or not construction may proceed.

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- e. At such time as approval is granted by the Board, applicant may commence site preparation work.

**B) Foundation Layout inspection.**

- a. Prior to beginning foundation work, a foundation layout inspection must be performed.
- b. Upon notification from the applicant, the inspector will review the foundation layout for conformity to Architectural Review Board approved plans and will certify his findings to the Board.
- c. The Board will notify applicant of findings and whether or not construction may proceed.
- d. At such time as approval is granted by the Board, applicant may commence foundation work.

**C) Tree Removal Inspection**

- a. After site clearing, the remaining trees will be inspected to verify that no unapproved trees were removed or damaged
- b. Unauthorized removal of a tree (or fatal damage) will result in fines of \$100 per day until such time as the Board agrees to a suitable and substantially equivalent replacement. A violation hearing will be held 30 days from the date of an infraction.

**D) Foundation/Pre-framing inspection.**

- a. Prior to framing a foundation inspection must be performed.
- b. Applicant must supply an “as built” survey of the foundation.
- c. Upon notification from the applicant, the inspector will review the foundation for conformity to Architectural Review Board approved plans and will certify his findings to the Board.
- d. The Board will notify applicant of findings and whether or not construction may proceed.
- e. At such time as approval is granted by the Board, applicant may commence framing work

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**E) Informal Inspections.**

- a. The job site will be inspected on a regular basis to ensure compliance with OHE Contractor Rules of Conduct and Job Site Rules and approved plans
- b. If there are violations the Contractor and Owners will be notified.
- c. Continued failure to comply can result in fines of up to \$100 per day.

**F) Final Inspection.**

- a. At such time as the applicant has completed all improvements, including landscaping, the applicant shall request a final inspection.
- b. The Inspector will determine if all improvements have been made in accordance with Architectural Review Board approved plans and will certify his findings to the Board.
- c. Before the request for refund of the funds held in escrow may be returned to the owner, the owner must provide the following:
  - i. An As-Built Survey to include, but not limited to, home, garage, decks, porches, driveway, pool and walks indicating all property lines, set-back lines and permanent easements signed and sealed by a registered surveyor.
  - ii. 8" x 10" color photos of all exterior elevations of the completed home.

**G) Release of funds**

- a. Upon certification that all improvements have been satisfactorily completed, including landscaping, and that all other requirements have been met, the Association will release all funds held in escrow and any interest accrued thereon.

**SECTION IX  
ENFORCEMENT OF ARTICLE IX OF THE DECLARATION**

**9.1** The Architectural Review Board will have the responsibility of enforcing applicable provisions of the Declaration and any guidelines relative to their charge of architectural review.

**SECTION X**

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**APPEALS OF ARCHITECTURAL REVIEW BOARD DECISIONS**

**10.1** An applicant receiving a negative decision from the Architectural Review Board is advised to revise the plans in accordance with recommendations and resubmit them to the Board for approval.

**10.2** If the applicant is unable to comply with the requirements of the Architectural Review Board, he may request a hearing before the Architectural Review Board Appeals Committee. The request must be made in writing and directed to the Board.

**10.2.1** The Appeals Committee shall convene a meeting within fifteen (15) days of receipt of request.

**10.3** The Committee will consist of 3 members of the Architectural Review Board .

**10.3.1** The Committee may request consultation of other professionals, as it deems necessary.

**10.4** The Committee will conduct a review of the most recently disapproved plans of the applicant

**10.4.1** The applicant will be given an opportunity to speak before the Committee using whatever visual aids or consultants, he feels appropriate.

**10.5** All three Committee members must be present to render a decision.

**10.5.1** The majority vote of the Committee will carry a decision.

**10.6** All decisions will then be final.

**SECTION XI  
CONTRACTOR RESPONSIBILITIES**

Article IX of the Declaration states, "no building, wall, fence, ornamentation, structure, or improvements of any nature shall be erected, placed, or altered on any lot until plans and specifications showing the same together with the location and landscaping improvements and/or changes as may be required by the Architectural Review Board have been approved in writing by the Architectural Review Board."

Contractors should be cognizant of this restriction and its implications on any owner prior to the initiation of any project.

**11.1** The Declaration prohibits noxious or offensive activities.

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Contractors, subcontractors, deliverymen and any other agents of the owner doing business in Ocean Harbour Estates will be required to conduct themselves accordingly.

**11.1.1** Ocean Harbour Estates will have full authority to enforce the provisions of this section.

**11.2** Contractors may work only from Monday through Friday, from 7 AM until 6 PM.

Special permission may be granted for construction on Saturdays, Sundays, or evenings, provided that work is done inside a structure (no outside noise created) and all vehicles are parked off the road.

Special permission must be obtained in advance, from the Architectural Review Board.

**11.2.1** Materials delivery is subject to the provisions hereinabove.

**11.2.2** Homeowners may affect routine repairs on their home during weekend periods; however, they will be subject to the noxious and offensive activity prohibition of the Declaration and, at the discretion of the Association, may be asked to cease activity other than for emergencies.

**11.3** Contractors for any construction on waterfront, lagoon, or marsh lots are required to install a temporary debris fence, along the bulkhead or bank, to protect area during the construction period.

Please be certain that this fence is in place prior to the commencement of any construction activity

**11.3.1** Routine repairs would preclude the use of outside contractors who use trucks and equipment on the site.

**11.4** Dumpsters are to be emptied frequently enough so as not to permit debris to blow into surrounding property.

## **SECTION XII AMENDMENT**

**12.1** The foregoing Policies and Procedures may be amended at any time by majority vote of the Architectural Review Board at a duly called meeting and subsequent affirmation by majority vote of the Board of Directors of Ocean Harbour Estates Association present in person or by proxy at any duly called meeting of the Board of Directors.

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Any amendments hereto are subject to the approval of the Declarant.

**12.2** No prior notices or announcements will be required to amend these Policies and Procedures.

**12.3** Any preliminary or final plans, marked received, shall be subject to the Policies and Procedures applicable at that time.

**SECTION XII  
SEVERABILITY**

**13.1** This document shall not be rendered invalid or unenforceable should any one or more of the provisions of this document or the application or effect thereof be rendered invalid or unenforceable.

All remaining provisions shall be enforced to the greatest extent permitted by law.

**SECTION XIV  
ILLUSTRATIONS**

The Illustrations attached are incorporated herein so as to provide clarification.



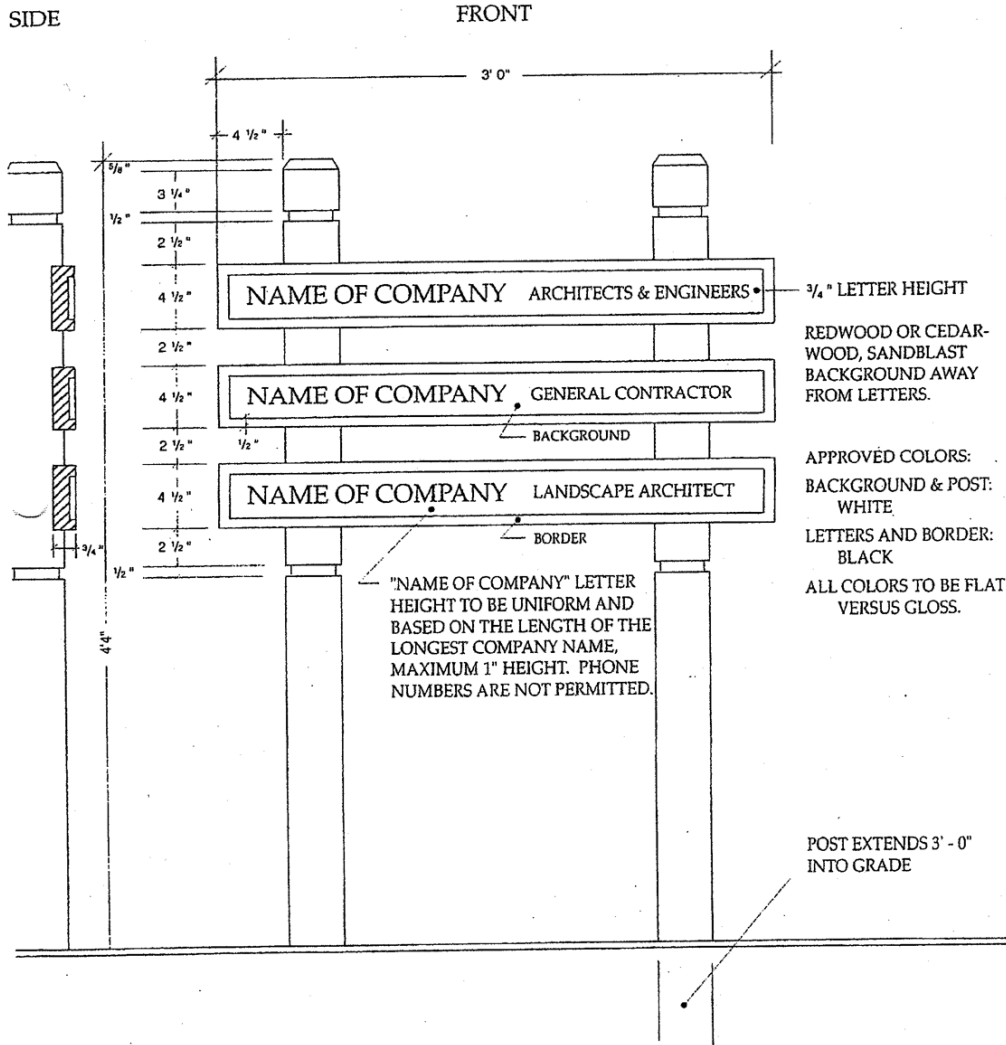
# ARCHITECTURAL REVIEW BOARD POLICIES AND PROCEDURES

From: ALLY MANAGEMENT

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04/14/2005 10:40 #171 P.013/014

## RESIDENTIAL CONSTRUCTION SIGN ILLUSTRATION



(OHE ILLUS 1)

# ARCHITECTURAL REVIEW BOARD POLICIES AND PROCEDURES

## Examples of Approved Homes





## ARCHITECTURAL REVIEW BOARD POLICIES AND PROCEDURES





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