



ARCHITECTURAL DESIGN REVIEW BOARD ARCHITECTURAL GUIDELINES, BUILDING STANDARDS & RULES

THE BOARD OF DIRECTORS OF THE BIMINI BAY HOMEOWNERS ASSOCIATION (HOA) HAS APPROVED THE FOLLOWING ARCHITECTURAL DESIGN REVIEW BOARD (ADRB) GUIDELINES. THESE GUIDELINES IMPLEMENT THE CONTROLLING LEGAL DOCUMENTS WHICH HAVE ALWAYS REQUIRED PRIOR APPROVAL FOR ANY CHANGES, ADDITIONS OR MODIFICATIONS. THE GUIDELINES STATE WHAT WILL BE REQUIRED OF YOU WHEN YOU PROPOSE TO UNDERTAKE PROJECTS IN THE PLANNED COMMUNITY OF BIMINI BAY. GUIDELINES ARE SUBJECT TO CHANGE BY THE BOARD OF DIRECTORS.

Application Fee Notice

All applications to the Architectural Design Review Board (ADRB) must be accompanied by a **non-refundable fee of \$150.00**. Applications submitted without payment will be considered incomplete and will not be reviewed.

- No exterior changes, additions or modifications of any kind are permitted without the recommendation for approval from the ADRB to the Board of Directors.
- All requests shall be submitted to the ADRB. Requests must be submitted on the approved ADRB form (see last page), together with two (2) complete sets of plans and specifications for any and all improvements. The submission shall include (but not limited to) a thorough description of the request with plot plans showing the location of the improvements, the proposed construction material, color schemes and landscaping plan.
- The ADRB shall review the plans, specifications and details within thirty (30) days from receipt thereof, resulting in a recommendation to approve or disapprove the application to the Board of Directors. If approved by the Board, then One (1) set of plans shall be returned to the submitter and the other shall be retained in the Homeowner Association office.
- In the event the plans, specifications and details are disapproved, the ADRB shall state the reason(s) in writing and return all the same to the submitter. The submitter may resubmit the plans, specifications and details, amended to comply with the recommendations of the ADRB. The ADRB shall act within thirty (30) days or such extended period, but in no event later than 90 days, as the ADRB coordinates with the Board of Directors, as signified in writing.
- Approval will be dated and certified by the ADRB AND the Board of Directors on one of the copies submitted.

- Plans must be submitted electronically and on paper (minimum size of plans submitted to be 18"x24" unless deemed necessary for clarity of presentation).
- Prior to the commencement of construction, a set of approved plans and site inspection made by the Property Management.
- Detailed plans do not need to be submitted for minor changes. All that need be submitted is the Design Approval Form. If, in the opinion of the ADRB, your request is NOT minor, then detailed plans are necessary, and the ADRB will request such plans and the application will not be complete until such plans are submitted. Structural changes, additions or modifications are NOT considered to be minor.

Required plans for submittal

- Site Plan -
Lot lines, building location, driveways, walkways, planting, trees (existing and/or new) proposed and existing grades, fences, walls, location of underground reservoirs, and catchment areas, drainage collection areas, as well as sewage disposal system.
- Floor Plans
- Landscape plans
- Elevations
- Roof type and material
- Minimum roof pitch: Main roof - 5/12; Secondary roof - 3/12. No flat roofs allowed.
- Structural adequacy
- Materials (texture, color, etc.) and exterior color must be approved before work can be started on any exterior painting

General Requirements

- All utility leads (electrical service) shall be constructed underground.
- Fences allowed only for resort and commercial application.
- Any and all grading, landfill, and excavation or trenching must be submitted to the ADRB for their recommendation of approval by the Board of Directors.
- Any and all waste storage and disposal must conform to policies and procedures to be established for all concerned.
- In order to achieve an overall quality of lighting, all plans for exterior lighting on structures and grounds must be reviewed by the ADRB and approved by the Board of Directors.
- Clearing of vacant lots shall be done only if construction is to begin within 30 days. The ADRB shall submit the clearance of the lot for approval by the Board of Directors.
- Electrical appliances, generators of any type, water tanks and water purification systems will not be permitted on a permanent basis on the exterior of the residences/units (balcony, terrace, patios, etc.), rear yard or front yard. Such improvements may be allowed

on the side yards, but only if they are reasonable in scale and hidden from view by foliage or structures which are consistent with the architectural design of Bimini Bay. Sub-grade installations may be considered by the ADRB for the recommendation of approval by the Board of Directors.

- Homeowner is responsible for seeing that trash/debris is removed from job site at the end of each day and is properly disposed by their Contractor to the South Bimini garbage dump. In addition, the homeowner is responsible for eliminating trash/debris from blowing outside of the homeowner's property. If trash/debris blows off the job site and the HOA provides manpower to clean this up, the homeowner will be charged accordingly.
- Landscaping tree plans need to adhere with the existing design plan of the resort and the plant species approved by the Bahamian Ministry of Agriculture.
- Contractor must provide proof of insurance evidenced in a Certificate of Insurance that complies with the requirements of the HOA:
 - o At least \$1,000,000 in General Liability including products and completed operations.
 - o A recent (within 2 weeks) Letter of Good Standing from the NIB and Tax Compliance Certificate, or
 - Workers' Compensation Policy of at least \$1,000,000 for non-Bahamian contractors.
 - o Name Bimini Bay Homeowners Assoc. Ltd and Neighborhood Property Management Inc. as additional insureds in the Certificate of Insurance.
 - o Include Waiver of Subrogation on all liability policies in the Certificate of Insurance
 - o Contractor must provide a current & valid Business License.
- All Contractor documents must be presented for Contractor Credentialing and Approval that will be kept on file in the HOA Office. Contractor Approval is managed by the Property Management Company, NPM and subject to Board approval.
- Construction hours are 9am to 6pm. These hours may be restricted during high season of the resort, based on occupancy levels.
- No garage, out building, tent, trailer or other temporary building structure or shelter shall be allowed during construction.

Buildings

All buildings or structures may be erected or modified only after the scaled plans (including site plan, floor plan, and elevations) have been submitted to and approved, in writing, by the Board of Directors based on the recommendation for approval by the ADRB.

In the construction of any dwelling structure, addition or modifications to an existing structure, the services of a registered architect shall be secured. The purpose and intention of this provision

is to ensure that all design adheres to the existing architectural standards, characteristics and styles of Bimini Bay, thus ensuring architectural continuity and quality throughout the property.

Plans for all buildings (including, but not limited to, temporary, permanent, HOA owned, resort owned, or privately owned, driveways and walkways connecting to these buildings, to the roads and beaches) shall be submitted to the ADRB for review. Changes to a building's square footage will be recorded by the Property Management Company to update budget allocations and adjust the unit's annual assessments (HOA Dues).

Docks

Modifications to the marina, individual boat slips or docks behind single-family homes REQUIRE written consent from the RAV Bahamas, which is the landlord of the marinas and the holder of the seabed lease behind single family homes. This includes (but is not limited to) the installation of docks, boatlifts, storage units, benches, shelving, electrical facilities, plumbing, etc. Additionally, ADRB shall submit a recommendation of the modifications to be approved by the Board of Directors.

Setback Requirements

No structure shall be placed, erected, or constructed unless it is set back from the property lines as described below.

1. Single family home: Bay front

Front: 25'

Rear: 20'

Sides: 10'

2. Single family home: Ocean front

Front: 25'

Rear: 20'

Sides: 10'

3. Accessory structures (gazebos, pool cabanas, etc.) Front: 25'

Rear: 20'

Sides: 10'

4. Swimming pools/hot tubs

Rear: 20' from edge of seawall or property line Sides: 10'

Note: Structures shall never be less than the setback requirements from adjoining lot lines and road right-of-ways unless approved in writing by the Board of Directors, with the recommendation for approval by the ADRB. The purpose and intention of this provision regarding the location of the dwelling on the lot is to preserve, as far as possible, the view from the existing or prospective dwelling on other lots in said plat.

Ocean front or bay front flat patios and walkways will not be deemed in violation of setback requirements but shall require the approval of the Board of Directors, with the recommendation for approval by the ADRB.

Height Restrictions

1. Ocean Front homes/structures

Existing home/remodel – Cannot exceed existing height of home Additions –
17' height restriction

2. Bay Front homes/structures

Existing home/remodel – Cannot exceed existing height of home Additions –
17' height restriction

3. Private Island homes/structures

Existing home/remodel – Cannot exceed existing height of home Additions –
17' height restriction

Swimming Pools

When submitting an application for the construction of an in-ground swimming pool, the homeowner shall also include the application(s) for proposed decking and color scheme. Because landscaping is an integral part of a swimming pool environment, the proposed landscaping plan must also be submitted with the pool plan.

The HOA will require additional charges for water usage, servicing pools, an individual water meter and an Indemnity Agreement signed by the homeowner, the form of which will be provided by the HOA.

All in-ground pools must meet the following requirements:

- a. Pools may only be installed in the rear yard.
 - b. The pool must meet all governmental regulations, including permit requirements.
 - c. All pool mechanicals must be covered by natural landscape providing year-round coverage.
 - d. All pools must be maintained in accordance with the manufacturer's operating instructions and local health regulations.
 - e. The pool and surrounding area must be kept in a presentable condition so there is no sign of rust or disrepair visible from any adjacent lot.
 - f. Any damage to pre-existing work must be paid for by homeowner.
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Violations of these rules are subject to a fine of \$250 per day until violations are corrected. The Board of Directors shall have the right to remove unauthorized work at the sole cost to the homeowner. Fines will commence from the date of notification.

Hold Harmless: Homeowner will be required to sign an Indemnity Agreement to hold harmless and release all employees, members of the ADRB and Bimini Bay Homeowners Association members from any act or failure to act or for any error or omission that is not intentionally committed by them while performing their duties.

Appeals to the ADRB decisions can only be made and approved by the vote of the Board of Directors.



ARCHITECTURAL DESIGN REVIEW - DESIGN APPROVAL FORM

Homeowner Name: _____ Date: _____

Daytime Phone: _____ Email: _____

Unit #: _____

Requesting Approval of: _____

Site Plan with setbacks (attach): _____ ☐ Sq. feet to be added: _____

Floor Plan/Landscape Plan (attach): _____

Elevations (attach): _____

Dimensions: _____

Type of Material (attach samples/pictures/brochures): _____

_____ ☐ Insurance Cert \$1M min. attached

Color to be used (attach samples/pictures/brochures): _____ ☐ Ins. Cert BBHOA/NPM add'l ins'd.

Contractor to perform work: _____ (Final only) ☐ Ins. Cert waiver of subrogation all

Contractor Contact Information: _____ (Final only) ☐ Contractor's valid Business Lic.

**SUBMITTAL MUST INCLUDE A PLOT PLAN OR HAND DRAWING WITH LOCATION OF REQUEST AND
INCLUDE ALL APPLICABLE MEASUREMENTS AND DIMENSIONS.**

INCOMPLETE SUBMITTALS WILL BE DENIED.

Approval of plans will be in effect for 6 months. If construction starts 6 months after approval date, another approval must be obtained. Project must be completed within 1 year of commencement. Fines are applicable if project is not completed within 1 year. Extensions may be requested of the ADRB.

I agree to comply with all applicable laws and to obtain all necessary permits. I also agree not to begin work until I have been notified in writing of the Architectural Design Review Boards decision and to maintain all improvements to their original condition.

Owner's Signature: _____ Date: _____

Email completed document to: BBHOA Office office@biminihoa.com

HOA Administration Use Only:

☐ **Approved** ☐ **Conditionally Approved** (See Comments) ☐ **Denied** ☐ **Site Inspected by:** _____
Signature

Comments: _____

ADRB: _____ Date: _____ Board: _____ Date: _____
Signature Signature