



## Architectural Review Guidelines — Revised 5/15/11

The landowners and developers of Tuckahoe, with the intention of creating and maintaining an atmosphere that embraces creativity and individuality of architecture, do hereby set forth the following guidelines for structures and landscaping in the subdivision. These guidelines are established to promote the general character of the community and to protect value for all the homeowners.

These guidelines address construction standards, house location and landscaping at the individual site for each Tuckahoe home and will be used by the Architectural Review Committee in evaluating all submissions for both new houses and additions to existing homes.

Individuality is an important consideration in Tuckahoe for personal expression; building form, rooflines, exterior details and deck systems provide a means to establish uniqueness. It is these guidelines that will set the standards of acceptable good taste and provide the basic formula for architectural design and choice of building products that will be both pleasing and long-standing.

**Home plans:** The interior of each plan should reflect lifestyle and will only be revised in terms of its influence on the exterior character of the home in determining the exterior elevations. The Architectural Review Committee will reserve the right to refuse any plan solely on its lack of architectural integrity and quality of products specified for construction. In this respect, it is the intention of the committee to maintain and insure high value of resale throughout the development, and it may at any time reject a proposed plan upon purely aesthetic values.

**Approval of Plans:** No building, wall, driveway, swimming pool, tennis court, or other structure, site work or clearing preparatory to construction shall be begun, altered, added to, maintained or reconstructed on any Lot until the plans and specifications for such work have been reviewed and approved by the Architectural Review Committee (The Committee). Before commencing such review, a Lot Owner shall submit to the Committee three (3) completed sets of plans and specifications, including, but not limited to, foundation plan, floor plan or plans, the four directional elevations, a schedule of proposed exterior colors and materials, shingle colors, grade and weight, plan showing driveway, parking, septic tank and drain field, and expected completion of improvement. The Committee shall have the absolute and exclusive right to refuse to approve any such plans and specifications which are not suitable or desirable in the opinion of The Committee for any reason, including purely aesthetic reasons which, in the sole and uncontrolled discretion of The Committee, shall be deemed sufficient, provided The Committee shall not refuse to approve any plans and specifications which are substantially similar to any other plans and specifications which previously have been approved on any lot. If construction of any improvement required to be approved shall not have been begun before the expiration of six months following approval, said-approval shall be void and of no effect. The plans of such improvement shall be resubmitted to The Committee for reconsideration and The Committee may, in its discretion either confirm its earlier approval of plans or disapprove. In the event that The Committee or its designated representatives fail to approve or disapprove within thirty (30) days after plans have been received by it, approval of The Committee will not be required and the related covenants and conditions of this Declaration shall be deemed to have been fully complied with.

**Trees, Vegetation and Dunes:** Any lot owner shall not remove, reduce, cut down or otherwise change or cause to be removed, reduced, cut down or changed, the elevation of any sand dunes or ridges or both in the development, or trees more than three inches in diameter at a point two feet above the ground, or any flowering trees or shrubs above five feet in height, - without the express written consent of The Committee, which shall require proposals for the restabilization of any such disturbed areas.

**Square footage:** Ocean front and sound front homes must have a minimum of 1,500 square feet of heated living area for any one or one and one-half story home and a minimum of 1,600 square feet of heated living area for any two-story home. All other homes must have a minimum of 1,350 square feet of heated living area for a one and one-half story home and a minimum of 1,450 square feet for a two-story home. Total square footage of living area will be calculated excluding decks, porches, storage areas and utility rooms. **No home will have a total square footage in excess of 4,000 square feet.**

“Living Area” shall mean and refer to those heated and/or air conditioned areas within a Living Unit which shall not include garages, carports, porches, patios, or storage areas.

**Permissible Uses:** No Lot shall be used except for residential purposes, and no building of any type shall be erected, altered, placed, or permitted to remain on any Lot other than one detached single-family dwelling, garage, swimming pool, or tennis court for the private use of the Owner or guests of said Owner, which shall comply with all applicable zoning regulations.

**Temporary Structures and Limitations on Use:** No structure of a temporary nature may be placed upon any portion of The Properties at any time. Temporary shelters, tents, travel trailers, campers or self-propelled mobile homes may not at any time be used as a temporary or permanent residence. Campers, travel trailers, boat trailers, self-propelled mobile homes and other vehicles of that nature may be stored on a lot, provided that they do not constitute a visual nuisance and are stored in compliance with the setback requirements. No mobile homes shall be permitted to remain on any portion of The Properties, either temporarily or permanently.

**Driveways:** No driveway shall be permitted with egress to state road NC12. A construction driveway is required and shall be installed before construction begins on each home; this will consist of a clay base from the road to the building site. No construction vehicles will be allowed to park on the roads and shoulder during the construction of any home.

**Wells:** The drilling of private wells for irrigation purposes is expressly prohibited unless the plans and specifications are approved in advance, in writing, by the Committee.

**Setbacks:** All homes must be a minimum of 25 feet from the front property line, a minimum of 10 feet from the sidelines of the property and no closer than 25 feet, or 20% of the lot depth, from the rear property line.

**Exterior:** Rooflines should be strong and varied in nature. Special attention should be paid to the mass and volume of each roof and interworking relationships with the total structure. The extension of the overhang should be in balance with both the size of the roof and the volume of the home. Each design submitted will be judged according to the overall effect and volume of the structure in relationship to the length of overhang. It is also suggested that, because of strong blowing winds and heavy rainfall, an overhang be considered on eaves for control of runoff. Roof slopes on the main portion of the structure should be a minimum of 6 to 12 to insure the balance of volume between structure and roofline. Dormer rooms and secondary sheds may vary with a minimum off slope of 4 to 12. Flat roofs may be acceptable for architectural creativity and uniqueness, and will be considered in respect to the overall design of the structure.

**Roofing:** Cedar shingles or shakes are a highly recommended roofing product, however, any architectural grade project with weight of 250 lb. per square or greater will be acceptable. A sample of asphalt shingles must be submitted with the plan application for approval by the Architectural Review Committee.

Penetration of the roof by exposed chimneystacks, exhaust fans and plumbing vents shall be located for minimum visibility. Chimneys above the roofline shall be enclosed with wood siding, cedar shake shingles or the chimney should be of masonry construction.

**Siding:** Cedar shingles, cedar lap siding, cedar channel rustic siding, cypress lap siding, cypress channel rustic siding and redwood lap siding are the acceptable siding for all homes. Corner boards must be used with all horizontal siding. Textured plywood siding (i.e. texture 1-11) is not permitted. All foundation masonry shall be of a type of brick or stuccoed block (painted to an acceptable color), either of which shall be submitted for approval prior to construction. **Hardiplank is an acceptable siding. Vinyl or aluminum siding is not permitted. Vinyl fascia and soffit trim is acceptable.**

**Exterior Finish:** All siding must be stained, painted or a wood preservative applied within one year of the beginning of construction of the home. A copy of the siding stain or color must be submitted to the Architectural Review Committee at the time of the plan review.

**Railings:** Many designs are acceptable and will be considered according to safety and coordination of overall design. Detailed drawings must be submitted with plans.

Foundation screening: Screening between the support pilings from the ground to the floor level is required. Salt treated 1" x 4", seven inches on center (maximum) applied horizontally is the accepted standard, but variations (basketweave and grid) will be considered if spaced intermittently in a manner that does not overwhelm or detract from the design of the entire structure.

**Siting:** The siting of the house should reflect individual desirability of view, privacy for existing neighbor, orientation for sun and prevailing winds, and possible energy gain. Observing all building setbacks of front, side or rear yards, the placement shall enhance the view from each individual structure while being compliant with the established adjacent homes.

Oceanfront homes should be sited behind the toe of the dune line; decks and walkways may overhang the dune line if care is taken not to disturb the vegetation. Staggering of homes is encouraged so that straight lines are not formed in the natural setting.

**Parking:** Parking on the traveled streets within the development shall be prohibited at all times. Each lot owner shall provide off-street parking space for his family's use and the use of their guests. This would constitute a turn around large enough to park two cars, in addition to the driveway.

**Windows:** The placement of windows and the uniqueness of window design is an excellent way to help enhance the character of the home. Due to the severe weather conditions along the coastline, a well-made wood or vinyl-clad window (like Anderson and Pella brands or comparable) is recommended. Aluminum windows will be accepted, if they have anodized bronze or white baked on enamel finish. All aluminum windows shall have a 1" x 3" wood trim around the frame of the window. The trim should be in keeping with the surrounding siding and corner boards in both color and type of wood. **These same guidelines will be applied to hurricane shutters, which must be housed in a wood trimmed housing when not in use.**

**Landscaping:** The site should remain as natural as possible with a minimum area cleared of vegetation for the proposed homesite, drive and septic field. Outside of the construction area, all vegetation and dunes should remain undisturbed, unless the homeowner wishes to extensively landscape the entire lot. In such cases, landscaping plans and any position of any proposed walk shall be submitted with the building plans at the time of architectural review. If clearing is approved, the restabilization of disturbed areas must be completed within 30 days of issuance of occupancy permit. In the interim, the landowner shall be responsible for erosion caused by land and vegetation disturbances.

**Miscellaneous Site Features:** The garbage cans should be taken out to the road on the scheduled pick-up day and brought back to the house and screened from view under the house. Any mailboxes within the subdivision shall be uniform in design also. The plans may be secured from the Architectural Review Committee.

Screening is mandatory for fuel tanks, air conditioning units, water tanks, recreational facilities, related visual obstructions and attractive nuisances, and landscape designs for such natural screening shall be submitted to the Architectural Review Committee prior to construction.

Antennas, receivers or senders, and similar devices shall only be located within the main structure and not visible on the exterior.

**Exceptions will be made, with approval of the Architectural Review Committee, for satellite dishes and similar devices, which do not exceed 3 feet in length or width and do not create a visual nuisance.**

**Lighting:** Security types, mercury vapor, sodium vapor, yard lights and offensive bright distractions are expressly prohibited. All exterior lighting fixtures other than soffits lights shall be submitted for approval. No area lighting shall encroach across property lines.

**Fencing:** Perimeter yard fencing to establish boundaries and define areas for animals or children is expressly prohibited. Sand fencing to contain sand and steady erosion is acceptable if placed in a random pattern and if it does not block or interfere with adjacent homes – for both visual desirability and protection from the elements.

**Signs:** No sign of any kind of advertising device shall be displayed to the public view on a lot except one sign of not more than 432 square inches advertising the property for sale. Said sign shall be located adjacent to a driveway, ten feet back on the property line and not more than three feet in height, including the sign and the stand. During construction, a builder's sign may be affixed to the dwelling but it may not be more than 432 square inches and must be removed before occupancy by the owners. All for rent signs shall be designed, location determined, size and material and color of such signs, by the Architectural Review Committee.

**Deposit:** No plans for Major Projects or Major Remodeling Projects submitted by or on behalf of a member to the committee shall be accepted unless they are accompanied by a payment of one thousand dollars (\$1000) to the Association, which payment shall constitute a bond securing the member's completion of construction in accordance with his plans and his compliance with all covenants and regulations of the Association with respect to maintenance of the common areas and use of the Association's property. The Association is authorized to use the member's performance bond to secure such compliance if necessary.

The committee shall have the authority to set reasonable time limits for the completion of construction of building plans submitted to it. Any member who fails to complete construction within the time limits set

by the committee without good cause shall be subject to a special assessment if recommended by the committee and imposed by the Board of Directors.

#### Architectural Review Procedure

- (1) Three (3) completed sets of plans and specifications, foundation, floor plan, four directional elevations; schedule of proposed exterior color (and samples thereof) grade and weight of roof shingles; site plan showing home, parking, septic drainfield and completion date.
- (2) Above shall be submitted no earlier than six months before construction begins and approval shall be null and void if construction does not begin within eight months of approval date.
- (3) **Approval will be made in writing no more than 30 days after submitted. An outside engineer or architect to review plans where deemed necessary.**
- (4) **Three (3) completed sets of plans and specifications shall be submitted to Village Realty and Management Services. Upon receipt of the four completed sets of plans, Village Realty will forward copies as quickly as possible (via fax, hand delivery, or courier delivery) to each member of the Review Committee.**

Design proposal shall be mailed to:  
Tuckahoe Architectural Review Committee  
C/O Village Realty  
PO Box 1807  
Nags Head, NC 27959

Or hand-delivered to:  
Tuckahoe Architectural Review Committee  
C/O Village Realty  
5301 S. Croatan Highway  
Nags Head, NC 27959

If your project is considered a Major Project and Major Remodeling Projects, a refundable \$1,000 damage deposit is required. The deposit is needed if large delivery trucks will be delivering supplies, if heavy construction equipment is needed or if the project exceeds \$5,000 (examples – replacing roof, replacing siding, replacing decking, fence installation, septic repair or replacement, pool or hot tub installation, any alterations to the footprint of the house, etc). Please contact the Association Manager if you are unsure whether your project requires a deposit. The damage deposit is refundable. This fee is intended as a deposit against common area or neighboring area property disturbance during the course of the project described. The deposit, less any damages assessed, will be returned to the homeowner subsequent to the successful completion of the project.

If your project is a Maintenance/Upkeep project (ie: exterior painting, replacing existing decking, replacing siding with the same materials, pressure washing, etc.), a damage deposit is not required; however, you must submit an application or written notification of the nature of your project.

*Architectural Review Guidelines were revised per the approval of the restated association Bylaws. These Bylaws were approved by the membership at the May 1, 2010 Annual Meeting, and recorded with Dare County on May 28, 2010.*