

**PREFACE:**

The basis for the Rules & Regulations and the authority for enforcement are contained in the Declaration of Restrictions (DOR), the Bylaws and the Articles of Incorporation for the Carolina Shores Property Owners Association, Inc. as well as portions of North Carolina General Statutes Section 47F, better known as the North Carolina Planned Community Act, and North Carolina General Statutes Section 55A, better known as the North Carolina Nonprofit Corporations Act.

These limitations, restrictions, covenants and conditions are binding on all parties having acquired any right, title or interest in property within Carolina Shores. Please read the Rules & Regulations carefully and be sure you, your family, guests and tenants understand them fully. Ignorance or unfamiliarity of the Rules & Regulations and the DOR is not an acceptable reason for non-compliance.

The table below provides references to the Deed of Restrictions sections and sub-sections that detail the overriding policies on which the rules are based.

CSPOA Rules and Regulations as referenced in the DOR.

Section	Sub-Section
1	13
2	1
4	3a and 3l
5	1c
10	3
12	a, c, d

**ARCHITECTURAL CONTROL COMMITTEE:** The Architectural Control Committee (ACC) is made up of property owners of good standing of the CSPOA. The function of this committee is to ensure that all DOR and Rules and Regulations of the CSPOA are followed. The CSPOA Board is informed of any violation which is not corrected by the property owner and further action is then started.

**DISCLAIMER:**

The material in this handbook is not intended to be a substitute for the stipulations contained in the DOR or for the services of an attorney. The law and its interpretation are constantly changing. Please consult your professional advisor regarding your involvement, obligations and rights of property ownership in this common interest community association.

**RULES & REGULATIONS:**

The following is the adopted Rules & Regulations of the Carolina Shores Property Owners Association, Inc. (“CSPOA”). The rules are presented by category.

## **I. PROPERTY OWNERS**

Individuals or entities acquiring legal or equitable title to any Lot in Carolina Shores Subdivision shall automatically become members of the CSPOA and for purposes of these Rules and Regulations shall be referred to as Property Owner(s). Membership in the CSPOA is limited to Property Owners and may not be separated from ownership of any Lot. The Property Owner is the person/entity ultimately responsible for ensuring that people on the premises follow the DOR and the Rules in this handbook. Any person whose name is not on the deed is neither a property owner nor considered a member of the CSPOA for the purposes of these Rules & Regulations.

Mailing addresses and telephone numbers of the Property Owner must be filed with the CSPOA office within ten (10) days of recording the title deed. This ensures that official notices can be mailed to the Property Owner and contact can be made in case of an emergency. It is the responsibility of each Property Owner to notify the CSPOA office of any change in mailing address, telephone number or residency status (i.e., renting their property).

Dues or fines may be paid by check or paper currency. (coins are not accepted for these payments).

## **II. VIOLATIONS OF RULES & REGULATIONS**

Each Property Owner is encouraged to report observed violations either by going to or calling the CSPOA office at (910) 579-2044, e-mailing [cspoa@carolinashores.net](mailto:cspoa@carolinashores.net), or writing to CSPOA, Architectural Control Committee, 17 Lakeview Court, Carolina Shores, NC 28467. The Request for Inspection form (to report suspected violations) is available at [www.carolinashores.org](http://www.carolinashores.org).

Each Property Owner is responsible for the conduct of and any violation by such owner's family members, guests, agents, contractors, tenants, and for the family members' guests, agents and contractors of any tenant. Should a violation be reported, the CSPOA has been instructed to do any or all of the following:

1. Note the nature of the alleged violation, obtain the name and address of violators, and forward the information to the CSPOA.
2. In the case of children, every reasonable and responsible effort should be made to contact the parents, guardian or host immediately prior to taking further action.
3. Call upon a law enforcement agency for any assistance, if necessary.

### **III. USE OF MOTORIZED VEHICLES, PARKING & STREETS**

#### **A. MOTOR VEHICLES:**

1. All definitions in this section shall be the definitions of the North Carolina Motor Vehicle Statutes.
2. All vehicles within Carolina Shores must be continuously titled, licensed, inspected, registered, and insured as required by state statutes.
3. All motor vehicles must be driven in a safe and reasonable manner and driven only on designated roadways. Drivers must observe all posted traffic signs. Only licensed drivers shall operate any motor vehicles within Carolina Shores.
4. No unlicensed, junked, wrecked, or stripped vehicles of any kind are allowed on any property owner's lot, CSPOA property, street, or right-of-way.
5. Vehicles are only allowed to be regularly parked on property owners' driveways or parking areas on property owner's lot. "Parking areas on the property owner's lot" is defined as a concrete, stone or rock area adjoining the driveway and defined by a fixed border, specifically for use as a parking area. Parking elsewhere on the property is not allowed. Parking on POA common areas is not allowed. Parking on golf course or Town of Carolina Shores property is not allowed without prior authorization

#### **B. PARKING AND STREETS**

1. There shall be no storage or overnight parking of any mobile home, trailer (with or without wheels), motor home, tractor, truck (other than non-commercial pick-up trucks and vans), commercial vehicles of any type, camper, motorized camper or trailer, recreational vehicles, boat or other watercraft, boat trailer, or any other related forms of transportation devices upon any portion of Carolina Shores. For clarification, any vehicle that has commercial lettering is considered a commercial vehicle.

#### **2. Recreational Vehicle Parking**

A recreational vehicle (as defined in definition A) may legally be parked for the Time Duration (specified in definition D), so long as the overnight parking is reasonably necessary and sporadic in occurrence. When overnight parking of an RV occurs, the vehicle owner must report the occurrence to the CSPOA Office as soon as possible. The CSPOA telephone number (910-579-2044) contains an answering system that the owner may report when an occurrence occurs after office business hours. Failure to report occurrences may result in a fine and/or the revocation of access privileges after notice and an opportunity to be heard pursuant to North Carolina General Statute 47F-3-107.1.

Definitions:

- A. Recreational Vehicle is defined as a motor vehicle or trailer which includes quarters designed for accommodations. Types of RV's include motorhomes, campervans (also known as travel trailers and camper trailers) and fifth-wheel

trailers. Popup campers and truck campers, boats and utility trailers are not defined as RV's.

- B. Reasonably Necessary  
No reasonable alternative exists
  - C. Sporadic in Occurrence  
Events which occur now and then, rarely or infrequently
  - D. Time Duration  
A time period of no more than twenty (24) hours maximum starting at 6 PM EST on day One and concluding at 6 PM EST the next day. (e.g. Starts 6 PM May 15 and concludes 6 PM May 16)
3. Portable storage containers may be temporarily placed on a homeowner's property for the purpose of temporary storage of the homeowner's household property for the purpose of moving into or out of a residence. Such containers must be removed within five (5) days unless prior approval of the CSPOA has been obtained.
  4. Moving vans/trucks may be temporarily parked on homeowner's property for the purpose of moving into or out of a residence. Such moving vans/trucks must be removed within forty-eight (48) hours of initial placement, unless prior approval of the CSPOA has been obtained.
  5. Construction debris receptacles are allowed, with a permit, for a time of no more than seven (7) days during remodeling construction. This does not apply to new builds or new build additions. Approval from the CSPOA must be obtained if the time is longer than seven (7) days. (April 2019 Board minutes)

#### **IV. SOLICITATION**

Although the members of the CSPOA are in a public environment, the following policy is in effect with regard to solicitation:

No solicitation is allowed within the boundaries of Carolina Shores. This includes, but is not limited to, door-to-door sales of any goods or services, approaching people on the streets to sell goods or services and dropping in doorways, delivering to mailboxes or posting on mailboxes flyers advertising the sale of goods or services. Violations should be reported to the Brunswick County Sheriff's Department.

#### **V. COMMON FACILITIES**

##### **ACCESS TO COMMON FACILITIES**

The Property Owners Rules & Regulations Handbook is compiled by the CSPOA for the purpose of describing the specific guidelines for use of the common facilities of the CSPOA:

1. CSPOA clubhouse

2. Pool
3. Tennis courts
4. Recreation areas, which includes the Pavilion area and Bocce ball court

The common facilities are operated for the benefit of the owners of record of property within Carolina Shores. Anyone using the common facilities or any of their components shall do so at his or her own risk.

The common facilities of the CSPOA include the clubhouse, the pool, the recreation area, the tennis courts, and all parking lots.

The hours and rules of operation for the common facilities are set by the CSPOA Board of Directors. The rules for each facility are provided at the end of this document.

In order to enter the clubhouse, pool area or tennis courts, you must have a magnetic key card/fob you scan at the entry to each of these areas. The Property Owner(s) of each lot with a residence or double lot with residence is entitled to two (2) free key cards and may purchase a key fob(s) in place of the card(s) for the cost of \$25.00 each. The Property Owner(s) of an unimproved lot(s) is entitled to one (1) key card.

The key cards/fobs are available at the CSPOA office. In the event a key card/fob is lost, stolen or damaged, the Property Owner should notify the CSPOA as soon as possible. That key card/fob will be deactivated, and a replacement will be issued at a cost of \$25.00.

Only two (2) cards will be issued per member(s) with a residence and one (1) card per member(s) of unimproved property.

Owners of properties that are rented may elect to allow the tenants to have access to the common facilities. In order to do this, you must file a written statement with the CSPOA explicitly granting privileges to specific individuals living in the home and assign the tenant(s) your owner's card(s) This can also be done through rental agents with proper paperwork. Renters are not able to request or replace cards/fobs.

## **USE OF COMMON FACILITIES**

To ensure the safety and convenience of all property owners, the CSPOA has imposed the following rules for the use of common facilities:

1. If a state of emergency is declared the use of any of the common facilities is prohibited.
2. Pets are not permitted within the confines of the pool, tennis courts or clubhouse. Duly certified service dogs are exempt from this rule.
3. Skateboarding is prohibited at all common facilities.
4. Conduct detrimental to the health, safety or enjoyment of those using the common facilities is not permitted.
5. Playing of instruments or use of music recording/playing devices must be done in a

manner that respects the rights of others.

6. Care should be taken to protect the landscape and parking areas from damage and debris. Trash should be disposed of in the appropriate containers.
7. Any damaged or broken equipment should be reported at once to the CSPOA office.
8. The laws and regulations of the State of North Carolina concerning the use of alcoholic beverages shall govern the common facilities.
9. There shall be no vehicles, trailers or other items placed on the common grounds of the POA with “for sale” or “for lease” signs without prior permission of the POA Board.

Failure to follow the rules for the use of common facilities may result in having access privileges withdrawn after notice and an opportunity to be heard pursuant to North Carolina General Statute § 47F-3-107.1. The North Carolina Planned Community Act gives the CSPOA the power to impose reasonable fines or suspend privileges or services provided by the CSPOA (except rights of access to lots) for reasonable periods for violations of the Declaration of Restrictions, Bylaws and Rules and Regulations of the CSPOA. If a violation is noted, a hearing must be held before the CSPOA Board to determine if a Property Owner should be fined or if planned community privileges or services should be suspended. The Property Owner charged shall be given notice of the charge, opportunity to be heard and to present evidence and notice of the decision. If it is decided that a fine should be imposed, a fine not to exceed one hundred dollars (\$100.00) may be imposed for the violation and without further hearing for each day more than five days after the decision that the violation occurs. Such fines shall be assessments secured by liens under G.S. 47F-3-116. If it is decided that a suspension of privileges or services should be imposed, the suspension may be continued without further hearing until the violation is cured. PLEASE NOTE THAT EACH PROPERTY OWNER IS RESPONSIBLE FOR THE CONDUCT OF AND ANY VIOLATION BY SUCH OWNER’S FAMILY MEMBERS, GUESTS, AGENTS AND TENANTS, AND FOR THE FAMILY MEMBERS, GUESTS, AND AGENTS OF ANY TENANT.

### **CSPOA CLUBHOUSE**

The CSPOA clubhouse serves the community as the site to hold many of the activities created by and for the residents. The clubhouse can be reserved for private parties. It is important that the CSPOA clubhouse be designated for uses that will serve the population and maintain that sense of community. See the attached application form.

### **TENNIS COURTS**

The rules associated with the tennis courts are posted at the tennis courts.  
See attached.

### **SWIMMING POOL**

The rules associated with the use of the pool are posted at the pool.  
See attached.

### **PAVILION AREA**

The rules associated with use of the Pavilion area are attached to this document.

**NOTE:** The Carolina Golf and Country Club is NOT part of the CSPOA; therefore,

access to this property must be approved by the senior manager of the Golf Course.

## **VI. PROPERTY USE AND MAINTENANCE RESPONSIBILITIES**

The DOR governs the use and maintenance responsibilities of the Owners' property. As such, Property Owners are urged to refer to the DOR, Section 6 – “General Prohibitions and Requirements”, Section 7 – “Building Plans and Specifications” and Section 8 – “Size and Placement of Residences and Structures” for the specific stipulations relative to property use and maintenance concerns. The CSPOA Rules & Regulations listed here are stated in layman’s terms and are intended to function as a quick reference for the benefit of the Property Owner, not a substitute for the DOR.

1. Property Maintenance – Each Owner shall maintain his or her unit and all structures, landscaping, parking areas, and other improvements comprising the unit in a manner consistent with the community-wide standard and all applicable covenants.
2. Landscaping – Property Owners are responsible for maintaining their property grass and all plantings in a manner that will enhance and maintain the beauty and aesthetics of the community. It is the responsibility of all Property Owners to prevent the accumulation of trash, debris and any other unsightly litter that would detract from the cleanliness and beauty of the community. No Property Owner shall dump any yard waste (such as grass clippings, shrubbery clippings, tree branches, etc.) on any unimproved lot or common ground.

### **Addendum to Rules and Regulations Section VI.2**

Clarification to definition of “Well Maintained”: Vacant Lots

-To be done on a 3-year schedule by the individual property owner. All debris must be removed from the lot, including but not limited to, brush and trees. This debris may be run through a chipper and evenly dispersed on the lot in lieu of removal. The entire area of the lot shall be cleared to all boundary/property lines\* to a maximum height of no more than six (6) inches.

\*The property line begins thirty (30) feet from the road center. The swale is in the Town Right-of-Way. Each lot can be different depending on the road they are on.

3. Burning – No outside burning is allowed. Firepits are allowed but must have a screen.
4. Exterior Lighting – Exterior lighting shall not cause an adverse nighttime environment to any surrounding property.
5. Damage Removal – Any building or improvement wholly or partially destroyed must be rebuilt in such a way that meets the standards of the ACC and any debris must be removed within six (6) months.
6. Antennas and TV Dishes are permitted. Every effort should be made to screen the dish or antenna so that it is not visible from any street or recreational area.
7. Sound Devices – Sound devices shall not cause an adverse environment to any surrounding property, with the exception of alarm devices used exclusively for individual residence security purposes.

8. Signs – No signs of any type shall be erected or maintained on any property without the prior approval of the ACC. Signs that will be considered are “For Sale” or “For Rent”, which should not exceed 24” x 24”, and security signs which should not exceed 10” in diameter.
9. Political Signs –Senate Bill 315 permits campaign signs during the period beginning on the 45<sup>th</sup> day before the beginning date of “one stop” early voting and ending on the 7<sup>th</sup> day after the election. Only two political signs with the maximum dimensions of 24" x 24" is allowed on each property. (A political sign is defined as “a sign that attempts to influence the outcome of an election, including supporting or opposing an issue on the ballot.”)
10. Painting and Exterior Alterations – All exterior modifications, additions, remodeling, or painting must have prior approval of the ACC, even if you are painting the same color. Any Property Owner may remodel, paint or redecorate the interior of the property without approval.
11. Concealment – Every fuel tank or storage tank must be EPA approved. All fuel tanks or storage tanks, exterior HVAC equipment, generators, pool equipment, irrigation equipment, and trash receptacles shall be screened to a height not exceeding one (1) foot above the unit or so placed and be kept as to not be visible from any street or recreation area. It is recommended that the ACC be consulted on this matter.

## **VII. TENANTS/RENTALS**

For the purpose of these Rules and Regulations, a tenant shall be defined as anyone in possession of a Property Owner’s home in exchange for any sort of consideration.

1. Tenants, unless Property Owners, are not members of Carolina Shores POA; however, they are subject to the Deed of restrictions, the By-laws, the Rules and Regulations, and Policies that govern Carolina Shores POA and its common areas.
2. A residence may not be leased or rented for a term less than twelve (12) consecutive months and can only be rented or leased to one (1) tenant(s) for that period of time.
3. A room or rooms in a residence may not be rented for any length of time, nor can any part of the property be used as an Airbnb or similar rental service at any time.
4. Prior to occupancy, it shall be the responsibility of the Property Owner to ensure that a Tenant’s Information Sheet is completed and furnished to the Carolina Shores POA. The Tenant Information Sheet is available at the Carolina Shores POA Office or online at <https://carolinashorespoa.org/> under Procedures and Forms.
5. As per the Declaration of Restrictions (DoR), the Property Owner is responsible for the actions of his/her tenant(s) and tenant’s guests and will be held financially liable for any damage to CSPOA common facilities, equipment or common areas. The Property Owner will also be held liable, financially or otherwise, for any violations of the DOR, the Bylaws or the Rules & Regulations by his/her tenant(s) and/or tenant’s guests.



## House Swapping:

The three (3) main types of home exchange are as follows:

- a) You can stay in your exchange-partners home while they stay in yours as a guest (a Simultaneous Exchange).
- b) You can stay as a guest in a home-swappers second home or vacation home (a Non-Simultaneous Exchange)
- c) You can stay as a guest in a swappers abode while they are also in the house (a Hospitality Exchange)

House swapping as defined above shall be limited to one (1) two-week exchange per calendaryear.

## **VIII. GOLF CARTS**

The following Rules and Regulations are defined as per NC General Assembly Session Law 2009-459, AN ACT TO ALLOW ALL UNITS OF LOCAL GOVERNMENT TO REGULATE GOLF CARTS

Under current NHTSA interpretations and regulations, so long as golf carts and other similar vehicles are incapable of exceeding 20 miles per hour, they are subject to only state and local requirements regarding safety equipment. However, if these vehicles are originally manufactured so that they can go faster than 20 miles per hour, they are treated as motor vehicles under federal law.

Guidelines for LSV (Low Speed Vehicles) within the Carolina Shores Property Owners Association:

1. Reaches speeds of 20 to 25 MPH
2. Has a vehicle identification number (VIN)
3. Has Head Lamps
4. Has front and rear turn signals
5. Has Stop lamps
6. Has Reflex reflectors, RED, one each side and one on the rear
7. Has exterior mirror on the driver side and an interior mirror or exterior mirror on the passenger side
8. Has a parking brake
9. Has a windshield
10. Has seat belts for each designated seat
11. Cannot be operated on any roadway with a speed limit above 35 miles per hour
12. Must be stored in the homeowner's garage overnight (the same as a trailer)
13. Any person operating a low-speed vehicle (LSV) must have in their possession a valid driver's license.
14. An LSV must be registered and insured with personal injury protection and property damage liability.

## **IX. SOLAR PANELS**

The following Rules and Regulations are defined as per NC General Assembly Session Law 2007-279, AN ACT TO PROVIDE THAT CITY ORDINANCES, COUNTY ORDINANCES, AND DEED RESTRICTIONS, COVENANTS, AND OTHER SIMILAR AGREEMENTS CANNOT PROHIBIT OR HAVE EFFECT OF PROHIBITING THE INSTALLATION OF SOLAR COLLECTORS NOT FACING PUBLIC ACCESS OR COMMON AREAS ON DETACHED SINGLE-FAMILY RESIDENCES.

The Carolina Shores Property Owners Association recognizes that there is likely to be (and encourages) member interest in installing solar paneled power systems. Since these systems by nature must be installed external to the home, the Association has developed this policy to aid members (homeowners) in developing their solar projects within Association expectations. Note: not all lots are conducive to allowing solar panel installation)

#### Guidelines for Solar Panel Systems within the Carolina Shores Property Owners Association:

1. Solar panel installation must receive prior approval by the Architectural Control Committee (ACC)
2. The ACC reserves the right to make approval/disapproval as well as variances from these rules based on whatever information they deem necessary, including purely aesthetic reasons.
3. Preferred locations for the solar array are either on a Rear-Facing Roof or a ground mounted system. (Front facing roofs will not be approved?) Final placement must be approved by the ACC in writing.
4. Ground mounted systems have to be installed behind ACC approved 6-foot privacy fences.
5. Initial applications will be considered without permits/approvals, but final approval must include a copy of the contractors permit from the Town and approval from BEMC.
6. Application must include a picture of the requested panels with a drawing to scale showing the proposed roof top or in yard location, a copy of the plat map or photographs showing how the house sits relative to surrounding homes.
7. The solar array system components must conform to the color of the roof shingles as closely as possible.
8. Homeowners will ensure that all surfaces of all array equipment, whether painted or colored materials, are properly and timely maintained to prevent peeling and cracking to the point where the equipment becomes unsightly and/or incompatible with aesthetic standards.
9. The visibility of devices and their components must be minimized from public view (from the street front, neighboring lots, and common areas). The ACC may require screening from neighboring property.
10. Solar panels must be installed flush with the roof with no more than a four (4) inch rise in elevation above the roof. The entire array shall be lower than the top ridge of the roof.
11. No motorized sun tracking systems will be allowed.
12. Solar panels must be flat with no external piping.
13. Separate approval must be obtained for any proposed tree removal.
14. Homeowners are solely responsible for ensuring that all permits and licenses are obtained prior to installation.
15. Only commercially or professionally made devices are allowed. Solar panels must possess Solar Rating Certificate Corporation certification. "Homemade" devices will not be permitted.
16. The size of the solar array must be limited to that which provides usable energy generation for the home on which it is installed.
17. No signs advertising the finished product will be allowed.

Homeowners are urged to check with their home builder or insurance company prior to installation of devices for how such installation may impact their roof warranty or other aspects of their structure.

#### **X. ABANDONED AND UNKEMPT PROPERTIES**

- Improved property is abandoned/uncared for 90 days or more.
- Three (3) letters, approved form letters, sent to owners/responsible parties. No action as result of notifications.

- ACC is authorized contract work to be done, not to exceed \$200.00 per service, and charged to property owner.
- Repeat in ninety (90) days if necessary. No more than 2 cleanings in the calendar year.
- If after all the above steps are taken and there is non-compliance, a lien shall be placed on the property.

## **XI. A/C, MINI SPLITS, GENERATORS AND PROPANE TANK SCREENS**

Panels that screen all units are to be constructed of:

1. vinyl or wood lattice  
**or**
2. wood of alternate slat construction.

The material can be white, natural or painted a color to match the home. The screen must be attached to posts at the ends and anchored firmly into the ground.

The screen must cover the entire width of the unit and be at least 6", but no more than 12" over the height of the unit and conceal the view of the unit from any angle of the street or recreation area.

Evergreen shrubbery will be allowed if planted and meets the above stated height, width and concealment requirements listed above.

Any self-contained units, i.e. window or built-in wall mounted units will be exempt.

## **XII. CONSTRUCTION DEBRIS RECEPTACLES**

**Types:** Any vehicle/container used for the sole purpose of removal of construction debris.

**Placement:** Receptacle may be put in place no more than twenty-four (24) hours prior to commencing of work. Must be removed with twenty-four (24) hours of completion of work, or the expiration date of the permit.

**Extensions:** May be granted at the discretion of the ACC after receiving a written request,

## **XIII. CONTRACTOR'S SIGNS**

- Contractors' signs are permitted only while work is in progress and must meet existing sign specifications.
- Signs must be removed within 24 hours of completion of work.
- Hours of work are 7:00 a.m. to 7:00 p.m. **No work to be done on Sunday.**
- **No work is allowed on Sunday for new homes under construction by either the contractor or owner.**

## **XIV. FENCE CRITERIA and GUIDELINES**

Under the authority of Section 8, Sub-sections 1c and 2a of the Declaration of Restrictions, the Association shall have the authority to establish rules and regulations pertaining to the style, design, height, and size

requirements of all other types of structures, including but not limited to fences, walls and copings.

All requests to install fencing require prior approval by the Architectural Control Committee (ACC) and also require a Town of Carolina Shores permit. Requests should include a plot plan or survey showing the property boundaries, all structures and proposed location of all fencing. **Any existing fences that are damaged and require replacement must adhere to the new guidelines.** (Resolution #1228 dated August 20, 2007).

**Outside boundary fences** must be alternate slat construction with a minimum height of six (6) feet, but not to exceed eight (8) feet in height. Fences must be the natural wood color. An **outside boundary** is the line defining the end of our community. Examples: Houses that border Route 179 and those properties on the left side of Pinewood Drive bordering the right of way.

**Inside boundary line fences** must be wrought iron style, metal construction, color black, to be a continuous height of forty-eight (48) inches (including gates). **The fence can only extend from the rear corners of the house but can be installed on the property lines.** Please see the examples below. Spiked fence types may not be used. An **inside boundary** is the property line between two properties.

**Golf course boundary fences** must be continuous on the property line bordering the golf course. The fence must be a continuous height of forty-eight (48) inches (including gates) and wrought iron style, metal construction, and black in color.

**Trim fences** are defined as fences that cover HVAC units, Generators and Propane Gas Tanks. These fences shall cover the entire width of the unit, be at least 6 inches, but not more than 12 inches above the height of the unit and conceal the view of the unit from any angle of the street. The panels constructed of vinyl or wood lattice, or wood of alternate slat construction shall screen all units. The material can be white, natural or painted a color to match the home. The screen must be attached to posts at the ends and anchored firmly into the ground. Shrubbery will be accepted on new screenings but will be allowed if currently planted and meets the height and width requirements.

Owners may have a section of split rail fence at each corner of a lot. The section of the split rail may extend down the front, the side and rear property lines no more than one section of fencing not over 8 feet long. These sections are to be constructed of natural wood.

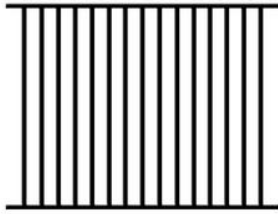
If the property adjoins a major **storm water management** ditch, the owner may erect a split rail fence along the entire length of the property line that abuts the ditch providing it does not exceed 40” in height.

**A pool security fence must comply with the following requirements:**

1. It must meet the requirements of all Local, County, State and National codes.
2. Per CSPOA Board Resolution #1228, dated August \*, 2007, such a fence must be of alternate slat construction, unless on a golf course lot.
3. The fence must be installed within the shadow (width) of the main structure of the house.
4. The fence may extend no further into the rear yard than the CSPOA rear yard setback requirements permit.



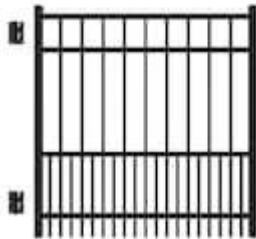
Freedom Black Aluminum style  
Not a Golf Course Option



Ironcraft Black Powder Coated  
Aluminum style  
Not a Golf Course Option



Ironcraft Berkshire style  
**Only Golf Course Option**



**Flat Top Puppy Pickets** – can be use  
with any of the three above-style fences.

## XV. FIREPITS IN THE CAROLINA SHORES POA

Most cities and towns allow small recreational Firepits. A recreational fire is usually defined as a backyard fire in a firepit. Most regulations are in place to remain courteous to your neighbors and to ensure your safety and the safety of those around you. While every area and town community are different, here are the regulations to ensure safety within our community.

### **NOTE: NO OPEN FIRES OF ANY TYPE ARE PERMITTED.**

A. In-ground Firepits are permitted if pre-approved by the Architectural Control Committee.

B. Requirements for Firepits:

1. Distance of twenty-five (25) feet between the firepit and any structure (house, garage, shed, vehicle, deck, and overhanging branches).
2. Firepits, either portable or in the ground, cannot have diameters larger than six (6) feet.
3. Firepits cannot exceed three (3) feet in height or depth.
4. Firepits must have a screened covering.
5. Firepits must be constantly attended to by an adult.
6. Firepits (Portable) may only be used on a fireproof surface.
7. Each firepit must have an on-site means to extinguish the fire.

Examples: 1. Five-gallon (5) bucket of water

2. Garden hose connected to a reliable water source

- 3. 2A:10B:C fire extinguisher
- 8. Chimeneas are allowed if they have screening, and are placed on a flat, fireproof surface such as rock, concrete, bricks, or pavers.
- 9. The Architectural Committee may revoke its approval based upon nuisance complaints from neighbors.
- 10. Owners, occupants and tenants using firepits or chimeneas remain responsible for any fire damage and/or fire suppression costs to surrounding areas from use.
- 11. Burn clean dry and split firewood. Woods like oak, ash or cedar.
- 12. **FORBIDDEN BURN MATERIALS:**  
Common materials like paper, magazines, and particle board. These seem harmless, but they can create excessive smoke, foul smelling gases and/or dangerous gases.

## **XVI. FLAGPOLES**

### **1. Height, Size and Installation**

- A. All flags will be mounted on flagpoles.
- B. Flag Size:
  - a) Flags mounted on vertical poles shall be limited to a maximum of two (2) that no greater than 15 square feet each.
  - b) House flags mounted directly on a building wall or tree shall be no greater than 15 square feet.
- C. Flagpole:
  - a) Vertical flag poles shall be constructed of tubular steel or aluminum and be no more than twenty-two (22) feet in finished height.
- D. Number of flagpoles:
  - a) There shall be no more than one (1) vertical pole, as described in C-1, and two (2) house flag as described in B- 2 per lot.
- E. Installation: Vertical (**from purchased kits**) flagpoles shall be installed to manufacturers specifications. **All other flagpoles shall be designed for hurricane zones and approved by the Town of Carolina Shores.**

### **2. Location:**

- A. The flagpole must be located at least five (5) feet from any property line.
- B. It is the owner's responsibility to determine their property lines and ensure that the pole is installed within these limits.

### **3. Number of flags allowed:**

North Carolina General Statutes Chapter 47F(N.C. Planned Community Act) provides for the display of the United States or North Carolina State flags in accordance with or in a manner consistent with the patriotic customs set forth in 4 U.S.C, section 5-10.

### **4. Maintenance:**

All flags and poles shall be maintained in good repair. Poles with broken halyards shall be repaired and torn and frayed flags shall be removed.

5. Prohibited:

- A. Banners, pendants, windsocks, spinners, streamers and or musically operated flagpole are prohibited.
- B. **Flags containing derogatory comments in reference to specific individuals, organizations, or beliefs.**

6. Illumination:

Flag poles may be illuminated, but the lighting shall be directed away from roadways and adjacent properties. The maximum illumination shall be restricted to no more than two (2) lights, not greater than 300 lumens **for both**, and set to a vertical angle of no more that 15 degrees.

## XVII. OUTBUILDINGS AND SHEDS

1. This document addresses the minimum requirements for the construction and placement of outbuildings.
2. Outbuildings are structures including, but not limited to, lawn and garden sheds, gazebos and greenhouses.
3. All outbuildings shall comply with the current CSPOA Declaration of Restrictions and these guidelines.
4. Approval will be required from the CSPOA prior to commencing construction.
5. The building must be of a design, color and construction similar to the residence. In addition, it must be aesthetically suitable for the lot and appropriately screened.

6.1 Outbuildings:

The maximum size of any **single-story use** outbuilding on any lot can be no more than 1000 square feet in size, meet all requirements for setbacks, height, and have a minimum roof pitch of 4/12 (no flat roofs allowed). All finishes to match or be compatible to the exterior of the existing home. The maximum ridge height is 18 feet from the finished floor and **not to exceed the height of the house. Outbuildings cannot be used for residency and only one outbuilding per property.**

6.2 Sheds:

The maximum square footage of a shed must be no greater than 120 square feet, regardless of lot size. The maximum allowable wall height of the shed shall not exceed eight (8) feet, and the maximum allowable total height of the structure shall not exceed ten (10) feet from the floor of the structure. The placement of a shed on an odd-shaped lot would need to be approved at the discretion of the ACC Chairman in the expanded shadow of the house conforming to the boundaries of the lot, setbacks and existing guidelines. **Only one shed per property.**

**10'x 10' sheds or larger need a permit from the Town of Carolina Shores.**

7. A lawn and garden shed, greenhouse, or any other outbuilding must be placed:
  - A. Behind the principal residence or behind a detached garage and
  - B. Within the CSPOA setbacks and
  - C. Within both side boundaries of the principal residence or within both side boundaries of a detached garage. **Only one greenhouse per property.**

- 7.1 A gazebo must be placed:
- A. Behind the principal residence or behind a detached garage and
  - B. Within the CSPOA setbacks.
  - C. **Only one gazebo per property.**
8. Property owners who are requesting permission to construct an outbuilding must provide the CSPOA Architectural Control Committee (ACC) with the following:
- A. A completed copy of the “Request for Alterations” form for sheds and gazebos.
  - B. A plot plan showing the location of the outbuilding, all other structures, and the setbacks
  - C. A drawing or brochure of the proposed outbuilding indicating all applicable dimensions and materials to be used
  - D. Samples of paint colors, siding and roofing materials
  - E. Copies of all relevant building permits issued by The Town of Carolina Shores.
9. Outbuildings, REGARDLESS OF SIZE, shall be placed on a masonry pad and anchored down according to the High Wind Requirements of the North Carolina State Building Codes, Chapter 44, for a 130-mph wind zone and minimum uplift of 710 pounds per linear foot, excluding pre-constructed buildings built on runners. These outbuildings are to be placed on masonry pads at the middle and four (4) corners of the proposed outbuilding. The pads must be of a minimum size of 12”x12”x2. A masonry pad is defined as a poured concrete platform, and or individual concrete blocks 2 inches in depth, set on a gravel base, that extends and includes the entire footprint of the proposed outbuilding.

**AT INTERVALS, THE ACC WILL CHECK SITE FOR CLEANLINESS AND SCHEDULE OF COMPLETION TIME OF NINE (9) MONTHS OR LESS.**

<b>Setback requirements for Outbuildings, Sheds, Greenhouses, Gazebos</b>					
		Acreage	Homesites	Golf Course	Patio and Gate Homes
<b>Min Side Yard*</b>		15ft	15ft	15ft	7ft*
<b>*15ft or greater to meet the requirement to be behind the house or detached garage</b>					<b>*7ft or greater to be behind the house</b>
<b>Min Rear Yard</b>		15ft	15ft	15ft	10ft

	<b>Outbuilding</b>	<b>Shed</b>	<b>Greenhouse</b>	<b>Gazebo</b>
<b>Max Building Height</b>	18Ft	10ft Ridge 8ft wall	10 ft Ridge	10 ft Ridge
<b>Maximum Size</b>	1000Sq ft	120 Sq ft		

**\* Only one Shed, Greenhouse, Gazebo, Outbuilding per property. Town permits may be required with additional setback restrictions.**



**XVIII. PIE SHAPED LOTS**

The placement of a shed would be approved, at the discretion of the ACC, in an expanded “shadow of the house” conforming with the boundaries of the lot if all setback and existing guidelines were met.

**XIX. POLITICAL SIGNS**

In accordance with the provisions of Section 3, Sub-section 121 (2) a. of the North Carolina Planned Community Act Chapter 47F, and in concurrence with Section 6, Sub-section 18 of the Declaration of Restrictions of the Carolina Shores Property Owners' Association, Inc. (CSPOA) and the Carolina Shores Rules & Regulations, Section VI, Sub-section 9, the CSPOA will allow political signs to be displayed during the period beginning on the 45<sup>th</sup> day before the beginning date of “one-stop” early voting and ending the 7<sup>th</sup> day after the primary or election day. Signs on improved lots shall be **no larger than 24” by 24”** and on a freestanding support, flags on improved lots shall be **no larger than 3’ by 5’**. No more than two (2) signs in total may be placed on any lot; for example, one in the front and one in the rear. On corner lots a V-shaped sign may be used and considered to be one sign. No signs are allowed on any unimproved lot. **A permit must be obtained from the CSPOA office prior to displaying any signs on your property.**

**NOTE:** A political sign is one that attempts to influence the outcome of an election, including supporting or opposing an issue on the election ballot. Protest signs are to conform with all current sign restrictions, with regards to placement and size, commercially printed, and from a recognized organization. Handwritten signs are prohibited. The signs will be allowed for a period of not more than ninety (90) days. All “protest” signs requests require approval from the ACC BEFORE being displayed.

**XX. HOME SETBACKS REQUIREMENTS**

Requirements	Town	CSPOA			
		Acreage	Homesites and Corner Lots	Golf Course Homes	Patio and Gate Homes
Min Lot area	15,000 sq ft	None	None	None	None
Min Lot Width	75 ft	None	None	None	None
Min Front Yard	35 ft	50 ft	30 ft.	30 ft	20 ft
Min Side Yard	10 ft	15 ft	15 ft.	15 ft	7 ft
Min Rear Yard	30 ft	25 ft or 25% of length of lot (average of both side lines divided by 2), whichever is larger	25ft.	30 ft.	10 ft
Max Bldg. Height	35 ft	22 ft	22 ft.	22 ft	22 ft
Min Living Area	1200 ft	1400 ft	1400 sq. ft.	1400 ft	1400 ft

- Note: Measurement is based from property lines

## **XXI. STONE DRIVEWAYS AND PARKING SPACES**

### **Stone Driveways**

All new and refurbished stone driveways need to be bordered on two to four sides depending on the location and circumstance by either wood, concrete blocks, or stone blocks placed 1 inch above the existing or new stone driveway.

## **XXII. WELL MAINTAINED LOT WITH A RESIDENCE**

### Community and Property Appearance

It shall be the responsibility of every owner to properly maintain their lot. No lot and/or structure shall be left in a state of neglect or used for storage which causes the property to be unsightly, unsafe or hazardous.

The below list of conditions is subject to enforcement procedures on a case-by-case basis.

1. Structures with missing or damaged components
2. Driveway headwalls, fences, mailboxes with damaged areas
3. Storage and/or parking inoperable or unlicensed vehicles shall be in a garage
4. Boats, trailers and RVs shall be in a garage or stored off site
5. Building materials, fill, construction debris unless being used for a current project.
6. Lawns must be maintained to less than six inches in height (should be 3-4 inches). If no grass is present, undergrowth height must not exceed six (6) inches. If pine straw is the primary pulverized cover, it must be free of weeds/grasses and ground cover.
7. Vegetation around the building, walks and driveways must be trimmed.
8. Shrubbery must be trimmed on a regular basis dependent of type of shrub.
9. Roofs and gutters shall be kept clean of any significant accumulation of pine straw or other debris.
10. Debris present after a storm, such as small twigs, pine straw, fallen trees and branches, is to be removed in a timely manner.

## **XXIII. SCHEDULE OF FINES FOR DoR VIOLATIONS**

**As a result of the Board's final determination that a violation exists at a particular property, coupled with the failure to correct the violation, the Association can assess a fine against you. The fine is due and payable immediately. An additional fine will be imposed for each day the violation continues. If the violation is not corrected and the fines not paid in full, the Association will file a claim of lien against the property for the assessed fines. Pursuant to the Declaration of Restrictions, upon the thirtieth (30<sup>th</sup>) day after recording the lien, the Association will be entitled to initiate judicial foreclosure proceedings against the property in like manner as a mortgage under North Carolina Law.**

1. Section 6, subsection 22: "No tree over six (6) inches in diameter shall be removed from any Lot without the prior written consent of the Association." (Damage to a tree that causes its demise shall be treated and fined the same as removing a tree without the consent of the Association.) A violation of Section 6 subsection 22 will result in a fine of \$100.00 per tree. The tree or trees removed without a permit must be replaced according to the CSPOA Preservation Regulations. A fine of \$100 per day will be assessed until the tree or trees are replaced.
2. Except for subsection 22, all other violations of Section 6 will be fined as follows:

All violations of a subsection of Section 6 of the DoR shall incur a fine of \$100.00 per day or occurrence.

**Fines are at the discretion of the Board of Directors and State Law, which are limited to \$100 per day, per occurrence.**

Property owners will be given seven (7) days from the postmark date of the letter announcing the board's decision to correct the violation before any per diem fines accrue. This is not a waiver of any initial fine.

For information regarding the current Board of Directors or any other questions, please contact the CSPOA office at (910) 579-2044.