

ARBORETUM COMMUNITY ASSOCIATION
ARCHITECTURAL REVIEW COMMITTEE
FENCE POLICY

The Architectural Review Committee, (ARC), has been tasked by the Arboretum Community Association with the responsibility of enforcing the Restrictive Covenants that were declared and subsequently recorded in the Brunswick County, NC Register of Deeds office. Item b on page one of the covenants clearly puts forth the purpose of the covenants. Specifically, ***“for the purpose of protecting the owners of the homesites in the Arboretum against any improper use that will impair or depreciate the value of their property and/or other homesites in the Arboretum.”***

To that end, the following policy provisions should be adhered to when making application to erect a fence on a homesite or modify an existing fence.

1. No chain link and stockade fences of any type are permitted for any reason. Fences must add to the aesthetic value of the home and not detract from it. Fences must be purposeful and/or aesthetic in nature. The best or front side of the fence must be toward your neighbor’s side, not to the owner’s side, including any rear facing fence. If the fence is similar on both sides, the most favorable side must face the neighbor, the golf course, the marsh.
2. The Town of Caswell Beach setback rules must be adhered to on all sides of the property. No variations will be permitted.
3. Fence height restrictions apply to all sides of the property. Fences may be anywhere on the property as long as they are behind an imaginary line that is the width of the property drawn through rear corners of the dwelling. Fence height may be up to 48 inches and fence posts may be up to 8 inches higher. Pre-existing fences are grandfathered. The ARC may consider variances for specific reasons.
4. Fences must be able to withstand average wind velocities without breaking down or blowing over, and must be consistent with state regulations. If a wind rating is supplied with the fence, please submit it with your fence application.
5. Privacy fences that block a neighbor’s view are not permitted.
6. Fences will not be permitted that confine, house, disguise, or support a business venture.
7. Side and rear neighbors, when applicable, must be made aware of any fence construction or modification. This acknowledgement must be in writing.

It is a fineable offense to erect a fence or structure of any kind on the homesite without proper application and subsequent approval from the ARC. In chapter 2 – Definitions of the 2018 NC Building Codes, the term ***structure*** is defined as ***“that which is built or constructed”*** and is the definition adopted by the ARC. (*Reference Bylaws Arboretum Community Association, Inc., Article XIX - Enforcement*) A schedule of fines can be found on the Arboretum website (arboretumhoa.org) under the Homeowner Red Book tab > Architectural Review Committee. You must be logged in to access the Homeowner Red Book.

ARBORETUM COMMUNITY ASSOCIATION
ARCHITECTURAL REVIEW COMMITTEE
REGULATIONS FOR CONTRACTORS, SUB-CONTRACTORS & SUPPLIERS

1. **WORK HOURS:** 7:00 AM to 7:00 PM, Monday through Saturday, exclusive of the 7 generally accepted major holidays. From 6:00 PM to 7:00 AM is a quiet time; no radio, saws, hammering, screaming, etc. Sunday work is **NOT** allowed.
2. **SPEED LIMIT: 15 MPH.** Contractors are responsible to ensure that all employees and sub-contractors obey the posted speed limit.
3. **NO COMMERCIAL VEHICLES ON COVERED BRIDGE:** All commercial vehicles **must** use the service road. Contractors are responsible to ensure that all employees and sub-contractors use the service road. There seems to be an issue when focusing on GPS to arrive at their destination. **The Primary Contractor will be held responsible for any damage to the bridge.**
4. The Primary Contractor is responsible for repairing common ground in front of any construction site and any damage to water access boxes, sprinkler heads, and any Arboretum Community Association property that may be damaged.
5. **Contractors must manage their vehicle parking so that emergency vehicles, including fire equipment, can pass.**
6. The worksite must be kept free from all rubbish, debris, and surplus materials that may accumulate during the construction process. The site must be cleaned up at the end of each work day and all debris placed in a dumpster.
7. Any trees to be removed from the site must be expressly approved and marked with a ribbon as defined by the Architectural Review Committee procedures.
8. If tree removal contractors will position equipment on Arboretum roads, proper safety measures must be employed. Traffic cones, tape, or other means to alert and, if necessary, divert traffic, must be used.
9. Music, whether from radio or other devices, must be played at a reasonable level.
10. Small contractor signs are permitted on the site with ARC approval. Signs are for the purpose of guiding deliveries to the site. Sub-contractor signs are not permitted.
11. Sanitary facilities must be provided during construction, remodeling, or demolition activities. The facilities must be placed on the construction site, not on the neighbor's property nor on Arboretum Community Association common grounds.
12. **No trailer longer than 40 feet is permitted on Arboretum roads as it is difficult for trucks to navigate the turns.** Our community continually experiences damage to our medians, brick walls, curbs, vegetation, etc. The Primary Contractor will be responsible for any damages.