

R2

ARC

(Architectural Review
Committee)

Forms for

Sections:

C, D, E, M, N, O, P, S,

T, U & W

114

CONSTRUCTION PERMIT APPLICATION

Tanglewood Shores Association

74 Tanglewood Drive, Bracey, VA 23919
(434)-636-2254 FAX (434)-636-4262

Lot # _____ Owner: _____ Phone: _____

Property Address: _____

In Case of Questions:
Contact Person: _____ Phone: _____

Approval Requested: _____ New Home _____ Shed
 _____ Deck _____ Carport
 _____ Fence _____ Addition
Other: _____

Description of Work Planned:

Please include any related Printed Material, Brochures, etc. to assist approval.

Required Plot Plan with Improvements Properly Marked Submitted? ___ Yes ___ NO

Has Required Road Fee been Paid (if applicable) ? ___ Yes ___ NO

Note: Road Fee Must Be Paid Before Work on Clearing Lot or Removing Existing Structure Begins.

Owner is responsible for any required County Permits.

Date Submitted: _____ Received By: _____

Approved By: _____ Date: _____

CONSTRUCTION PERMIT APPLICATION

No delivery of bulk materials, mobile homes, heavy equipment, such as dump trucks, cranes, backhoes, etc nor any lot clearing or ground work will be allowed after 6:00 p.m. on Fridays until 8:00 a.m. on Mondays without written permission from the General Manager.

As an initial operation (when required) driveway entrance pipes shall be installed to maintain a positive flow. Riprap shall be placed at both ends of the pipe a minimum of three (3) feet to provide sediment control. Entrance pipes and associated ditches shall not create drainage issues for adjacent property owners.

Property owners or contractors are required to submit plans to the ACC, obtain permits and pay fees to the appropriate County before starting any construction, change or modification. Approval of plans by the ACC does not automatically mean approval by the Mecklenburg or Brunswick Building Departments. Failing to meet the requirements specified herein will result in a Stop Work Order issued by the ACC, with Tanglewood Shores' Board approval, and in most cases an order to tear down the illegal structure(s) with no guarantee of being able to resume construction.

Road fee (when required): \$ 950.00 Method of Payment: _____ Date: _____

If Paid after Work Begins: \$ 1200.00 Method of Payment: _____ Date: _____

CERTIFICATION: I certify that I have the authority to make application for the improvement(s) listed herein, and that the information provided is correct. All construction will comply with State and Local Building Codes and in accordance with the requirements of the Covenants and Bylaws and the requirements herein. I further understand that noncompliance with these requirements, may lead to the issuance of a stop work order and for fines.

Signature: _____ Date: _____

Print Name: _____ Lot #: _____

**CONSTRUCTION GUIDELINES
FOR TANGLEWOOD SHORES ASSOCIATION, INC.
Effective July 28, 2008**

A Construction Permit shall be required for all permanent and temporary construction, removal or demolition within the community, or any change to the exterior of the home other than routine maintenance and upkeep. Any deviation from approved plans that affects the exterior appearance, or site location or plans may result in suspension of privileges, penalties or any other remedies deemed appropriate.

INTRODUCTION

These Guidelines are published by the Architectural Control Committee (ACC), a duly recognized committee of Tanglewood Shores Association, Inc. (Tanglewood Shores) to orient property owners and contractors to the correct procedures and requirements for new construction or any modification to existing structures within Tanglewood Shores.

These rules and regulations are adopted pursuant to the authority provided by the Protective Covenants (Covenants). Wherever these rules or regulations exceed in scope, those established by the State of Virginia or the Counties of Mecklenburg or Brunswick, the stricter rules or regulations shall apply. These rules and regulations may change from time to time. Please check with the ACC Chairperson for the current issue.

The function of the ACC is to regulate building upon the properties according to the Covenants and as specified in these documents. The performance of its duties is on a best-effort basis in an attempt to reasonably protect the aesthetics and property values of the community.

These guidelines will be regulated by the ACC in the same manner as any violation; this may include, but not limited to, the issuance of stop-work orders, the imposition of fines, the enforcement of lien rights of the Association for any costs or charges incurred in maintaining these guidelines.

The ACC can disapprove any application that does not comply with the Protective Covenants and By Laws of Tanglewood Shores Association, Inc.

When an application is disapproved, the applicant should resubmit with the recommended changes. If the recommended changes are not acceptable, an appeal process may begin. First, the ACC should be notified in writing of the intent to appeal, within 30 days; this action will start the appeal process. Final appeal will be to the Tanglewood Shores Board. Prior to a final decision, the Board will review the ACC's position based on the original application and the property owner's appeal.

Neither the ACC nor Tanglewood Shores is responsible for the workmanship, quality, or conformity with contractual specifications of any construction. This is a matter between the property owner and the contractor.

SECTION 7. In any transaction in which a disclosure packet is required and a trustee acts as the seller in the sale or resale of property, the trustee shall obtain the packet from the Board and provide it to the purchaser if so requested by the purchaser.

ARTICLE IX

Architectural Control Committee

SECTION 1. An Architectural Control Committee shall regulate building upon the properties.

- A. The President of the Board shall appoint three or more members of the Association as an Architectural Control Committee each of whom shall serve at his discretion.
- B. No building, fence, wall or other structure shall be commenced, erected or maintained upon the properties, nor shall any exterior addition or modification be made to an existing structure without the written approval of the Committee.
- C. Every owner prior to placing any structure upon any lot shall submit in writing to the Committee precise plans and specifications showing the nature, kind, shape, size, materials and location of any and all structures.
- D. If the committee fails to communicate either approval or disapproval in writing to a requesting owner within sixty days after said plans and specifications have been received by the Committee, or if no suit to enjoin the owner action occurs prior to the completion thereof, this ARTICLE shall be deemed to have been complied with.
- E. The Committee shall tour the properties of the Association at least four times annually to ensure owner compliance with the provisions of ARTICLE X, Sections 1.,3., and 4.

1. Owners found to be in violation shall be notified in writing by the Chairman of the Committee of the specific violations, and the owner shall be given thirty days in which to bring the property into compliance with the provisions of his ARTICLE.

2. Failure of the owner to bring the property into compliance shall result in the filing of a suit against the owner by the Board pursuant to ARTICLE XII.

ARTICLE X

Building and Use Limitations

SECTION 1. All building lots identified in ARTICLE II shall be subject to the limitations, restrictions and specifications set forth herein. The purpose of building and use limitation is to maintain an attractive residential environment, to prevent nuisances, to maintain the desirability of the community and thereby ensure for each owner the full benefits and enjoyment of his home with no greater restrictions than are necessary.

- A. Requests by owners for reasonable modifications to the limitations, restrictions and specifications established herein shall be directed to the Architectural Control Committee for review and referral to the Board. Should the Board approve such request, it shall be transmitted in writing to the owners of lots adjoining each side of the lot for which the variance is requested. If both owners of adjoining lots consent in writing to the requested variance the Board may grant the requested variance by written notice; however, should either or both adjoining owners fail to consent the Board shall deny the requested variance by written notice. Should all parties grant a variance, when recorded it shall be binding and accepted as a modification to this DECLARATION.

- B. No original lots or group of lots shall be subdivided without the written approval of the Board; and in no case shall any original lots lose their alphanumeric identifier.
- C. No animals, livestock or poultry of any kind shall be raised or kept on any lot, other than dogs, cats or other domestic household pets; provided, however, that they shall not be maintained for commercial purposes and provided that they shall meet the requirements of the state of Virginia for disease control and licensure. Pets shall not be permitted freedom of movement to the point of becoming a public nuisance or a threat to the safety of owners.
- D. Trash, garbage and other refuse shall be kept in sanitary, secure containers or incinerators, and such containers shall be maintained in a clean and sanitary condition.
- E. All fuel oil tanks shall be underground or adequately concealed from sight.
- F. All residential structures shall meet the minimum requirements of and be approved by the Health Department of Mecklenburg County or Brunswick County, Virginia, as applicable relating to plumbing, septic tanks, wells and disposal of refuse.
- G. Easements are reserved unto the Board for the purpose of conveying to public utility companies the necessary easements for utilities along and within ten feet of the front line, rear line and side lines of all building lots for the construction and perpetual maintenance of conduits, poles, wires for electrical fixtures, telephone and other public and quasi public utilities. Said easements shall include providing drainage and the trimming or removal of trees which at any time may interfere or threaten to interfere with the maintenance of service, or the right of ingress and egress from and across premises to employees of said utilities. Said easement shall also extend along any owner's side, rear and front property lines in cases of fractional lots. The owner of adjoining lots may build across lot lines and easement shall not apply to said line; provided, however, that such structure shall not be placed thereon prior to the application of this easement if wires or cables pass over some portion of properties not within the easement; provided, however, that such lines do not hinder construction on the properties.

SECTION 2. Owners of lots and occupants of dwellings abutting on the golf course shall extend to all golfers the courtesy of allowing them to retrieve errant golf balls which when struck may come to rest on any lot, provided; however, that recovery does not damage flowers, shrubs, or the property in general. No fence or wall shall be erected or allowed to remain nearer than twenty five feet to any property line parallel of the area of play.

SECTION 3. No structure of a temporary nature, basement, tent, shack, garage, barn, or other outbuildings shall be occupied on any residential lot either temporarily or permanently; except as provided in Section 10 of this ARTICLE.

SECTION 4. No sign or any kind of advertising device shall be displayed on any lot except one sign of not more than one square foot bearing the name, telephone number and the address of an owner or Realtor, other than signs used by a builder to advertise a new dwelling not previously occupied. No advertising devices shall be posted at any location other than the property offered.

SECTION 5. Dwellings may be of the stick-built, precut, modular, double-wide or mobile home variety as hereinafter specified by lot sections. Modular construction is that construction certified and labeled as such by the manufacturer as opposed to certification and labeling as a double-wide or mobile home by the manufacturer.

SECTION 6. Dwellings placed on lots in Sections A, B, F, and H shall comply with the provisions of Section 1 through 5 of this ARTICLE, and with the following provisions:

- A. Double-wide or mobile homes are not permitted; and all other dwellings shall have a minimum enclosed living area of 1,000 square feet exclusive of open porches or attached garages.

- B. No dwelling shall be erected, altered, placed or permitted to remain on any lot other than one or two-family dwellings and private garages or outbuilding incidental thereto. All building materials used in the construction of a dwelling or any outbuilding incidental thereto shall be of new materials and no concrete blocks except for foundations, asphalt shingles, tarpaper or related materials shall be used as an exterior building material. All dwellings shall have a solid wall foundation, except porches, and all exterior construction shall be completed within six months from the start of construction.
- C. No dwelling shall be located nearer than eight feet to the lot line on each side nor nearer than twenty-five feet to the front [street side] property line, nor nearer the street than the set-back line indicated on the recorded plat.

SECTION 7. Dwellings placed on lots in Sections G, I, K, and L shall comply with the provisions of Section 1 through 5 of this ARTICLE, and with the following provisions:

- A. Double-wide or mobile homes are not permitted; and all other dwellings shall have a minimum enclosed living area of 1,200 square feet exclusive of open porches or attached garages.
- B. The provisions cited in paragraphs B., and C., of Section 6. Above shall apply; except that lots L-21 and L-22 are designated "Commercial Use Only" which shall include, but not limited to "General Mercantile Sales".



SECTION 8.

Dwellings placed on lots in Sections C, D and E shall comply with the provisions of Section 1 through 5 of this ARTICLE, and with the following provisions:

- A. Placement of mobile homes of not less than 420 square feet; provided, however, that they are not over two years of age at the time of placement, and that the appearance shall be approved by the Architectural Control Committee, and that the home be completely skirted or underpinned by brick, concrete block, masonry or other material similar to the exterior covering of the home within six months of placement; or
- B. A stick-built, precut, modular or double-wide dwelling of not less than 1,000 square feet.



SECTION 9.

Dwellings placed on lots in Sections M, N, O, P, S, T and U shall comply with Sections 1 through 5 of this ARTICLE, and with the following provisions:

- A. Placement of mobile homes of not less than 420 square feet; provided, however, that they are new at the time of placement, and that the home be completely skirted or underpinned by brick, concrete block, masonry or other material similar to the exterior covering of the home within six months of placement; or
- B. A stick-built, precut, modular or double-wide dwelling of not less than 1,000 square feet.
- C. Each lot in Section U is subject to an agreement between the Developer and Mosely Nash Enterprises, Inc., and water used on each lot shall be obtained at the fees set forth in said agreement which is recorded in the Clerk's Office, Circuit Court, Mecklenburg County, Virginia.

SECTION 10

Dwellings placed on lots in Sections W shall comply with Sections 1 through 6 of this ARTICLE, and with the following provisions:

- A. Placement of mobile homes of not less than 420 square feet; provided, however, that they are not over six years of age at the time of placement, and that the appearance shall be approved by the Architectural Control Committee, and that the home be completely skirted or underpinned by brick, concrete block, masonry or other material similar to the exterior covering of the home within six months of placement; or

- B. A stick-built, precut, modular or double-wide dwelling of not less than 1,000 square feet.
- C. Camping is permitted subject to the following limitations:
1. Prior written approval of the Board;
 2. Placement for a period not to exceed sixty aggregate days of travel trailers, tent trailers, RVs, pickup truck campers, tents or other such vehicles is authorized. Any authorized camping unit which remains in place for sixty consecutive days shall be deemed "occupied" and shall be ordered removed.
 3. All camping locations shall be maintained in a neat, clean and sanitary condition at all times and no refuse, waste, garbage, junk, debris or any similar material shall be accumulated upon the premises. Any structure of a temporary nature used in conjunction with camping activity shall be removed when not in use; however, hardstands constructed and maintained as a camping vehicle parking space or tent floor, approximately level with surrounding ground, may remain.
 4. No approved camping unit shall be located nearer than thirty feet to any street right of ways, nor nearer than ten feet to adjacent property lines, nor within fifty feet from the normal water level of Gaston Lake;
 5. No outside toilet shall be allowed on premises and no untreated waste shall be permitted to enter Gaston Lake or any tributaries, and no sewage, garbage, liquid or solid waste disposal systems, pits, post holes, buried metal drums or similar operations shall be permitted; and
 6. All camping locations may be inspected weekly by the Architectural Control Committee to ensure compliance with the restrictions set forth herein.

ARTICLE XI

Adoption and Enforcement of Rules

- SECTION 1. The Board shall have the power to establish, adopt and enforce rules and regulations with respect to the use of common areas and with respect to such other areas of responsibility assigned to the Association by this DECLARATION, except where expressly reserved by this DECLARATION to the members. Rules and regulations may be adopted by resolution and shall be reasonably published or distributed throughout the Association. The members of the Association may, by a majority of the members present in person or voting by absentee ballot, at a meeting convened and called for that purpose, repeal or amend any rule or regulation adopted by the Board.
- SECTION 2. Rules and regulations may be enforced by any method normally available to the owner of private property in Virginia, including, but not limited to, application of injunctive relief or damages, during which the court may award to the Association court costs and reasonable attorney's fees.
- SECTION 3. The Board shall have the power to seek injunctive relief in the name of the Association from the Circuit Court of Mecklenburg County, Virginia or the Circuit Court of Brunswick County, Virginia against any member for violation of this DECLARATION or rules or regulations for which the member or his family members, tenants, guests or other invitees are responsible. Before such injunctive relief is sought, the member shall be given an opportunity to be heard and to be represented by counsel before the Board. Notice of a hearing shall be hand delivered or mailed by registered or certified mail, return receipt requested, to the member at the address of record at least fourteen days prior to the hearing. The Board may ask the court for the costs associated with their action of enforcement.

ARTICLE 5

RESIDENTIAL: DISTRICT R-2

STATEMENT OF INTENT

The intent of this district is to establish areas accommodating a full range of housing types and life styles. Land is intended to be used for medium density housing. All types of housing, from single family detached to townhouses, and apartments, will be located in these areas. Areas developed at this density will require additional public, semi-public and private land uses to support and enhance the neighborhood. It is in the public interest to encourage development in this manner and simultaneously to protect the general welfare by ensuring such development is soundly designed and well laid out.

5-1 USE REGULATIONS

A building or land shall be used only for the following purposes:

- (a) single-family dwelling;
- (b) multi-family dwellings;
- (c) manufactured homes which satisfy all of the following criteria: are a minimum of twelve (12) feet in width; are placed upon a permanent foundation, or are skirted with a suitable material; are placed upon an approved single lot;
- (d) growing and harvesting of food and fiber, not including the keeping of livestock and poultry;
- (e) non-commercial schools, parks, playgrounds, libraries places of religious worship, country clubs and recreation clubs;
- (f) cemeteries;

- (g) accessory structures and uses including campers and travel trailers conditioned upon there being an approved septic and well system installed prior to issuance of a building permit;
- (h) home occupations (**special exception permit required**);
- (i) rooming houses, boarding houses, and tourist homes;
- (j) rest homes (**special exception permit required**);
- (k) public utilities;
- (l) off-street parking, in accordance with Article 13 of this ordinance;
- (m) signs in accordance with Article 12 of this ordinance;
- (n) facilities, activities, and operations which are provided by a duly constituted unit of government (**special exception permit required**);
- (o) manufactured homes which do not satisfy all the criteria of 5-1 (c) hereof (**special exception permit required**);
- (p) hair salons and barber shops (**special exception permit required**);
- (q) The placement of a second single family dwelling on the same parcel of land shall require that the parcel be a minimum of two (2) acres in size and requiring a **special exception permit**. In addition to the parcel size and a **special exception permit**, the distance between the dwellings shall be a minimum of thirty (30) feet.

5-2 AREA REGULATIONS

Unless specified below, the minimum lot area for a permitted use shall be fifteen thousand (15,000) square feet if the lot is served **both** central water and sewer; twenty five thousand (25,000) square feet if the lot is served by **either** central water or sewer; or thirty thousand (30,000) square feet if the lot is served by

neither central water nor sewer.

- (a) Tracts of land to be used for multiple-family development, including condominiums and town houses, served by water and sewer systems approved by the health official, shall have a frontage of one hundred (100) feet or more at the building setback line and minimum road frontage of thirty-five (35) feet, and a minimum gross tract area which is fifty (50) percent of the above required area for each dwelling unit more than one (1) in the case of townhouse type developments, a minimum lot size of fifteen hundred (1500) square feet, or two (2) times the building floor space, whichever is greater.
- (b) The local health official may require a larger land area for the safe installation and operation of individual sewage treatment and waste water disposal systems and water supply wells.

5-3 YARD REGULATIONS

For all single-family dwellings and all multi-family dwellings, the following yard regulations apply:

- (a) No part of any structure shall be located any closer than thirty-five (35) feet to any right-of-way which is fifty (50) feet or larger OR any closer than sixty (60) feet to the centerline of any right-of-way which is less than fifty (50) feet.
- (b) No part of any main structure shall be located any closer than ten (10) feet to any side lot line.
- (c) No part of any accessory structure shall be located any closer than five (5) feet to any side lot line.
- (d) No part of any main structure shall be located any closer than twenty-five (25) feet to any rear lot line.
- (e) No part of any accessory structure shall be located any closer than five (5) feet to any rear lot line.

(f) Exception to the setback requirements:

- (1) No setback shall be required from any property line shared with property owned by the Army Corp of Engineers for the Kerr Lake impoundments. A fifteen (15) feet setback shall be required from any property line shared with property owned by Virginia/Dominion Power on the Lake Gaston impoundment.
- (2) A setback of seven and one-half (7 1/2) feet on all lot lines shall apply to all lots in River Ridge Subdivision, LaCrosse District, except as noted in (f) (1) above.

5-4 LOT REGULATIONS

- (a) Every lot shall front for a least thirty-five (35) feet on a dedicated and opened public street.
- (b) Every lot shall be at least seventy-five (75) feet wide at the building setback line if served by both central water and central sewer systems; one hundred (100) feet wide at the building setback line if served by either central water or central sewer systems; one hundred twenty-five (125) feet wide at the building setback line if served by neither central water or central sewer systems.

5-4 HEIGHT REGULATIONS

Refer to building code.

5-5 SPECIAL PROVISIONS FOR CORNER LOTS

In addition to the yard regulations given in Section 5-3 above, no main building or accessory building shall be located any closer than twenty-five (25) feet to the side of the lot abutting the side street.

5-6 FENCE RESTRICTIONS

The top of any fence shall not be more than eight (8) feet in height than the elevation of such property line. A fence of a greater height shall require a **special exception permit**.