

**MONTERAY SHORES
ARCHITECTURAL STANDARDS COMMITTEE
GUIDELINES, POLICIES, PROCEDURES, AND
FEES**

Condensed Guide

Revised 4/2018

This guide is intended solely as a quick reference to the Articles of Incorporation of Monterey Shores PUD Homeowners Association Inc., and Declaration of Protective Covenants for Monterey Shores PUD. Please refer to the original and complete document for further information. Any reference in this document to ARC, ASC, Architectural Standards Committee, Architectural Review Committee, or Committee shall represent Architectural Standards Committee and its members.

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INTRODUCTION

Monteray Shores is a 369-acre planned unit development with a French Caribbean design philosophy inherent in the proposed Architectural Styles of the community.

The developers established these guidelines to ensure that all residents of Monterey Shores can enjoy the elegance and sophistication of unique architectural forms in a distinctive natural environment.

DESIGN PHILOSOPHY

The homes in Monterey Shores should respond to the environment and the homeowners' needs for comfort and beauty. The Architectural Guidelines provide basic information which should be used to produce a contemporary development with a cohesive identity which reflects varied architecture without unduly restricting the architect's interpretation of each owner's particular needs.

ARCHITECTURAL REVIEW COMMITTEE

In accordance with the Declaration of Covenants, Conditions, and Restrictions, an Architectural Review Committee will review all plans for homes to be built in Monterey Shores. The purpose of the committee is not to restrict design freedom or to make design decisions, but to ensure that individual homes reflect the overall objectives of the entire community and that the unique setting of the community is preserved and enhanced.

ARCHITECTURAL REVIEW COMMITTEE POLICIES

Statement of Principles and Purpose

A great deal of effort was given to master planning of Monterey Shores to ensure a thoughtful and harmonious development process. A major concern in the planning is the integration of development with its immediate environment. The developers of Monterey Shores have always believed that man-made improvements should as much as possible, blend with nature rather than stand in stark contrast with it. The result is a development more pleasing to the eye and a more attractive community in which to live.

To assure that these objectives are achieved and to assure a continuity of physical development such that future development will be compatible with existing development, Monterey Shores has declared and recorded covenants, conditions, and restrictions applicable to Monterey Shores. Article IX of the declaration establishes the rules and regulations under which it will conduct its review of proposed improvements. Any statements contained in this document are to condense, amplify, or clarify provisions of that declaration. In the event of a conflict, the

declaration provisions will prevail. The applicant is urged to carefully review all provisions of the declaration prior to applying to the Committee.

The Architectural Standards Committee has been established for the purpose of defining aesthetics standards of construction in Monterey Shores and examining and approving or disapproving any and all proposed improvements for a building site within Monterey Shores, including but not limited to dwellings, garages, outbuildings or any other building construction or installation of sidewalks, driveways, parking lots, decks, patios, landscaping, courtyards, swimming pools and pool fences, awnings, walls, gazebos, docks, piers, wharves, bulkheads, exterior lights, any exterior addition to or change or alteration to existing structures, including, without limitation, painting, staining or siding of any exterior surface.

Architectural Standards Committee approval must be obtained for dredging and fill operations, shaping of land areas and drainage, as well as removal of any trees more than four inches in diameter, measured four feet from the base of the tree, major landscaping, which will consist of any landscaping that will involve 20% or more of the buildable property area, which excludes all setbacks

Administration of Architectural Review Committee

The Board of Directors of Monterey Shores shall establish the Architectural Review Committee which shall consist of up to five but not less than three members all of whom shall be property owners of property in Monterey Shores and who may or may not be members of the Board of Directors.

The regular term of office for each member shall be one year, coinciding with the fiscal year of the Association.

Any member appointed by the Board may be removed with or without cause by the Board at any time by written notice to such appointee, and a successor or successors appointed to fill such vacancy shall serve the remainder of the term of the former member.

The Architectural Review Committee shall elect a chairman and in the chairman's absence the vice-chairman shall be the presiding officer at its meetings.

The Architectural Review Committee shall meet as needed, as well as upon call of the chairman. The ARC is authorized to retain the services of consulting architects, landscape designers and architects, engineers, inspectors and or attorneys to advise and assist the ARC in performing its functions set forth herein.

The Architectural Review Committee may appoint an Administrator, who is not a member of the ARC, to administer the day to day management of the ARC, including by not limited to.

- Receiving and processing all applications to the ASC

- Answering questions concerning the ARC and representing the ARC to the property owners and to the public.
- Supervising and inspection efforts.
- At the direction of the Chairman, scheduling meetings and contacting members.
- Preparing routine correspondence for the ARC.
- Hiring and Supervising support personnel for the Board, upon their express approval
- The Administrator will report directly to the Chairman of the Architectural Review Committee on any issues pertaining to architectural approval.

MONTERAY SHORES PLAN SUBMISSION PROCEDURES

Plan Submission Procedures

One set of all plans must be submitted with a fee in accordance to the fee schedule and a completed application form to be provided by the Architectural Review Committee. In addition, a PDF set of plans must be submitted by email to gmatmonterayshores@gmail.com.

Plans must be submitted no less than 30 days prior to the scheduled ARC meeting to allow the Board enough time for a thorough review.

The ASC has up to 45 days to render an initial decision. The 45-day timeline starts when the submission is complete.

Plans may be submitted in mail addressed to Monterey Shores HOA, P.O. Box 206, Corolla NC 27927 or dropped off at the Monterey Shores Clubhouse and given to the Clubhouse Manager.

Schematic Presentation /Architectural Renderings

At the discretion of the applicant, an artist's rendition of a schematic rendering of a proposed improvement may be submitted to the ARC to determine suitability of a particular style or design for construction in Monterey Shores. The ARC will render an opinion as to whether a design would be acceptable. Because an artistic rendering is not always an accurate depiction of a design scheme, the ARC opinion will be strictly non - binding and will be offered only in an effort to save an applicant time and expense in pursuing a design that would ultimately be disapproved.

Final Plans

Final plans in complete form must be submitted to gain approval to commence on a building site or project including removal of trees with a diameter greater than four inches, measured four feet from the base of the tree and shrubs. Additionally, a photograph showing the pre-clearing condition of the lot prior to any tree removal must be submitted with the tree survey.

Final plans will include the site plan. All plans should be submitted in consistent scale. Unless otherwise impractical, scale should be 30 feet +one inch for all submissions. Site plans must depict the following:

- A) Access streets and walkways and other exterior improvements.
- B) Grading and drainage plan
- C) Fill plan, if any (indicating run - off and tree preservation method).
- D) Foundation plans if other than slab on grade
- E) Exterior lighting plan.
- F) Service yards.
- G) Landscaping
- H) Tree survey showing location and species of trees four inches or larger in diameter at a point of four feet above the ground from the base of the tree and all shrubs involved and a photograph showing the pre-clearing condition of the lot.
- I) Site plan to scale, overlay on tree survey indicating all structures and other improvements to be included in the scheme with an indication of trees to remain and trees to be removed at the same scale as boundary/tree survey.
- J) Location of contractor's sign, portable toilet facilities and any on site dumpsters.
- K) Complete identification of all materials and colors of paint and samples of materials appropriate to Monterey Shores.
- L) All construction sites will have some form of erosion control for either wind-blown sand or rain driven erosions.

Architectural Drawings

Will include the total square footage of heated and air-conditioned area floor by floor.

Will include floor plans of the exact square footage for each floor and drawn to a scale of ¼ inch to a foot or normal architectural standards.

Will include elevation drawings of all sides, indicate existing grade, fill, and finished floor elevation, including treatment of building from grade to floor in elevated buildings.

Will include detailed drawings of typical wall sections. Patio wall sections, if appropriate, and other features desirable for clarification such as exterior wall, screens pools, etc.

STANDARDS OF DESIGN AND CONSTRUCTION

Building Height

No structure will be constructed which has a height exceeding thirty-five feet from approved final grade.

Minimum Size

All homes on the sound front lots shall have a minimum of 2,200 square feet of heated living area. All homes on interior lots shall have a minimum of 1,600 square feet of heated living area for one and one-half story homes and 1,800 square feet heated living area on all two-story homes. Single lots shall be restricted to 33% lot coverage for all improvements, two contiguous lots shall be restricted to 25% lot coverage for all improvements, and three contiguous lots shall be restricted to 18% lot coverage for all improvements.

The lot coverage restriction shall include the newly adopted (July 31, 2019) permeable materials requirement (see parking section) with no extra lot coverage granted because of the permeable materials requirement. To the extent possible, permeable materials should be used for such items as equipment pads, such as those used under air handling systems.

Chimneys

Chimneys must conform to the overall building height limitations stated in these guidelines. Exposed metal flues are not permitted.

Fill of Lots

Lots will only be allowed to use fill if the owner of the lot can prove to the Architectural Standards Committee that there is an inherent water problem on the property. If the fill is granted, the following regulations must be followed, or the contractor will not be permitted to continue to work on the project. No fill will be permitted to improve views on the lot.

No fill will be permitted within the following setback guidelines.

- Front or side yard adjoining a street (20 ft). Exception may be made for driveway improvements on a case by case basis.
- Rear yard adjoining another yard (25 ft)
- Side yard adjoining another side yard (10 ft)
- Side or rear yard adjoining open space (10 ft).

No lots will be filled higher than the lowest adjacent property line height.

All fill shall be established at a slope not to exceed 3:1 (three ft. horizontal run for every one ft. vertical rise).

A permanent natural ground cover, sufficient to prevent erosion, must be established on all fill slopes.

Bulkheads or retaining walls will not be allowed as a method to stabilize or contain the fill, except bulkheads established for the purpose of shoreline protection (MUST HAVE CAMA PERMIT)

All fill must meet North Carolina Division of Water Quality standards if it involves 401 wetlands.

All fill must meet US Army Corp. of Engineers standards if it involves 404 wetlands.

Any lot that will be filled must have and supply to the ASC a storm water runoff management plan for approval.

Fill will be defined as any material placed or graded on a lot where the material has the effect of increasing the elevation of any portion of the lot. Permanent natural ground cover, sufficient to prevent erosion, must be established on all fill slopes.

Building Setbacks

The buildable area of every lot is determined by the easements and setbacks recorded on the subdivision plat, CAMA restrictions and the following set back requirements.

- A) Front or side yard adjoining a street 20 ft
- B) Rear yard adjoining another yard 25 ft
- C) Side yard adjoining another yard 10 ft
- D) Side or rear yard adjoining an open space10 ft

No encroachment on any of the easements, such as patios, pool fences or concrete work (as some examples) other than vegetation will be allowed.

Foundations

The foundation must receive the same careful attention to detail and finishes as the main portion of the house.

Concrete foundations are to be stucco. The foundation may be fully enclosed or partially enclosed with lattice, louvers or wood siding or any of the above combinations.

Exterior Wall Finishes

It is the intention of these Architectural Guidelines to achieve a harmonious environment throughout Monterey Shores, and to achieve that goal, only stucco, wood composite, cedar shake shingles, crane board and hardy planking will be allowed to be applied to the exterior wall surfaces (NO ALUMINUM OR VINYL SIDING WILL BE PERMITTED). A combination of these siding materials may be appropriate upon review of the ASC. All other structures on the lot such as outside roof coverings, gazebos, etc., will have the same exterior wall finish as the house on that lot.

Windows

Areas with major fenestration should be oriented to afford privacy while taking advantage of the special views, such as the sound, marsh, ocean and ponds. Windows should be carefully proportioned and located to enhance both the exterior appearance and interior light quality and views. Window and doorframes are to have anodized aluminum, vinyl or painted finishes. Natural color aluminum or metal finishes are not allowed.

Antennas

All antennas of any kind are to be located either in the attic space of the house or building they serve and will not be permitted to be attached to the front exterior of any structure. TV dishes are to be mounted toward the rear of the house, when possible, or side of the house and not to the front roof line, front of the house, decks, deck railings, or mounted on separate posts anywhere on the property. Only use of standard dishes supplied by the satellite provider are permitted unless otherwise approved by the ASC.

Roofs

Roofs for every house and building should have a similarity for form, material and color, which will contribute to the desired homogenous character of Monterey Shores. Gable and hip roofs with slopes of at least 6/12 or are recommended. Concrete tile, composition shingles, slate or standard seam metal are recommended roofing materials. Flat ceramic roofing tiles like slate and wood shingles with a bleaching oil stain are allowed.

Covered porches and any other structures on the lot will have the same roofing material and roof color as the main house.

Roof Structures

Ornamental or functional elements, such as but not limited to, balustrades, widow's walks, lantern towers, attached to the roof are not allowed. All roof accessories such as vent stacks and roof vents shall be painted to match the roof, if possible, or be of a black material and be located away from the front elevation, if possible. If possible, all flashing is to be copper or painted aluminum to match or blend with the shingle color. In the case of a metal roof, the flashing will be the color of the roof material.

Exterior Color

Color used on houses is a dominant visual element and a major expression of owner's preferences. Sensitive, imaginative color selection will contribute to Monterey Shores harmonious and aesthetically pleasing ambiance.

Muted or pastel colors relative to the overall aesthetics to the community are preference, but all colors submitted to the ASC for approval will be considered. Each house will not use more than three (3) exterior finish colors.

Colors for all buildings, outbuildings, trim, roof materials, screens and pool fences are to be submitted by hard samples to the ASC for approval. Written approval must be received from the ASC or ASC Administrator on behalf of the ASC.

House Numbers

House numbers of a minimum of not less than 6 inches but not more than 8 inches are to be located where it would be easily visible from the street near the front entrance of the house. The numbers will be of contrasting color from the area that it will be mounted on. Antique brass, bronze and copper will be allowed if it does not blend in or make it difficult to view the numbers from the street. This will ensure that the guests and emergency vehicle personnel will have an easier time in locating your home.

Outbuildings

Any permitted outbuildings on a lot, such as a detached carport, land garages or sheds, must be compatible with the main house. It is recommended that outbuildings be of the same material and colors as the main house. All outbuildings must be submitted for approval to the ASC prior to locating it on the lot, and placement on the lot will be determined by the ASC. With regards to storage sheds, only one such building will be permitted per improved lot.

While storage sheds are preferably to be located under the house and generally out of view from the street(s), it is recognized that such a location is not always practical. Accordingly, the ASC will consider location of a shed at other areas of the lot with the understanding that such a shed is to be used to store normal, personal household items such as personal landscaping tools and supplies, mowers, bicycles, and the like, etc. with the following restrictions:

1. In view of the ASC's intent to provide for the storage of normal personal household goods, the shed shall be restricted in size to a maximum of 8 feet by 8 feet and a maximum height of 8 feet, and will be placed on, and anchored to , a permanent foundation and

2. To the extent possible, the shed shall not be visible from any streets in the Monterey Shores subdivision.

Parking

For each house built on a lot, a minimum of one parking space for every bedroom, plus one, must be provided by use of a driveway or carport/garage. Exceptions will be determined on a case by case basis and must be approved by the ASC. Exposed driveways and parking areas will be paved with open pavers, paver bricks, or permeable concrete. No clay, stone, gravel, or any combination will be permitted, unless governmental restrictions would require a variance to impervious coverage on a lot. Where possible, garage doors should not open on the street side of the house. If garage doors need to face the street, they will be made of wood or composite material which can be painted.

Service Yards

Each owner of a lot shall provide visually screened areas to serve as service yards in which (not limited to) fuel tanks, gas and electric meters, air conditioning equipment, and vehicle materials supplies and equipment which are stored outside by owners must be placed or stored to conceal them from view from the roads and adjacent properties. Any such visual barrier shall be at least six feet high and may consist of either wooden fencing, materials same as the main house (if used, materials will be painted the same color as the main house or trim), or landscaping and plantings that are at least five feet high either at the time of installation or will attain this height within a two-year time. No chain link fencing will be permitted.

Exterior Appearance

No chain link fences or any other type of fencing shall be permitted within Monterey Shores, except with regard to maintenance areas within the common areas or pool fencing. Also, any unenclosed garages or carports must be adequately screened from the street views. Further, no foil or other reflective materials shall be used on any windows for sunscreens, blinds, shades or other purpose; window mounted heating or air conditioning units are not permitted except within screened service yards. No outside clotheslines or other outside facilities for drying or airing clothes will be permitted. No clothing, rugs, or other items may be hung on any railing, fence, hedge or wall.

Landscaping Requirements

Approval for landscaping plans will be granted in accordance with the provisions of Article IX of the Declaration of Protective Covenants, Conditions and Restrictions. Plans for landscaping, grading, excavation or filling of lots must be approved by the ASC before site work is begun.

These plans must show the ratio of the area to be covered by grass, lawns, patios and other structures versus the area to be left in a natural state.

Landscaping plans must show topography all trees larger than four inches in diameter (which will be measured four feet above grade from the base of the tree), and their approximate spread and all groupings of smaller trees and shrubs whose spread is more than twenty feet in diameter.

No owner may remove or alter any trees or shrubs larger than four inches in diameter (measured four feet above grade from the vase of the tree) without prior approval from the ASC.

All landscaping element plans, including terraces, walkways, pathways, outdoor lighting fixtures, pool fences, bulkheading, walls and screens are to be shown on the plans and will be subject to approval by the ASC.

Grass lawns will be permitted to extend into the road right-of-way; however, for purposes of calculating the ratio required in Section 2 hereinabove, such area grassed in the road right-of-way will not be considered in the calculations.

The Architectural Standards Committee reserves the right to disapprove of any type of grass it feels is unsuitable for planting in a certain location.

No hedge or shrubbery planting which obstructs sight lines at elevations between 2 and 6 feet above streets and roadways within the development shall be placed or permitted to remain on any lot or dwelling within the triangular area formed by the street property lines and a line connecting such lines at points 15 feet from the intersection of the street lines, or in the case of a rounded property corner from the intersection of the extended street property lines.

Lighting fixtures within twenty feet of the property line of the street should be designed so that the source of light is not directly shining on adjacent properties. Low-level lights should be used to minimize ambient light.

All landscaping of lots must be completed within ninety days of occupancy. If landscaping cannot be completed within the allotted time, a new landscaping plan must be submitted with appropriate review fee, or a written extension of time to complete the already approved plans be provided by the ASC.

Signs

Any sign to be mounted on a structure, such as the name of the house, must be indicated on a site plan in the final submission of plans.

Contractor signs may only be placed on the lot in a form, size and location to be designated by the ASC and must also be included in the site plans.

Signs may not be placed on any building lots, which constitute advertisements of any kind unless expressly approved by the ASC.

Signs may only be placed on lot fifteen feet recessed from the front line along the midlines of the lot (half the distance between the side property lines).

Only one sign will be placed on a lot.

Signs will be single faces only and must be placed with the sign face parallel to the roadway.

Signs will be removed after 14 days of completion of a structure or closing of a property.

If the sign is not removed, it may be removed without notice and at the owner's expense.
Section 7

Subcontractors, including landscaping firms, will not be permitted to place their signs on a building site.

Any new rental company must get approval of their sign or a newly redesigned sign within Monterey Shores PUD.

Any violation of the above, the Architectural Standards Committee has the right to remove and dispose of the sign at the owner's expense.

***Good Signs: 1002 8th Ave., Kill Devil Hills- 252-441-3542 (has the template for signs)**

Outdoor Portable Toilets

Outdoor portable toilet facilities must be provided during construction. Any outdoor portable toilet will only be placed to the side of the structure being built and will not be placed near the roadway. All outdoor portable toilets will be removed before final approval is received from the ASC.

All outdoor portable toilets will be painted dark green or white.

Effluent removed from such facilities will not be disposed of in the Monterey Shores sanitary sewer system or any of the lots and common areas within Monterey Shores.

Care of Specimen Trees During Construction

All trees as designated by the ASC or the Administrator, will be protected from damage during construction.

Batter board will be erected and maintained around each tree so designated by the ASC.
Section 3

Excavations and installation of underground utilities will be performed in such a manner as to avoid damage to the root system of specimen trees.

If in the judgment of the ASC a specimen tree is damaged or destroyed due to carelessness or avoidable activities on the part of the owner or contractors, the ASC will require the landowner

to purchase and install suitable replacement specimens, subject to such expenditure being reasonable.

Garden Walls

Garden walls, retention walls and pool fences must have approval from the ARC.

Pool walls will integrate with and attached to a home

Mailboxes

Mailboxes will not be allowed on the homeowner's property. A mailbox will be provided at the clubhouse parking lot. All requests must go through the local Postmaster for approval.

Nameplates

Nameplates will only be permitted to be mounted on the front wall of the house and will be subject to approval by the ARC.

House Moving

No house or structure will be moved, relocated or transferred from another location on any improved or unimproved lot or parcel of land into Monterey Shores. All lots or parcels of land will be of new construction in accordance with these guidelines.

Excess Debris

Debris should fit in a trash bin provided by WasteManagement. Immediate arrangements will be made for any excess debris to be picked up. If excess debris is not picked up within two weeks, The Association will make the arrangements at the owner's expense. The owner will be charged with the removal fee plus \$50.00 payable to Monterey Shores.

PAYMENT AND SCHEDULE OF FEES

The Architectural Review Committee has established a schedule of fees to be submitted for new construction, addition and various other work that is done to the property and structures on lots in Monterey Shores. All fees will be payable at the time of initial plan submission for review. All applications are reviewed by the ARC for adherence to the guidelines, and for follow up visits to the site to ensure the work is carried out in accordance with the submitted (approved) application.

In addition to the fees listed below, a security deposit of \$2,000.00 paid either by the homeowner or the contractor will also be required by the ASC for new construction in case there is damage done to adjacent properties or properties owned by Monterey Shores. A security deposit of \$1,000.00 is required for other major construction or landscaping. Painting of residences or repairs after a catastrophe do not require a deposit.

The deposit will be held to repair any damage to community property caused directly by the work. The deposit, less any damage assessment, may be returned to the applicant after successful completion of the project and after review by the ASC for any damage. The applicant must submit a written request for the return of the deposit after all work is complete.

Schedule of Fees

| | |
|-------------------------------|----------|
| New Construction | \$500.00 |
| Restorations and Additions | \$150.00 |
| Changes to Approved Plans | \$50.00 |
| Major Landscaping | \$50.00 |
| Application to Fill Lot | \$50.00 |
| Re-siding | \$50.00 |
| Pools | \$50.00 |
| Greenhouse or Pool house | \$50.00 |
| Gazebo | \$50.00 |
| Walkways and Piers | \$50.00 |
| Deck Additions | \$50.00 |
| Re-roofing/major roof repairs | \$50.00 |
| Painting if color change | \$50.00 |

Repairs or reconstruction after a catastrophe must have plans approved but no charge.

The above fee, including security deposits, may be increased or decreased from time to time at the sole discretion of the Architectural Review Committee.

If a major modification of an already submitted plan is needed, or a person voluntary submits a major modified plan, a \$50.00 fee will apply, and new plans will be reviewed.

INSPECTIONS

The Architectural Review Committee will perform periodic and final inspections at the building site to ensure that all construction activity is in accordance with plans that were approved by the ARC.

Prior to any clearing, excavating or filling on a lot for construction, the contractor will perform a string stake out inspection.

All applicants must string out the lot lines and building lines. All trees to be removed must be clearly marked. Upon the request of the applicant, the inspector will review the string stake out for conformity to ARC approved plans and will certify his findings to the Administrator of the ARC

The Administrator will notify the applicant of the findings and to whether construction may proceed. When approval is granted by the ARC the applicant may commence site preparation work.

Prior to placement of permanent improvements, such as pilings, slabs and so on, the applicant must receive a batter board inspection approval.

Applicants will place batter boards indicating all building areas.

The inspector, upon the request of the applicant, will review the batter boards for conformance with the ARC approved plans and will certify his or her findings.

At such time the ARC is satisfied as to the conformity of the batter boards and construction plans the ARC will notify the applicant or applicants contractor that construction may proceed.

ENFORCEMENT OF ARTICLE X OF THE DECLARATION OF PROTECTIVE COVNEANTS

The Architectural Review Committee, through its Administrator and/ or staff: will have the responsibility of enforcing all provisions of Article IX, whether they are specifically included herein.

The Administrator and or its staff will inform the Architectural Review Committee, from time to time, of any enforcement activities, regarding this section.

APPEAL OF ARCHITECTURAL REVIEW COMMITTEE DECISIONS

An applicant receiving a negative decision from the ASC is advised to revise the plans in accordance with recommendations and resubmit the plans to the Committee for approval. A \$50.00 fee for resubmitting will be charged.

If the applicant is unable to comply with the requirements of the ARC, he may appeal to the Board of Directors. The request must be made in writing and directed to the Administrator, Staff or the ARC itself.

The Board of Directors shall appoint an Appeals Committee of three to five members in good standing which does not include current members of the ASC.

The Appeals Committee may request consultation of other professionals as it deems necessary.

The Appeals Committee will conduct a review of the most recently disapproved plans.

The applicant will be given an opportunity to speak before the Appeals Committee using whatever visual aids or consultants he or she feels is appropriate.

A member of the current ASC will also be present and have the right to argue the ASC's case.

A decision will be made to convene a meeting of the Appeals Committee within 15 days of receipt of the request.

All members of the Appeals Committee must be present for a quorum. The majority vote of the Committee will carry the decision. All decisions will be final.

LEVIES AND FINES

The ARC will have the right to stop any and all unapproved work that is not within the standards of the Committee and Covenants. The ASC also has the right to impose fines or amenity restrictions on any property that does not meet the standards of this Committee. The severity of the fine or restrictions will depend on the type of violation and will be at the discretion of the ARC.

CONTRACTOR DEPARTMENT

Article IX of the Declaration of Protective Covenants prohibits noxious, vulgar or offensive language or activities.

Contractors, subcontractors, materials delivery persons and any other agent of the owner doing business in Monterey Shores will be required to conduct themselves accordingly.

Contractors may work only during daylight hours, during the week in the summer season of May 15 through September 15. At all other times of the year construction may take place seven days of the week during daylight hours. No construction other than on an emergency basis may be conducted on Sunday in Monterey Shores

AMENDMENT

The foregoing rules and regulations may be amended at any time by the majority vote of the Architectural Review Committee at a duly constituted meeting.

No prior notices or announcements will be required to amend these rules and regulations.

Any preliminary or final plan marked received shall be subject to the rules and regulations applicable at that time.

SEVERABILITY

This document shall not be rendered invalid or unenforceable should any of the provisions of this document or the application or effect thereof be invalid or unenforceable for any reason and to any extent. Those provisions, which are not invalid or unenforceable, shall be enforced to the greatest extent permitted by law. Any decision of the ASC shall not be caused to hold the standards invalid.

Changes were made to this document at a duly constituted ASC meeting on April 12, 2018 in accordance with Monterey Shores By-Laws and Covenants.

Changes to the section "Outbuildings" were made at a duly constituted ASC meeting on October 28, 2018, in accordance with the Monterey Shores By-Laws and Covenants and ratified by a unanimous vote of the ASC and the Board of Directors.

Changes to the sections "Parking", "Minimum Size", and "Final Plans" were made at a duly constituted ASC meeting on April 5th, 2019 with final language ratified on June 28th, 2019 by the ASC with an enforcement date for plans submitted after July 31, 2019.

Amendments to the Architectural Standards Guidelines

The attached changes to the ASC Standards were unanimously adopted by the Architectural Standards Committee at a formal meeting held on September 1, 2019.

The following changes have been made for clarification purposes, having been considered to have been previously encompassed by the generic language of the Standards:

1. Minimum Size section; ---All post original construction improvements must continue to comply with the maximum lot coverage standards set forth above.---- has been inserted at the end of the paragraph.
2. Parking section; "one parking space" (first sentence) has been changed to ---one 10' by 18' parking space----.
----In order to remain in compliance with these standards, the minimum number of parking spaces set forth above must be maintained as parking spaces usable by the current occupants of the house. Any interior remodeling or exterior addition which increases the number of bedrooms on the site must be accompanied by an appropriate increase in the minimum number of parking spaces necessary to accommodate the additional bedrooms.---- has been added at the end of the first sentence.

3. Schedule of Fees Section----(exterior and/or interior)---- has been added below "Restorations and Additions".

4. Contractor Department Section has been changed to ---Contractor and/or Owner Department----. ----All formal communications/requests with or of the ASC must be by written or email documents directed to the ASC. ----- has been added as the first sentence of the section.

Additionally, in order to broaden the eligibility for appointment to the Architectural Standards Committee and accommodate the prospects of having the Administrator serve as a Committee member, the following changes are made to the Administration of Architectural Review Committee section:

"who is not a member of the ARC" has been deleted from line one of the fifth paragraph. ---or Vice-chairman--- has been inserted following "Chairman" on lines 7 and 10 of the fifth paragraph.