



ARCHITECTURAL REVIEW COMMITTEE ARCHITECTURAL CODE

OLD FORT BAY
PROPERTY
OWNERS
ASSOCIATION

AESTHETIC INFLUENCE

Fincastle homes should be based on traditional Caribbean style architecture, Georgian Colonial, with some influence from traditional Mediterranean. Decorative accents, louvers, columns, quoins.

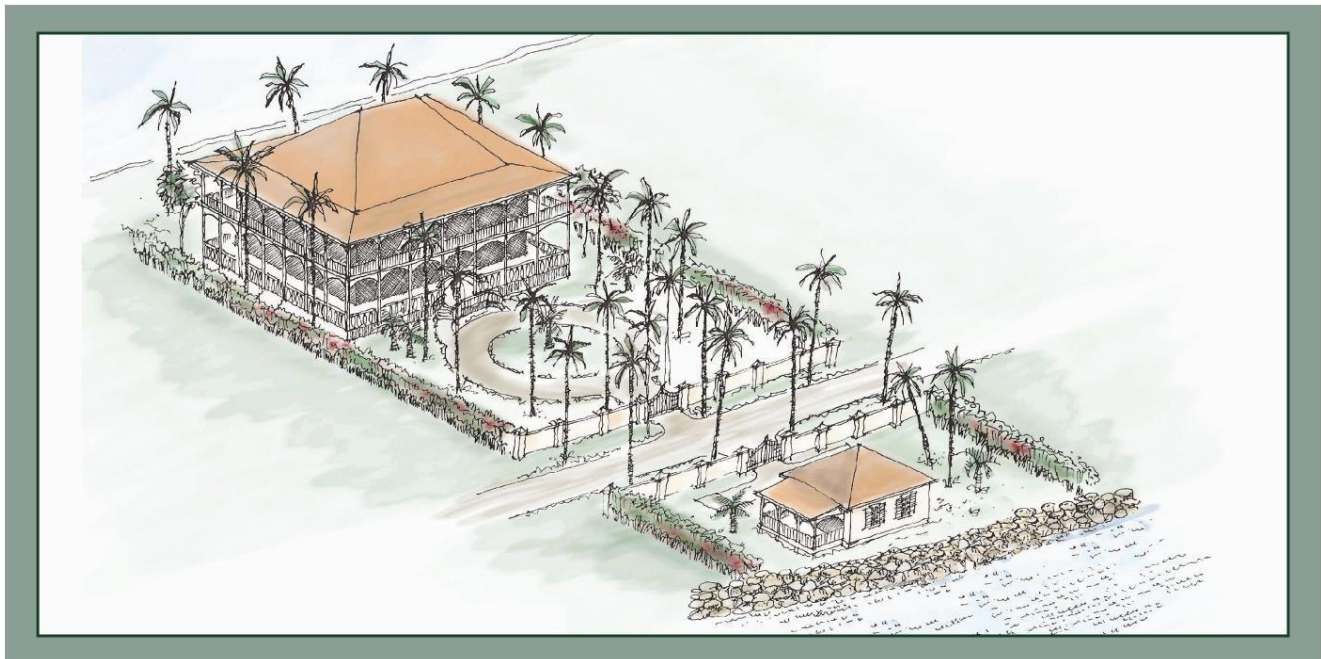
PREFERRED FINISHES

Roof: Cedar Shingles are preferred, however Clay Barrel Tile roof (red), Concrete Shingles, Bermuda style roofs can be proposed, if the overall aesthetic influence is in keeping with the code specifications. Plans must describe colours of all finish materials.

Walls: Stucco. Plans must describe colours of finish materials.

Window/Window Coverings: Louvers, Bahama Shutters or Colonial decorative or working shutters.

Non-Permissible Finishes: Standing Seam Metal roof. Cross-over influences not allowed. No modern finishes e.g., pipe railings, glass panels for terraces, glass bricks or oversized glass panes/windows.





Fincastle

BUILDING SETBACKS

BUILDINGS: MAIN NORTH LOT - MAIN HOUSE, COTTAGE, COTTAGE/GARAGE COMBINATION, PAVILION

Lots 1, 2, 3, 4, 5, 15 a,b,c setbacks will be reviewed on a case-by-case basis.

Main House, Cottage, Garage, Cottage/Garage Combination, Pavilion can be built within a shaded area only. Porches can run within the shaded area.

Main House can be built at a maximum of 2 storey's high with a habitable attic.

Cottages with Garage built on street side can have a garage on the floor level and living area on the second (2nd) storey. Garage and/or cottages cannot exceed height of main structure.

Cottages built on the canal side must be one storey high maximum.

All parking structures must have side entry access.

Maximum height of building(s) from existing grade will be evaluated on a case-by-case basis. Any grade elevations must be delineated on plans submitted for approval.



BUILDING ANCILLARY SOUTH LOT — COTTAGE, GARAGE, PAVILION

Only one enclosed structure is allowed on each Fincastle South Lot.

Garage/Cottages built on this lot must be a maximum of one storey high with a habitable attic. Pavilions must be one storey high maximum and cannot be fully enclosed.

All parking structures must have side entry access.

Maximum height of building(s) from existing grade will be evaluated on a case-by-case basis. Any grade elevations must be delineated on plans submitted for approval.

Fincastle South Lots have varying front, side and rear setbacks depending on the size of the lot. Please contact the POA office to ascertain the applicable setback stipulations.



Pinnacle

DRIVEWAY

Driveway entrance must be a maximum of 12 ft wide. If a property is bounded by roads on two sides, driveways should intersect the road reservation at a point, along the property boundary with the longest linear footage. Corner lots and lots with special circumstances will be reviewed on a case-by-case basis.

YARDS

A yard is a landscaped area free of structures (see Landscape Guidelines for further information). Owners are responsible for landscaping and maintenance of their own property and front and side yard verges from the outside of their property line to the asphalt road.

GARDEN WALLS

Walls must be a minimum of 3 ft high and a maximum of 6 feet high. Engaged pilons/piers can be a maximum of 8 ft. See rules and regulations governing building of walls on any canal facing property lines.

Maximum vehicular opening is 12 feet.

Pedestrian Gates should be 3 feet wide.

DEFINITIONS

House: Main residence for single-family households.

Cottage: Small ancillary structure used for guest dwelling.

Pavilion: Light ornamental structure e.g., gazebo.

Parking Structure: Structure used to house vehicles e.g., carport, garage.

Driveway: A road leading up to private residential house or parking structure.

Please see Architectural Review Committee Rules and Regulations for further details on review process requirements, submissions, construction on beachfront, construction of bulkheads, docks etc.



OLD FORT
BAY
PROPERTY
OWNERS
ASSOCIATION

ARCHITECTURAL REVIEW COMMITTEE

PRE-BUILD LANDSCAPE SPECIFICATIONS FOR UNDEVELOPED LOTS

Fincastle

1. Owners are responsible for submitting detailed landscape drawings prepared by a licensed landscape architect.

2. As per Clause 28 listed in the Fifth Schedule of the Restrictive Covenants, no chain-link wire or metal fence shall be erected on the Property, except with the written approval of the Association.



OLD FORT BAY
PROPERTY
OWNERS'
ASSOCIATION

ARCHITECTURAL REVIEW COMMITTEE

POST-BUILD LANDSCAPE SPECIFICATIONS SPECIMEN SIZE AND HEIGHT MINIMUMS

Dear Old Fort Bay Property Owners:

Please see below a list of minimum recommended height and sizes for plant/tree specimens to be planted on Old Fort Bay properties. Please note, the Review Committee will be using these heights/sizes as a guideline for approving landscape plans.

Landscape should be installed within 60 days of the property owners' receipt of occupancy certificate and/or 95% completion of construction, whichever comes first.

Trees shall be placed along the perimeter of the lots, at a distance of no less than 25 feet apart. (See size/height specifications below).

PALM TREES

Palm Trees should be planted at a minimum approximate size of 1/3 the average mature size of that species.

For example: Coconut palms should be planted at a minimum height of 10'-12' overall. Alexander palms should be installed at a minimum height of 8'-10' overall.

SHADE AND FLOWERING TREES

Shade and flowering trees should be planted at a minimum height of 8'-10' overall (25 gal). Examples of shade and flowering trees would be Mahogany, Tabebuia, Cassia, Callophyllum, Pigeon Plum, Fig varieties, Gumbo Limbo, Bulnesia, Poinciana, etc.

PALMS AND CLUMPING PLANTS

Palms and clumping plants used for screening, should be planted at a minimum height of 5'-6' overall (15 gal). Examples of these would be Areca Palms, Fishtail Palms, Travelers Palm, Thrinax Palms, Bamboo.

SPECIMEN SHRUBS

Specimen shrubs, accent plants and standard specimens should be planted at a minimum height of 3'-5' overall (7 gal). Examples of these include Crinum Lilly, Phoenix Roebellini, Standard Oleander, Frangipani, Standard Hibiscus, Bird of Paradise, Heliconia Caribae etc.

HEDGES AND FLOWERING SHRUBS

Hedges and flowering shrubs should be planted at a minimum size of 20"-30" (3 gal). Examples of these include Ficus Hedge, Green Buttonwood, Clusia, Hibiscus shrubs, Philodendron, Gingers, Crotons, Schefflera, Lixora, Bougainvillea, etc.

GROUND COVERS

Ground covers such as Liriope, Asparagus Fern, Ruella, Flax Lilly, Crown of thorns, etc. should be planted at a 1 gal size.

LAWN AREAS

Sod pieces should be laid tightly and uniformly together, not sprigged or seeded.



OLD FORT BAY
PROPERTY
OWNERS
ASSOCIATION

ARCHITECTURAL REVIEW COMMITTEE RULES AND REGULATIONS

Please be advised that the following regulations were crafted, in keeping with the stipulations set forth in the Owners Covenants which states:

"No building, fence, sea or other wall, dock or other structure, including swimming-pool and pool house, shall be erected, placed or altered on the Property until the proposed plans, elevation, specifications, exterior colour scheme and finish plot plan (showing the proposed location of such building, wall, fence, dock or other structure, driveways, parking areas and landscaping) and construction schedule shall have been approved in writing by the Vendor and the appointed architectural advisor or committee for the time being of the Association. Every such building, fence, wall, dock, structure, driveways, parking areas, colour scheme and landscaping (to include lay-out of open-grounds and items of trees, bushes, shrubs, plants or other flora and fauna to be used,) shall be of such size, height, character and description, and built, erected or laid out according to such plans, designs, specifications and elevations, as shall be in accordance with architectural guidelines laid down by the Vendor and the Association from time to time and which shall have been approved in writing by the Vendor and the Association before the same are commenced. No such building, fence, wall, dock, structure, driveways, parking areas, colour scheme or landscaping shall thereafter be altered in external appearance without the like previous approval in writing."

1 JURISDICTION

The Architectural Review and Approval Process must be undertaken by owners/developers who wish to build and or erect any structure including but limited to, a building, wall, fence, dock, driveway, landscaping, parking area or carport on property located within Old Fort Bay property boundaries, including all subdivisions in Old Fort Bay such as Beach Front and Estate Lots.

Property Owners who plan to erect any structure, are encouraged to research and review applicable architectural code(s) and their own conveyance documents, to ensure their plans are in compliance with all rules, regulations, stipulations and restrictive covenants as applicable.

2 REVIEW PROCESS REQUIREMENTS FEES

The Property Owner must be up to date with payment of all fees, including Homeowner Assessment Fees and Construction Fees levied by the POA.

ADDITIONAL FEES

Should the owner request a special review of preliminary plans or concepts, a fee will be determined and be submitted to the homeowner for payment prior to the review taking place.

During the architectural review process, the review committee may make requests to have alterations, and or changes made to the structure, layout of the building, finishes etc. Any costs associated with the non-compliance of the homeowner and/or his designated representative, which results in additional efforts being made on behalf of the review committee, to ensure the homeowner is in compliance with the request for alterations, clarifications etc. will be levied against the homeowner. This charge must be paid in full prior to the approval of the plans.

3 SUBMISSIONS

a) Owner and or designated representative must submit two sets of full-size site plans, floor plans, elevations and at least one wall section prepared, and stamped by a registered licensed Bahamian architect. Plans should specify finishes including but not limited to windows, doors, and roof material. The site plan should be at 1/16 inch equals 1 foot or 1 cm equals



10 meters scale minimum and include all existing and proposed buildings as well as all landscape and topographic features (see below). Owners are responsible for the application and granting of any setback or code relaxation from the Ministry of Public Works, prior to the commencing of construction. The colour of finishes, including but not limited to the roof material, must be described on submitted plans.

- b) Landscape Plans must be submitted with the site plans and other necessary documentation in order to receive necessary approvals from the Review Committee. Landscape plans must specify number of trees, specimen type and size. (See Landscape specimen size and height recommendations). Owners are responsible for landscaping and maintenance of front and side yard verges.
- c) A copy of the conveyance for the subject property must accompany the Site/Elevation Plans.
- d) Description of proposed colour of home must be submitted to the review committee for approval prior to paint application. The review committee may request visual inspection of colour swatches, prior to full application, should they deem it necessary.
- e) Any variance or alterations to the approved plan(s) must be approved by the review committee prior to the alteration taking place.
- f) Any request for adjustments or clarifications must be agreed to by the owner or assigned representative in writing, the review committee may request that the owner/architect resubmit plans delineating alterations/suggestions prior to the approval and subsequent commencement of construction.
- g) The owner is responsible for the provision of a Qualified Bahamian Surveyors Report, showing setbacks, which must be submitted prior to the pouring of any concrete foundation.

Please note requests for variances to the code, shall be granted on the basis of civic and architectural merit.

4 CONSTRUCTION AND NEIGHBOURING LOTS AND OR EXISTING RESIDENTIAL PROPERTIES

The approval committee encourages all applicants to design a home that is considerate of its adjacent neighbours with respect to privacy and storm water runoff. Grade transitions should be gradual and not create undue runoff and ponding on neighbouring properties or roadways.

In addition, silt fences must be installed prior to the beginning of any construction work on the property, in order to minimize sand and debris runoff into the adjacent canals. Once construction is complete, the silt fencing must be removed and the affected areas landscaped, to meet aesthetic codes.

In areas where construction activity is occurring next to, or near to residences, owners may be asked to erect an 8foot plywood hording fence and/or chain link fence with screen, along the perimeter of the construction areas property line, in a manner which will effectively protect the neighbouring resident(s) from incurring damage to landscape, spillover of construction debris, dust and noise. The perimeter fence must provide the neighbour(s) with an effective visual privacy screen. (e.g., construction workers should not be able to see into the neighbouring property/residence when standing at ground level).

OTHER IMPORTANT INFORMATION - GENERAL

For guidelines for aesthetic influences, preferred finishes and information pertaining to setbacks and buildable areas, please refer to the architectural code.

Vertical proportions in building and fenestration are required. Proportional ratios are to be documented in house architectural drawings and submitted to the Architectural Review Committee for review.

All 2 storey main buildings must have a minimum footprint of 1800 square feet under air. All 1 storey main buildings, must have a minimum footprint of 3000 square feet under air. Garden Walls can be built along property lines, according to code specifications.

Walls to be built along any canal side, will be approved on a case-by-case basis. Walls to be built along the canal front must be delineated in plans submitted. Information must include a cross section showing relationship to water, distance between wall and the top edge of land overlooking the canal, detailed elevation and description of finish material.

Chimney and Bay windows must be delineated on plans and may encroach up to 3 feet into the prescribed setbacks.

If a property is bounded by roads on two sides, driveways should intersect the road reservation at a point along the property boundary with the longest linear footage. Corner lots and lots with special circumstances will be reviewed on a case-by-case basis.

HEIGHT OF BUILDING/STRUCTURE

The maximum height of any building or structure built from the existing grade, will be reviewed on a case-by-case basis. Any proposed increase in the grade elevation from the existing grade, must be delineated on the plans. Existing and proposed finished grade heights, must be described within the submitted plans. Approval to increase the height of the existing grade, will be considered on a case-by-case basis.

Heights of pavilions, cottages and their relationship to the main house are described in the architectural code.

5 CONSTRUCTION OF BULKHEADS AND DOCKS

As a general rule, Bulkheads are NOT permitted in Old Fort Bay. Any lot with a beach and/or an area of land, provided specifically for the installation of a beach along the canal, will NOT be eligible to build a bulkhead, except in extraordinary circumstances, that will be evaluated by the HARC on a case-by-case basis.

Owners of lots that DO NOT have a beach and/or an area of land provided specifically for the installation of a beach along the canal, may inquire with the review committee to ascertain their eligibility.

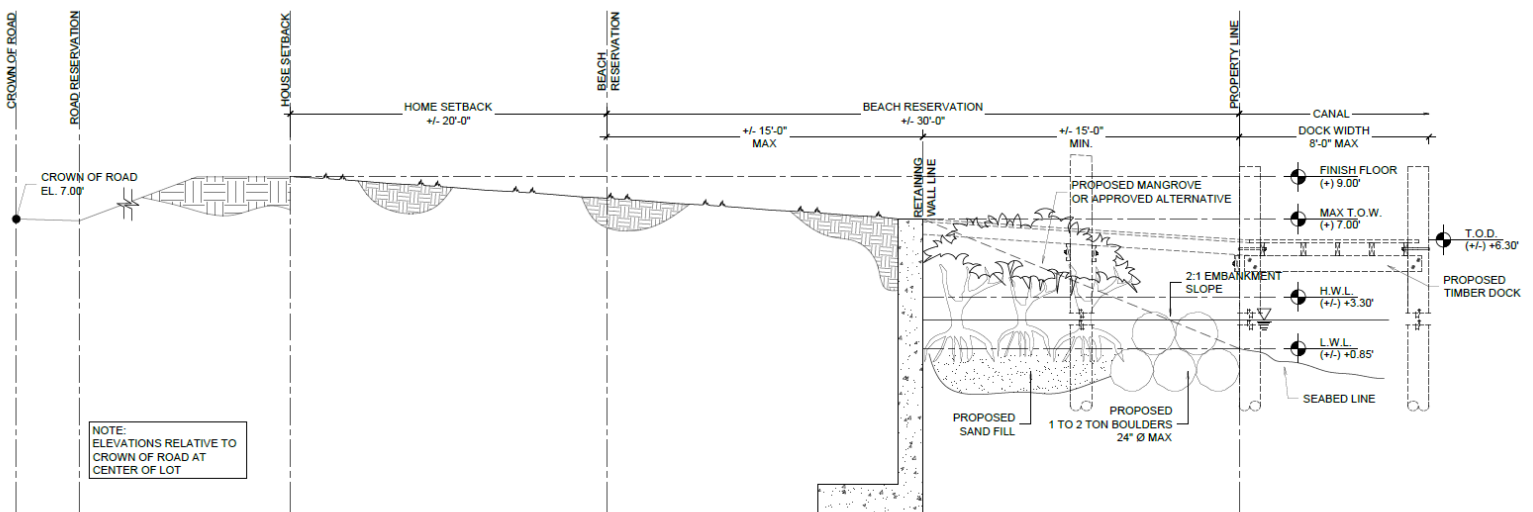
Owners who submit an application related to the installation or rehabilitation of a dock or bulkhead will be required to abide by the following rules and requirements:

Structural drawings are drawn by a licensed engineer, indicating all pertinent information, to ensure the said bulkhead can adequately withstand pressure from internal and external forces, e.g., earth and sea. The Drawing submitted must also indicate that the final finishes will be a natural stone facade.

Bulkheads should be 15' at a minimum from the Beach and maximum of 30' depending on the lot. These structures must be no more than 10' from the existing land edge or the surveyed property line, whichever is less.

Concrete Bulkheads, where applicable, will only be allowed if a facade of natural stone is applied over the raw concrete.

Property Owners will not be permitted to begin construction on the concrete bulkhead, unless they can provide proof that they have, or will have, the facade/finish material available at the time construction of the bulkhead commences.



OPTION 2

Approved Seawall Design for the Old Fort Bay Fincastle Area.

DOCKS

Docks can extend 10 ft. from the property boundary (e.g., high water mark on the canal front) out over the canal. Where possible, docks should be built in concert with the bulkheads.

Height of the dock from the high-water mark of the canal, must be delineated in submitted plans. Approvals will be given on a case-by-case basis.

Access from Dock to land, must be delineated on the submitted plan. Information provided must include detailed description of structure including finishes, and a cross-section showing relationship from land to dock. Approvals will be given on a case-by-case basis.

Docks must be wooden, in keeping with the aesthetic properties of the canal and shoreline. Docks must adhere to the same side setbacks, as the architectural code states for the buildable area.

The waterways located nearest the mangroves, sometimes referred to as “Fincastle Shallows”, are an environmentally sensitive area. The installation of bulkheads, docks, or dredging in this shallow estuary, will not be approved in order to maintain the natural environment, which has a robust ecosystem of fish, sea turtles, birds and other aquatic species.

6 RECREATIONAL LIGHTING

Property Owners must apply to the Architectural Review Committee for approval of construction of docks and boat lifts.

Property Owners are not permitted to install recreational lighting, such as tennis court lighting on their property.

7 SANCTION

POA may charge a liquidated damages fee for failure to obtain approval of plans prior to construction.

Unauthorized construction will be halted, and construction personnel will be denied access to Old Fort Bay upon discovery of a non-compliance. Should subsequent investigation find the homeowner to be in contravention in any way of the stipulations set forth in this document, the Review committee has the unilateral right to halt the construction process and request that the owner undertake remedial action at the owner’s cost.

8 PROCESS EVENTS AND SCHEDULE

Applicants must provide ALL necessary items stipulated in this review process document. Any incomplete submissions will not be considered for approval.

Submissions must be delivered to the office of the Old Fort Bay Property Owners Association made to the attention of the POA Manager.

Construction Plan Approvals by the Review committee will be issued in writing and sent by way of email and/or via hard copy of the letter sent by the POA Manager. A review letter will generally be sent to an owner within 30 days of receipt of all the required documents, drawings and plans.

9 REVIEW PROCESS REQUEST FOR ALTERATIONS TO INITIAL PLANS CONSTRUCTION RULES AND REGULATIONS

Owners/Developers/Architects must send all correspondence, plans, drawings and documents related to their proposed construction to manager@oldfortbaypoa.com and harc@oldfortbaypoa.com .

All owners and their contractors, subcontractors, agents, etc. are required to abide by the rules and regulations set forth by the Old Fort Bay Property Owners Association Ltd; Rules and Regulations, as posted online. We ask all owners to please read this document thoroughly and distribute it to necessary construction persons.