



## **BUILDING IN OLD FORT BAY**

This checklist provides a step-by-step guide for all building or landscaping projects in Old Fort Bay.

### **THE PROCESS – STEP BY STEP**

1. Owners are required to obtain Ministry of Works and all required building approvals prior to the commencement of building works. Failure to obtain Ministry of Works approval prior to the commencement of work will result in the issuance of a Stop Order and the revocation of all prior approvals by HARC. In such case, owners will be required to re-submit a full set of stamped plans for approval by HARC including the payment of the requisite application fee.
2. Review all Rules and Regulations for construction and landscaping including the Architectural Codes as per your lot area available on the POA website at: <http://www.oldfortbaypoa.com/rules-regulations/>
3. HARC is not responsible for errors found in submitted plans. Owners and their representatives are required to request in writing any variances from the above Rules and Regulations prior to submission of plans. The approval of any variance is subject to the discretion of HARC and the Board of Directors.
4. Ensure that all your POA annual fees and special assessments are paid up to date. Plans will not be reviewed where there are outstanding fees due to the POA at the time of submission. The HARC Review Fee will be invoiced upon submission of plans.
5. Send drawings to the OFB POA Office by email or by hand for review. The POA Office will act as the liaison on all matters pertaining to the approval of your plans and construction. Plans that are sent to the POA consultant architect, HARC or Board members directly will not be reviewed.
6. The submission of plans to the POA Office should contain the following:
  - a. Site plan, prepared by a licensed architect, showing all legal property boundaries and setbacks.
  - b. Topographical plan, prepared by a licensed Bahamian surveyor including all legal property boundaries, setbacks, and the high-water mark.
  - c. An image of the project superimposed on a Google Earth image including the adjacent neighbors' properties.
  - d. Full architectural drawings showing floor plans, elevations with height dimensions to roof and eaves, description of roof material and color, boundary wall design, height and finish material, color scheme to wall and gates; solar panel location and any other permanent embellishments such as pools, jacuzzies, water fountains, outdoor kitchens etc.
  - e. Parking plan showing car parking location and capacity. Please note that the verges (ie. land between the road pavement and your lot boundary line) are common area property and cannot be used for parking. The policy of the POA is 100% of all parking must be on the owner's property.

- f. Dock plan, including the position and height of seawalls (if permitted), and boat lift plan including all dimensions and heights.
  - g. Site grading plan identifying the containment of water run-off within the boundaries of the property.
  - h. Detailed landscape plan in color, showing all plants, and a plan for the protection of any protected species.
  - i. The verges beyond your legal lot boundary are common property and cannot be landscaped with artificial grass or pebbled stone.
  - j. Artificial grass can be used for inserts in parking pavers and relaxations can be granted upon application for shaded areas where grass will not naturally grow, or area not visible from public spaces.
  - k. External Lighting plan. Please review the "Lighting Guidelines" document
  - l. Solar Paneling design. Please review the "Solar Policy" document.
7. Road Reservation. Please note that all roads in OFB have a road reservation as per the community survey. The road reservation extends beyond the pavement of the road into the verge and up to your legal property boundary line. Please take special care in identifying the setbacks on your site plan to ensure that they are correct and are measured from the legal boundary line shown on the plan attached to your property conveyance. You will be held responsible for any loss as a result of subsequent reversals of approvals that may have been based on incorrect setback submissions by yourself.
  8. HARC will review the initial plans and provide a written response within 30 days of the submission date.
  9. HARC reserves the right to consult with neighboring property owners at its discretion.
  10. HARC requires the staking out of your property prior to construction commencement. Once completed, please make an appointment with the office to have this checked by the POA surveyor. You will receive a written approval of the staking inspection.
  11. Trenching of footings: After you have completed the trenching of your proposed footings and before any concrete is poured, please make an appointment with the office for an inspection and verification by the POA surveyor. You will receive a written approval of the trenching for footings.
  12. An approval from HARC will expire two years from the approval letter date unless substantial construction (which consists of the pouring of the foundation for a main building) has started within the approval period. If such substantial construction begins outside of the 2-year window, or where there are any alterations to the original construction plans other than what was approved, a new approval must be requested from HARC before development can proceed.
  13. Any HARC, 3<sup>rd</sup> party consultant, such as architects, surveyors, engineers are not authorized to issue approvals on behalf of HARC verbally, or in writing.
  14. You will be required to submit your plans, and the HARC approval letter to the Ministry of Works Department of Town Planning, for government approval of your project. Please keep in mind that this process is separate and apart from the OFB POA.
  15. If there are any deviations of the plans during the process of permitting with Ministry of Works, you must advise the POA of this immediately.
  16. Owners or their approved representatives are required to provide to the POA office prior to the commencement of any works proof of comprehensive Building All Risks insurance of no less than Two Million Dollars, listing the Old Fort Bay Property Owners Association as an additional insured.

17. Please provide the POA office with a copy of the Ministry of Works building permit and approved stamped drawings.
18. Present information on your chosen contractor to the POA office and Security Command Centre.
19. Contractor to register for access to OFB inclusive of all workers at the Security Command Centre, please review "HARC Contractor Requirements" document and make sure your Contractor has a copy.
20. You will be required to give the POA office copies off all your structural engineer inspections.
21. Erect a chain link fence around the property where there are not surrounding walls in place to protect neighbors and properties. The chain link fence is required to be no more than 8ft in height and no less than 6ft in height and to include a green screen. This fencing is to be removed upon completion of construction.
22. Erect signage within POA specifications for installation at the site of construction.
23. Display your building permit number clearly.
24. That nothing shall be constructed, erected or placed including structures, markings, stakes, posts or otherwise upon or within the vicinity of the Old Fort Bay Beach from or between the Crest of the Dune as determined by the Association in their sole discretion to the Mean High-Water Mark without the prior written approval of the Association notwithstanding that such construction, erection or placement shall have been granted by government authority. Applications to the Association shall include plans depicting, proposed location, elevations, specifications, size, materials, height, character and description in accordance with the Architectural Guidelines and Rules and Regulations laid down by the Association.
25. Any building plans that are planned in protected areas i.e., Ocean Drive or Fincastle North, HARC will request an "Entrance Meeting" before the project breaks ground to ensure that the environmental laws are upheld. Special stipulations and protective measures may exist to protect mangroves, beaches, beach dunes and other environmental features within OFB.
26. Site visits will be conducted quarterly, unless otherwise requested, by the POA consultant Architect, without warning to the homeowner. The Architect will present identification as required and will inspect the exterior of the construction to ensure it is compliant with the approved plans. If there is any requirement for the Architect to inspect the interior of the property, the Homeowner will be notified with 24 hours written notice.
27. Building construction concludes within 2-year period unless stated otherwise in your conveyance.
28. Once construction is completed, you will apply for an occupancy certificate from the Ministry of Works and provide a copy of such to the POA Office.
29. After approval of project if there are any changes, these must be highlighted in bubble markings on all subsequent submissions. These changes remain unapproved until the owner receives approval in writing from HARC.
30. No sign, billboard, hoarding or other advertising device of any kind shall be erected or displayed on the Property PROVIDED THAT nothing herein shall be deemed to restrict the erection of property identification and like signs and PROVIDED THAT such sign does not exceed Two (2) square feet of surface area.
31. The use of cement bags as a method of building retaining, and / or sea walls is strictly prohibited in Old Fort Bay.

## **HARC FEES**

### **Review Fees for all project large & small.**

A Review fee \$500 for each submission.

- For each new plan submitted and all subsequent submissions a new fee will be charged, including revisions.

### **Large Projects**

New home construction project fee is charged starting on your project approval date billed in advance per annum.

- Year 1: \$6000 per annum
- Year 2: \$12,000 per annum
- Year 3: \$24,000 per annum
- Year 4: \$36,000 per annum
- Year 5+: \$120,000 per annum

For large projects the Construction fee ends on the last day of construction which is denoted by the presentation of the "Occupancy Certificate" application to the Department of Physical Planning in Ministry of Works or the visual inspection of the POA Architect. Construction activity will not be considered to have ceased until all construction material and resources including heavy machinery, chain link fencing, construction sheds, port-a-potties, dumpsters have been removed from the said premises. The Construction fee will be charged annually.

### **Small Projects/Renovations**

For smaller projects, walls, carports, garages, pools, pool houses, sheds, cottages, exterior painting and/or major landscaping works will attract the monthly construction fee.

- Year 1: \$500 per month
- Year 2: \$1,000 per month
- Year 3: \$2,000 per month
- Year 4: \$3000 per month
- Year 5: \$4000 per month

The billing is charged commencing on your approval date.

For smaller projects billing will continue until notice is received by the office from the owner that the project has been completely. A subsequent POA inspection will be scheduled.

Interest at a rate of 1.5% per month applies to unpaid fees and site access may be revoked due to non-payment of fees.

## **RESPONSIBILITIES OF HOMEOWNERS**

1. To ensure that your Contractor is following the approved plans and that such plans meet all codes for OFB POA Rules and Regulations guidelines, and the Ministry of Works Bahamas Building Code.
2. To ensure that Contractors Park within the confines of the property, or there is an agreement for parking on the verges – made in advance with the POA, or there is a car-pooling schedule put in place to ensure that roadsides and roadways in OFB are not blocked by construction vehicles, or construction workers.
3. To build within the 2-year time frame that accompanies most of the covenants for OFB.
4. To ensure that no communal area is damaged by equipment utilized in the building at your property. Owners will be charged for any unforeseeable repairs to damaged areas caused by their contractor, subcontractors, consultants, or other agents.
5. To renew any approvals if not built out within a two-year period of the date of such approval.
6. To acknowledge that variances, approved or unapproved, in previous construction projects will not be accepted as a valid reason to request the same in a new project.