

EXHIBIT “A”

(Version 2.0)

Application for Construction or Architectural Modifications

(Please contact the Architectural Review Board (ARB) via email for instructions on required documentation.)

Deliver or mail this application to:

Misty Harbor ARB
488 Marina Isle Drive
Woodbine, GA. 31569
ARB-MH@outlook.com

Lot Number: _____

OWNER

BUILDER

Name

Name

Address

Address

City, State, Zip

City, State, Zip

Phone

Phone #

Email

Email

Home Dimensions:

First floor heated: _____ sq. ft.

Second floor heated: _____ sq. ft.

Total heated: _____ sq. ft.

Garage: _____ sq. ft.

Porches: _____ sq. ft.

Total under roof: _____ sq. ft.

Elevation of first finished floor: _____ ft. above M.S.L.

Expected date to commence construction: [Click or tap to enter a date.](#)

(Note: All construction and landscaping shall be completed within 1 year of the permit date)

Items that must be submitted for review:

1. Site plan – including tree survey – as specified in the ARB Guidelines.
2. Floor plans – as specified in the ARB Guidelines.
3. House elevations – as specified in the ARB Guidelines.
4. Landscaping plan – to include elevation, drainage, and grading plan – as specified in the ARB Guidelines.
5. Exterior materials & color(s) selection – as specified in the ARB Guidelines.
6. Mailbox selection – Provide picture/drawing or note use of the Misty Harbor standard mailbox.
7. Completed application form with letter of compliance signed by both Builder and Owner, and applicable fees and security deposits as determined by the ARB – as specified in the ARB Guidelines.

Exterior Materials and Colors

(Include samples of a materials. Include manufacturer’s name and product number.)

	Material	Color
Siding		
Stem Wall		
Brick		
Roofing		
Fascia and Trim		
Shutters		
Exterior Doors		
Windows		
Porches		
Other		

Schedule of violations and fines

Violation	Fine
1. Clearing of site without approval and/or obtainment of a Misty Harbor Building Permit. (Note: This includes unauthorized tree removal)	\$1,000.00 per instance of this violation. This violation warrants the expulsion of the responsible contractor(s).
2. Failure to remove debris and plant material within 2 weeks of site clearing.	\$1,000.00 plus the remedial costs paid by the Association per violation. This violation warrants the expulsion of the responsible contractor(s).
3. Unauthorized disturbance of a Natural Buffer.	\$1,000.00 per instance of this violation. This violation warrants the expulsion of the responsible contractor(s) and the immediate revocation of the Misty Harbor (MH) building permit.
4. Construction or landscaping that does not conform to the plans approved by the ARB. (To be assessed subsequently if not corrected within 7 days of notification by the ARB)	\$500.00 per instance of this violation. This violation warrants the expulsion of the responsible contractor(s).
5. Trespassing on adjoining lots or properties, including equipment storage, material storage, etc...	\$500.00 per instance of this violation. Repeat offences warrants the expulsion of the responsible contractor(s).
6. Entry or exit via the front gates by any builder, contractor, subcontractor, or their employees.	\$100.00 per instance of this violation.
7. Failure to provide a dumpster for construction trash or failure to maintain a site free of debris.	Up to \$100.00 per day.
8. Failure to provide a portable toilet at the construction site.	Up to \$100.00 per day.
9. Burning debris or making a fire of any kind.	\$100.00 per instance of this violation.
10. Placement of any signs not in compliance with the ARB Guidelines.	\$50.00 per instance of this violation.
11. Occupancy of any building prior to the receipt of a Misty Harbor Certificate of Occupancy.	Up to \$1,000.00 plus \$200.00 per week until a Certificate of Occupancy is issued.
12. Violation of any part of the ARB Guidelines not specifically addressed above.	Up to \$200.00 per instance of this violation.

Misty Harbor Letter of Compliance

In accordance with the Declaration of Covenants, Conditions, and Restrictions for Misty Harbor, no exterior structure or improvement shall be placed, erected, installed, or made upon any lot without written approval of the ARB. This includes, but is not limited to, staking, clearing, excavation, or grading of any lot. Once plans are approved there can be no deviation from the approved plans without written approval of the requested change from the ARB. Any structure, improvement, or landscaping placed or made without written approval from the ARB shall be deemed nonconforming. Owners shall, at their own cost and expense, remove such structure or improvement and restore the property to substantially the same condition as existed prior to the nonconforming work. Should an owner fail to remove and restore the property as required, the ARB and the Board shall have the right to enter the property, remove the violation, and restore the property to substantially the same condition as previously existed. All costs, together with the interest at the maximum rate then allowed by law, may be assessed against the owner and collected as a Specific Assessment.

All owners, builders, and subcontractors must comply with the rules of construction as described in the ARB Guidelines. Any violation of these rules shall be subject to fine in accordance with the ARB Schedule of Violations. These fines may be charged as separate instances if the violation is not remedied in the ARB's specified timeframe, and/or if repeated. Failure to pay an imposed fine shall result in the placement of a lien on the property, preventing any sale of said property until such lien is satisfied.

The home/build shall not be considered to be completed until all landscaping has been installed as depicted in the approved landscaping plan. Once the buildings and landscaping are completed, a final inspection by the ARB will be conducted to verify conformance with the approved plans, any items requiring remediation will be provided to the owner with applicable timelines. Once all remediation actions are complete and inspected by the ARB, the ARB will issue a Misty Harbor Certificate of Occupancy or Misty Harbor Certificate of Completion. No home shall be occupied prior to receipt of the Misty Harbor Certificate of Occupancy. Neither the Association Board of Directors or the Architectural Review Board nor their respective members, Secretary, successors, assignees, agents, representatives or employees shall be liable for damages or otherwise to any one requesting approval of an architectural alteration by reason of mistake in judgment, negligence or nonfeasance, arising out of any action with respect to any submission. The architectural review is directed toward review and approval of site planning, appearance and aesthetics. None of the foregoing assumes any responsibility regarding design or construction, including, without limitation, the structural integrity, mechanical or electrical design methods of construction, or technical suitability of materials. I hereby release and covenant not to sue all of the foregoing from/for any claims or damages regarding this application or the approval or denial thereof, Any unpaid assessment or fines levied for violations of Association and/or costs of repair for damage to Association property during construction by the owner, contractor, subcontractors, suppliers, laborer, and any person associated with the construction will be deducted from the security deposit. Deduction of unpaid assessments and/or fines or costs of

damage repair from the deposit does not relieve the owner of liability for any unpaid balance of assessments, fines, and/or costs of damage repair that exceed the security deposit.

I hereby certify that I received, read, understood, and agree to the Declaration of Covenants, Conditions, and Restrictions for Misty Harbor, the Misty Harbor Architectural Review Board Guidelines, the Schedule of Violations contained in this application, and the information contained within this letter, and that any failure to comply with the rules during construction will result in a fine. I understand and agree that no work on this application shall commence until written approval of the Misty Harbor Architectural Review Board has been received by me. I represent and warrant that the requested changes strictly conform to the Declaration and that these changes must be made in strict conformance. I understand that I am responsible for complying with all city and county regulations.

Owner

Builder

Name:

Signature:

Date:

Name:

Signature:

Date:
