

Non-Compliant Home Construction Rules

Per Section 10.06 of the Declaration of Protective Covenants, Conditions and Restrictions of Augusta Shores all dwellings must be completed within twelve (12) months after the commencement of construction. If the construction of a dwelling exceeds twelve (12) months, the following procedures shall be followed:

1. At the eleventh (11) month of construction, if the Developer believes the construction will not be complete within the next month, the Developer will mail a letter to the Owner notifying them that they have one month remaining to complete the construction, or they will be in non-compliance of the declaration and penalties will begin to accrue until such time as the construction is complete.
2. It is the sole responsibility of the Owner to make arrangements to meet with the Board to present any extenuating circumstances, if they exist, prior to the twelfth (12) month of construction. It is at the discretion of the Board to determine if an extension may be granted, and for what term. Notification of the Board's decision will be mailed to both the Owner and the Developer.
3. At the twelfth (12) month of construction (or at the extended term, if granted by the Board), if the dwelling is not complete, the Developer mails letters to the Owner and the Board notifying them that the Owner is non-compliant. At that time the Developer turns the owner over to the Board for the purpose of enforcement.
4. At the time the Developer turns the Owner over, the Board sends a letter to the owner notifying them that they are in violation of the declarations because construction of their dwelling has exceeded twelve (12) months (or the extended term, if approved by the Board), and a non-compliant penalty* will begin to be assessed until such time as the dwelling is complete. A bill will be sent to the Owner on a monthly basis for accrued penalties until the dwelling is complete.
5. Upon completion of construction, the Developer will inspect the property for completion. If complete, the Developer will notify the Board, (and penalties will cease) and issue a Certificate of Completion to the Owner. Owner is required to continue to maintain the exterior from this point forward.
6. If the Owner refuses to pay the penalties assessed to their property, a lien will be placed on such property at the time of completion for all penalties as well as all fees associated with placing the lien.

For the purposes of this particular issue only, "complete" is defined as: The outside of the dwelling is finished including, but not limited to all exterior finishes, roofing, gutters, driveway, sidewalks and finish grade and seed the entire yard, etc.

*Refer to the "Penalties and Fines Rules" for the current penalty assessed for this violation.