



# *Brice's Creek Harbour*

## **ARCHITECTURAL GUIDELINES & ARCHITECTURAL REVIEW BOARD PROCEDURES**



June 2015

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# ARCHITECTURAL REVIEW BOARD PROCEDURES

## Architectural Guidelines Introduction

The Architectural Guidelines (Guidelines) embody what Brice's Creek Harbour (formerly Stillwater Harbour) is and should continue to be in the future. These Guidelines will be the primary vehicle for establishing and maintaining the architectural character for any and all residential development that is unique to Brice's Creek Harbour. The Guidelines may be periodically updated as required. The Architectural Review Board (ARB) and the Developer/Owner has full authority over the Guidelines and Review Procedures and has the right to alter, change, overrule, interpret, etc. these Guidelines and ARB decisions at its discretion and at any time. Reference the Covenants for additional requirements and regulations.

## Architectural Review Board Procedures — Builder Section

1. The Brice's Creek Harbour ARB shall enforce the Guidelines. Proposed houses must be submitted to the ARB for final review and approval prior to beginning any construction and clearing of the lot. The builder, superintendent, designer or sales agent should present each proposal in person.
2. No project permitting or construction may be started without formal ARB review and approval. If any construction is started prior to such ARB review and approval, the builder may be fined and possibly removed from the builder team and if removed, all outstanding deposits will be forfeited. There may also be additional fines for violating the requirements of the Guidelines and ARB Procedures and also as required in the neighborhood Covenants.
3. Approval by the ARB does not constitute a representation of warranty as to the quality, fitness, or suitability of the design or materials specified in the plans or approval of any local, state or national code or ordinance. It is the applicant's sole responsibility to provide safe construction practices and meet all relevant local, state and national codes and ordinances as related to each specific construction project including but not limited to verification of setbacks, utilities, existing site features, etc. The ARB shall not be held liable for any injury, damages, or loss arising out of the manner or quality or safety of construction or any modification to a home site.
4. The ARB and Developer/Owner shall also monitor the construction process in order to ensure conformance with the approved ARB plan submittals. Any non-conformance may involve special assessments as described in the Covenants. Failure to comply with ARB requirements and approved plans and elevations, etc. may result in the required removal of any non-conforming construction, detailing, colors, etc. at the builder's/homeowner's expense. The ARB and Developer/Owner reserves the right of entry to any property within the development for inspection purposes.
5. All ARB submittals, proposals, questions, requests for meetings/appointments, etc. shall be submitted to the ARB via email (preferred, pdf format) at [bricescreekarb@gmail.com](mailto:bricescreekarb@gmail.com). ARB reviews and meeting appointments will be scheduled on an as needed basis and a first-come first-served basis and may be scheduled up until the ARB Meeting if time is available. Currently there is not a specific ARB Meeting schedule and as noted will be scheduled on an as needed

basis. In the future a specific day and time for ARB Meetings may be scheduled as related to additional and consistent activity.

6. Submittals shall include the ARB Submittal Checklist (See Appendix), Site Plan, Landscape Plan (landscape plan required for each specific lot and may be delayed and submitted to the ARB for review and approval at least 30 days prior to landscape installation), Floor Plans, Elevations (front, sides and rear), color proposals on Color Selection Form (See appendix), any alternate/special details (i.e. handrails, columns, etc.) and ARB Review Fee of \$200. All submittals shall be one copy, 8-1/2" x 11", one-side only format. Concept drawings or preliminary plans may be submitted to the ARB for review, comment and approval to proceed before more detailed plans and the final submittal are completed and submitted. Submittals not meeting these requirements will be returned for completion prior to ARB review.
7. Builders should have each house proposal reviewed and approved by the Sales Staff prior to submission to the ARB. The ARB generally reviews submittals for aesthetic purposes only and shall have no responsibility or liability for reviews in any other areas including but not limited to code/covenant requirements as noted earlier, sales/market relationships, price points related to market, builder contract responsibilities/minimum SF requirements, etc.
8. The ARB will review each proposal (as marked up on the original ARB Submittal package) and determine if the proposal is either "Approved", "Approved as noted", "Not approved" or "Re-submit". "Approved" and "Approved as noted" submittals may continue into permitting and construction with the understanding that all ARB comments and directives are to be completed. "Not approved" and "Re-submit" directives shall be re-submitted to the ARB for ARB review and approval prior to proceeding with permitting and construction.
9. ARB reviews will be completed within fourteen days (pending current ARB and Developer/Owner activity schedules, holidays, etc.) after the receipt and ARB Meetings/ reviews/approvals and inserted in the ARB permanent files and distributed to the builders, attendees, etc. as required via email and/or fax for builder coordination. If responses are required sooner than fourteen days, please email the ARB Board at [bricescreekarb@gmail.com](mailto:bricescreekarb@gmail.com) or contact a member of the ARB Board directly.
10. Copies of the meeting summaries will be forwarded to the builder and / or homeowner and others (only as requested, i.e. Developer / Owner, Sales staff, etc.).

## Architectural Review Board Procedures for Alterations and Additions —

### Homeowner (Post—closing) Section

1. After plans are initially approved and as noted in the preceding section or after homeowners have closed on their property, the procedures of this section must be followed and completed for any alterations and additions. Note that the same submittal procedures to the ARB Board apply to any alterations and additions.
2. The ARB Alterations and Additions Submittal Checklist (see Appendix) must be submitted to the ARB for review and approval of all exterior changes or additions to your residence or property prior to proceeding with permitting or construction. The list of changes, alterations or additions includes, but is certainly not limited to the following and as noted in the Guidelines: Any addition to an existing dwelling (room additions, garages, etc.), exterior color revisions, fencing, landscaping projects (other than typical maintenance of original existing landscaping / beds and removal of dead trees / growth, etc.), hardscape projects (fish ponds, fountains, yard art, arbors, trellises, etc.), decks, porches, screened porches, patios, awnings, play equipment (other than typical mobile play equipment and toys not to remain outside of dwellings after specific use), dog houses, retaining walls, storage sheds, playhouses, satellite TV dishes, solar equipment, rain barrels, docks, etc.
3. The Guidelines are in total effect concerning any alteration or addition. A copy of the Guidelines is available for reference through the ARB, Developer/Owner and Sales Office.
4. The Application submittal should include the following as required to communicate the scope of the proposed new construction: ARB Alterations and Additions Submittal Checklist (See appendix), ARB Review Fee (as determined by Declarant / Developer and / or HOA Management Company), site plan (indicating the location of the proposed alteration or addition, existing building(s), property lines, setbacks, etc.), detailed construction drawings to scale (including a full view of the addition, with all exterior elevations, as it will look attached to the existing structure and Color Selection Form (if altering exterior color of house). A view of the entire structure is necessary to help determine balance.), drawings or photographs (as needed / showing the existing conditions before the proposed changes), samples of colors and materials (if different from existing building), landscape plan and plant schedule (if applicable or required), perspective drawings of complex projects (as determined by the ARB), etc. Concept drawings or preliminary plans may be submitted to the ARB for review, comment and approval to proceed before more detailed plans and the final ARB Submittal are completed. All submittals shall be one copy, 8-1/2" x 11", one-side only format per previous section.
5. The ARB will review each proposal (as marked up on the original ARB Submittal package) and determine if the proposal is either "Approved", "Approved as noted", "Not approved" or "Re-submit". "Approved" and "Approved as noted" submittals may continue into permitting and construction with the understanding that all ARB comments and directives are to be completed. "Not approved" and "Re-submit" directives shall be re-submitted to the ARB for ARB review and approval prior to proceeding with permitting and construction.

6. As noted previously, ARB reviews will be completed within fourteen days (pending current ARB and Developer/Owner activity schedules, holidays, etc.) after the receipt and ARB Meetings/reviews/approvals and inserted in the ARB permanent files and distributed to the homeowners, attendees, etc. as required via email for homeowner/builder coordination. If responses are required sooner than fourteen days, please coordinate a personal ARB Meeting by contacting the ARB Board via email ([bricescreekarb@gmail.com](mailto:bricescreekarb@gmail.com)) or by contacting a member of the ARB Board directly.
7. No project permitting or construction may be started without formal ARB review and approval. It is the sole responsibility of the applicant to ensure complete compliance with all relevant building practices, code permits, licensing requirements, etc. as noted in the previous section.
8. Failure to comply with ARB requirements and approved plans and elevations, etc. may result in the required removal of any non-conforming construction, detailing, colors, etc.
9. Major additions often have an impact on neighboring property. Plans must be well thought out to minimize any adverse impact on neighboring properties. Changes in grade or drainage must not adversely affect adjacent properties. Applicants should consult with neighbors while making plans (See application).
10. The design must be compatible in scale, massing, character, materials, and color with the original house. New windows and doors should match, and be located to relate well with existing windows. The roof pitch should match the original roof.
11. Additions should be located to minimize the removal of trees and the destruction of natural areas. The ARB may require supplemental landscape treatment to compensate for the removal of vegetation, or to soften the addition visually.

# ARCHITECTURAL GUIDELINES

## Architecture

1. Architectural diversity and correctness is very important to Brice's Creek Harbour. Local historically traditional compatible "coastal" architectural styles are required. Each house proposal will be reviewed on each specific merit and on a case by case basis. Detailed ARB reviews will be completed for each proposed portfolio house and lot specific submittal as they are received.
2. Coastal Architecture Elements include but not limited to the following: Simple massing of main house body. Simple roof shapes and elements such as shed and gabled dormers. Wide roof overhangs of 2' recommended (1' minimum on smaller houses) with exposed rafter tails. Exposed rafters on porches and stoops encouraged. Roof details such as knee bracing/roof brackets. Metal roofing with a minimum metal roof accent on porches, stoops, pigeon walks, water tables, etc. Exterior materials include horizontal lap siding with accents of shakes, board and batten, etc. common to coastal architecture. All shake/shingle exterior is also acceptable. Brick, stone and similar veneers are not allowed except for foundation walls. Stucco and parged foundation walls are allowed. Coastal pastel exterior colors with bright accent colors such as front doors, shutters and also shakes, board and batten, etc. materials encouraged. Front porches are strongly recommended on all houses with a minimum 7' deep for functional use and provide handrails. Rear covered porches and/or screened porches for outdoor living experience. Diversity of porch details such as classical round tapered columns, square columns, various handrail detailing, etc. Wide simple trim around all windows and doors. Large windows for maximizing natural light and views to exterior and any waterfront views with upper sash muntins/grills (various detailed configurations for diversity) and open lower sashes. May be open upper and lower sashes on rear elevations. Shutters, if proposed, have hardware as if operable and properly proportioned per window size.
3. Brice's Creek Harbour is a custom neighborhood and as such the architecture and detailing shall reflect such a custom vision and goals. Therefore, the architecture of each house should have all four elevations (front, sides and rear) to reflect the same detailing and architecture as the front elevation. Corner lots and other highly visible lots such as waterfront lots and as determined by the ARB may also require additional detailing due to such lots' importance. Additional and specific details per specific house type product shall be required as noted on the Architectural Details Requirements (See appendix).
4. The same (or similar elevation as determined by the ARB) elevations and color schemes will not be approved to be built within 4 lots on the same side of street or the same distance on the opposite side of street. The same (or similar as determined by the ARB) detailed elevations on the same street will only be reviewed on a case-by-case basis.
5. Shakes, board and batten, etc. veneer "wallpaper" is not recommended, however, such veneers are allowed based on the following. Such veneers shall return/wrap around corners a minimum of 2'-0" or around to a major element (to rear of house and four sides is most strongly recommended but not required) and will be reviewed on a case-by-case basis per the architecture and detailing of the house. Brick and stone veneers on the entire house are not allowed and if considered by the ARB and Declarant will only be allowed on a case-by-case basis and as required by the ARB and Declarant. Additional veneer treatments may be required on side and rear elevations where highly visible on corner lots, waterfront lots, adjacent public spaces, Marion Drive, etc.

6. Shutters are allowed where appropriate and as approved by the ARB. However, shutters are strongly recommended to be located only on single windows and shall be sized appropriately to the size (width and height) of the window. Shutters allowed on double windows shall be sized wider than the typical single window shutter to proportionately cover the window as if operable. Shutters are not allowed under any conditions such as triple windows, palladian windows, most circle head windows, etc. and other special shaped windows as determined by the ARB. Shutters shall be painted wood, vinyl or fiberglass. Appropriate shutter hardware including hinges, shutter dogs, etc. shall be used to appear as operable and mounted in correct positions relative to the window.
7. Windows shall have the lower window sashes open with no muntins and upper sashes with various muntin configurations (i.e. 2 over 1, 4 over 1, 6 over 1, Victorian / prairie style muntins, etc.). Various shaped windows are encouraged (i.e. cottage style windows, special shape windows such as rounds, ovals, etc.) but shall be appropriate for the coastal architectural style and approved only on a case by case basis. Various special window configurations are encouraged (i.e. triple window including one 6 over 1 center window with 4 over 1 side windows). Half glass doors (with various muntin configurations matching the window muntins) and doors with sidelites contribute to the coastal architectural correctness of the community.
8. Windows may be wood, vinyl and aluminum faced and shall be double paned insulated glass. Simulated or true divided lites are strongly encouraged. GBG muntins are allowed.
9. Siding, shakes, board and batten, trim, etc. shall be cement fiber board product (James Hardie) or equal as approved by the ARB. All exterior siding shall be finished, painted, stained or otherwise protected from the elements of nature. Textured finish materials such as shakes or a different width and orientation (i.e. board and batten, etc.) siding is emphasized at gable ends of roofs and around dormers. The emphasis also applies to trim detailing at gable ends and dormers. Fiber Cement Siding is strongly encouraged because it provides an infinite number of color choices. Vinyl siding is permitted provided it is high grade/thick grade residential vinyl siding with a minimum of 0.46mm. Vinyl siding will be approved on a case-by-case basis. Hard samples of vinyl color choices are required for approval.
10. Exterior siding/materials not allowed include shakes/trim, aluminum siding/trim, concrete masonry block units, prefabricated metal buildings and similar siding materials.
11. Synthetic stone veneer, natural stone veneer, synthetic stucco and hard coat stucco are allowed where architecturally appropriate.
12. Framed/sided chimneys are allowed and to be detailed per the architectural style of the house. Direct vented units are allowed, however, they must be integrated into the architecture (i.e. gable or shed roofs over fireplace boxes).
13. Diverse roof styles, building massing and materials are emphasized. Appropriately scaled overhangs (1'-0" to 2'-0" depending on massing and architectural style) are strongly encouraged and required on certain product sizes. Flat roofs are not permitted except on porch and stoop roofs.
14. Rooftop mechanical equipment is not encouraged and must be so located to reduce or eliminate its visibility from streets, water areas, sidewalks, adjacent public and private properties, etc. Any roof mounted equipment that changes the exterior of the roof must be approved by the ARB.



15. Cantilevered bays and bay windows are typically not allowed and reviewed and approved on a case-by-case basis and if brackets are provided below cantilevered elements. Foundations to grade are required below all bays unless approved otherwise.
16. Entrance doors shall be compatible with the house design. Doors with upper glazed panels and sidelites are strongly encouraged. Door material shall be solid wood, fiberglass or metal insulated exterior. Screen or storm doors are allowed and shall be compatible with the design and color of the house. Screen and storm doors shall be full glass style with no horizontal support structure and sliding type screened / glass panels.
17. No screened or greenhouse type enclosures shall be permitted on the front of the house. Patio or pool enclosures are permitted as reviewed and approved by the ARB on a case by case basis. All detailing shall be consistent with the main house (i.e. match siding, trim and roof detailing, match colors, etc.).
18. No window or wall air conditioning units will be allowed on elevations visible from the street, water or adjacent public properties and is subject to ARB approval on a case by case basis.
19. See the following sections for additional specific architectural recommendations.

## **Building Setbacks**

1. Building setbacks are established for each lot on the recorded plat (reference for actual setbacks and other details). Houses are to be built as close to the minimum front yard setback as possible unless topography, narrow lot width at street (i.e. cul-de-sac lots) or as otherwise determined/required by the Developer/Owner and / or ARB. House locations on atypical sites shall be verified on site including finish floor elevations with ARB prior to proceeding with permitting or construction.
2. Accessory buildings shall meet the same setback requirements as each lot specific house setback requirements.
3. No buildings shall be built in any easements, buffer areas, RCD, CAMA restricted areas, etc. No construction shall be built in any easements without the approval of the Developer/Owner, ARB and / or the required authorities otherwise (i.e. drives, walks, fences, play equipment, etc.). If such construction is allowed within such easements, it shall also be the owner's total understanding and responsibility for cost and replacement of any damaged construction as a result of maintenance, upkeep, inspections, additional construction, etc. by others in such easements. Note additional requirements for landscape heights, etc. in sight triangles as noted on recorded plat.

## **Square Footage Requirements**

1. The minimum heated square footage will be 1,800 SF for a one (1) story residence, 2,000 SF for a one and one-half (1-1/2) story residence and/or 2,400 SF for a two story (2) residence (1,400 SF minimum of first floor). No house shall be more than two (2) stories in height (not including basements or attics). No temporary structures are allowed except for the use of construction and during construction and/or as approved by the Developer/Owner and ARB and as noted in the covenants.
2. This square footage does not include garages, covered walks or porches and unfinished spaces. Variances for minimum sizes may be granted by the Developer/Owner if the site conditions

present a hardship or as otherwise approved in writing.

NOTE: All "finishable" floor area is counted as "heated" SF. Unfinished basements, walk-up attics and other unfinished spaces are not included in the "finishable" floor area.

3. The impervious SF shall meet the local authorities' requirements.

## **Porches and Decks**

1. Porches are recommended on all lots. Porches shall be functional 7'-0" minimum from face of house to outside face of the porch. The porch would therefore be a minimum of 6'-0" minimum (7'-0" recommended) clear floor space between the face of the house and the inside face of the porch column and / or handrail (whichever is most critical). The intention here is to provide ample space for furnishings (swing, glider, chairs, etc.) and circulation for a functional outdoor room space. Porch space that is used for circulation (i.e. stoops) only may be smaller and will be reviewed and approved on a case by case basis.
2. Houses on corner lots shall be designed to architecturally address the corner and both street frontages. Therefore, houses on corner lots should have porches that wrap the house corner (facing the intersection) at least 8'-0" around the side elevation. It is suggested that additional doors be located on the wrapped porch where appropriate (i.e. private door from a living, dining or bedroom area).
3. All porches, decks and stair risers must be enclosed, Lattice used under porches and decks may be either a horizontal or diagonal pattern. Lattice shall be wood (1" x 2" minimum lattice size) and painted or stained to match the trim color or other accent color as approved by the ARB. Vinyl and other materials for lattice are allowed on a case by case basis. Lattice must be framed between structural members and trimmed out. Lattice may be held off ground approximately 4" maximum to prevent staining from soil.
4. All exposed vertical wood trim, risers, stringers, etc. must be painted to match the trim color.
5. All rear decks and porches visible from a street including but not limited to corner lots, waterfront lots and lots with rear property lines adjoining a street or public commons area must be finished to match the front porch detailing (handrails, horizontal lattice, etc.) and colors. Lattice is not required on side or rear porches where the finished floor level is less than 4'-0" above finished grade and if additional landscape screening is provided for a solid screen to provide a visual barrier below the deck or porch. Evergreen shrubs are required for decks over 4'-0" above grade.
6. Various porch column and handrail detailing is strongly encouraged (i.e. tapered wood columns, tapered round columns, triple and double square columns at corners and major elements such as steps, etc.) and in some highly visible locations and conditions (i.e. corner lots) may be required by the ARB.
7. Exposed vertical handrail pickets attached directly to deck framing are not allowed. Horizontal trim is required to cover such conditions.
8. Metal porch roofs are required on all porch and stoop roofs (unless otherwise noted on the "Architectural Details Requirements" in appendix or as approved by the developer, Declarant and / or ARB) and strongly encouraged on entire main house roofs and shall be consistent with the house's design detailing.

## **Patios and Terraces**

1. Where grades allow, patios are strongly recommended in lieu of decks (however the impervious surface limitations may limit such patio proposals).
2. The size of the patio should be consistent with the size of the house and yard. All patios will be reviewed with respect to their visual impact on adjacent property.
3. Brick pavers, brick edges, textured concrete, detailed/patterned concrete control and expansion joints, curvilinear shapes and edges, etc. surfaces and materials are encouraged at all patios and walks.

## **Garages and Carports**

1. As a minimum all homes must have an attached two car garage (three car garages allowed where possible and feasible on a case by case basis). Specific lot owner vehicles should be parked within garages at all times as possible in lieu of parking in drives, parking pad areas, street, etc. Elevations must be designed to subordinate garages to the house to the greatest extent possible.
2. Front load projecting garages are allowed on a case by case basis. It is recommended that front load garages should not project in front of the main heated envelope of the house and be located a minimum of 2'-0" or more back from the front porch or stoop. It is understood on challenging / narrow lots that projecting garages are allowed on a case by case basis. Front load garages shall have additional architectural detailing such as glass in upper panels, two door appearance with carriage style door hardware, column elements each side of doors, roof/trellis/shade elements over doors, etc. to de-emphasize garage doors. Projecting courtyard style/side loaded garages which are located in front of main body of house (and variations thereof as determined by the ARB) are allowed and will be reviewed and approved on a case by case basis. Such courtyard style garages should also include additional architectural enhancements to de-emphasize the visual impact of the garage. Three car front load garages are not allowed.
3. Garages should be located opposite the main direction of vehicular traffic and as determined and approved by the ARB.
4. Detached and rear load garages are only considered/allowed on non-waterfront lots. Detached garages shall match the architectural detailing and colors of the main house.
5. All front load garages, garages facing street on corner lots and where highly visible as determined by the ARB should have single car width doors in lieu of a double width door. Double width garage doors are allowed on side load garages on internal lots or only otherwise as approved by the Declarant / Developer / Owner and the ARB on a case-by-case basis. However, when a double door is approved by the ARB, additional architectural detailing is required including but not limited to an architectural style door with glass panels, roof or trellis element over door, recessed door opening, column elements adjacent garage door, etc. and shall have a two door appearance (i.c. hardware, glass panels, etc.). Single width garage doors should be 9'-0" wide. Doors less than 9'-0" (i.e. no less than 8'-0" wide) are allowed as approved by the Sales staff recommendations and the ARB / Declarant on a case-by-case basis.
6. Garages shall be designed and constructed properly for sufficient space for storage of vehicles and comfortable circulation around vehicles into the house, Steps, mechanical equipment, storage shelving, garbage and recycles receptacles, etc, shall not prohibit vehicle storage and

circulation.

7. Garage finished floor elevations shall be coordinated with the main house finished floor elevation with a maximum of 2°-0" difference to minimize the amount of steps (3 risers maximum) as possible from the garage to main house and minimize the amount of siding and trim above the garage doors.

## **Storage and Accessory Buildings**

1. Detached or attached storage and other accessory buildings (i.e. garden sheds, play houses, etc.) are allowed and shall be located within the required building setbacks and reviewed and approved by the ARB on a case by case basis. Detached storage and accessory buildings shall not exceed 150 SF unless approved by the ARB. All detached buildings shall be finished to match the main house materials, detailing and colors.
2. Detached structures are not allowed in front or side yards and locations which obstruct the view of water on waterfront lots, public commons areas and other natural areas by adjacent properties.

## **Exterior Materials and Colors**

1. One color scheme must be selected and submitted to the ARB on the provided Color Selection Form (located at the back of these Guidelines) for review and approval prior to finishing and painting of the house. In case of conflict with existing homes, an alternate color choice may be required for ARB review and approval. Therefore, a review of the permanent files and adjacent existing house colors for color coordination and prevention of color duplication prior to submission is recommended.
2. Paint colors shall be submitted with color chip samples (minimum 1" square in size and larger samples may be required) for ARB review, approval and record. Provide a color brochure sheet for all brick, stone, other veneers, roof, special door and window colors, etc. proposals for ARB review, approval and record.
3. Colors should be submitted with the original house submittal to best assure your first choice selection. Note: Color selection approval is based on a first-come first-serve basis.
4. Various exterior colors are encouraged on the same house and where appropriate with the architectural style of the house (Le. siding, siding in gable ends, dormers, doors, shutters, window sashes, etc.).
5. Brick colors shall be in the red/brown range and shall be submitted for preliminary ARB review and approval prior to proceeding with formal lot submittals/proposals. Other brick colors will be reviewed and approved by the ARB on a case-by-case basis. Painted brick and parged/stucco foundations are allowed. Provide a color brochure sheet for all brick/stone/other veneers proposals for ARB review, approval and record.
6. Garage doors shall be painted to match the trim, siding or other approved accent color (i.e. front door color) as directed and approved by the ARB to minimize the impact of the garage doors on the streetscape. The garage door color shall be designated/requested on the Color Selection Form.

7. Fences shall be finished/painted/stained as required to match the house trim or other accent color as reviewed and approved by the ARB.
8. Asphalt shingles (three dimensional style) and metal roof materials are allowed and the color and texture shall be consistent with the house's design and detailing. Shingle colors other than the black, gray or brown range shall be submitted to the ARB for review and approval prior to beginning construction. Provide a color brochure sheet for all roofing material proposals for ARB review, approval and record.
9. All roof mounted equipment and penetrations (i.e. plumbing vents, HVAC vents, ridge vents, skylights, attic fans, etc.) shall be painted or finished to match the roof color.
10. Gutters and downspouts shall be painted to match the color of the adjacent trim, wall, column, etc. color as approved by the ARB.
11. Accent colors on doors, window sashes, upper gable ends and dormers, etc. are strongly encouraged and where appropriate to the architectural style of the house.
12. All decks on corner lots, waterfront lots, lots visible from public/commons spaces or other streets, etc. shall be painted to match trim color or stained as directed and approved by the ARB.
13. Electric panels, meter bases, conduit, etc. should be painted to match the exterior adjacent color of the house.

## **Walls and Fences**

1. Fencing can detract from the open character of the community and may have both a visual and a physical impact on adjoining property and especially corner and waterfront lots, Careful consideration must be given to the fencing concept and execution. The only acceptable reason for yard fencing is to restrict the movement of children or pets to or from their property. Privacy is not a given reason for fencing. If the desired end is privacy, this should be addressed with landscaping. Whenever possible, alternatives to hard fencing should be used. The use of landscaping and plant material or combinations of plants and short segments of fencing, or fencing hidden in plant material may achieve the sought-after goal. An "open" type fencing is preferred and required on all waterfront lot rear yards if proposed and as noted below. Privacy fencing is basically only allowed on non-waterfront lots and other requirements as noted below. Fencing shall be a visual extension of a building and should relate to the materials, colors, and architectural style of the building. All fencing proposals will be reviewed and approved by the ARB on a case-by-case basis.
2. Fence heights shall not exceed 6'-0" (5'-0" recommended) or as allowed and required by local codes and as approved by the ARB on a case by case basis. On privacy fences taller than 5'-0", the lower section may be "solid" (i.e. 1" spacing between pickets strongly recommended) up to approximately 5'-0" and the upper remaining section shall be horizontal or diagonal lattice, vertical pickets, or other approval open screening detailing. Solid fences are allowed however a minimum of 1" spacing between pickets is strongly recommended.
3. Fences shall be set back a minimum of 10'-0" from the front face of the house or aligned with a major element or the rear of the house. Privacy fences (taller than 4") in side yards of corner lots shall not project any closer to street than the face of the house or a major element (i.e. porch, deck, etc.) or as approved by the ARB on a case-by-case basis. Fences in side yard of corner lots are allowed as reviewed and approved by the ARB on a case-by-case basis and shall

be a minimum height of 3'6" and maximum height of 4'-0" and must be a minimum of 4'-0" inside of street side property line for planting / screening area between fence and property line.

4. Waterfront lot fencing: NOTE fencing is allowed in rear yards of waterfront lots but is limited to open back aluminum style fencing and located outside CAMA and other waterfront setback requirements and should not impede view of water from adjacent properties on a case by case basis. Landscape screening should also not impede views of water from adjacent waterfront lots and will be reviewed on a case by case basis. Privacy fencing is allowed in side yards of waterfront lots on a case by case basis and shall not impede view of water from adjacent waterfront lot houses.
5. Fences shall be finished/painted/stained as required to match the house trim or other accent color as reviewed and approved by the ARB. All fences visible from streets (front, side and rear yards) shall have additional landscape screening as directed by the ARB.
6. Front yard fences are allowed on a case-by-case basis, not to exceed 3" in height, open picket style detailing and painted/stained.
7. Fencing finished on only one side must be constructed with the finished side facing out.
8. Pool enclosures, related to children's safety or other reasons, shall be subject to consideration by the ARB on an individual basis and heights / details as required by applicable local, state and federal laws and codes.
9. Property owners are cautioned that building a fence that infringes on all easements, buffers, or access of right-of-ways may result in destruction or removal of the fence at the owner's expense. Any proposed fence locations within such areas shall have written approval from the Developer/Owner and any other authorities as applicable and attached to a fence proposal submittal prior to the ARB submittal, review and approval. If such fence construction is allowed within such easements, it shall also be the owner's total understanding and responsibility for cost and replacement of any damaged construction as a result of maintenance, upkeep, inspections, additional construction, etc. by others in such easements.
10. Fences shall be constructed inside the property line and lawn and landscaping space maintained by that property owner to their respective property line.
11. If an existing fence exists on adjacent property, it is strongly suggested that the existing fence be used as the fenced boundary of the adjacent lot as well as the new fence match such fence (where appropriate). Connection to existing fencing is not recommended and if desired must provide written approval from the adjacent homeowner and the understanding that any maintenance of such connection may exist and will be the total responsibility of replacement cost by such homeowner requesting attachment. If a different fence is desired (other than use of the adjacent fence), the new fence shall be located a minimum of 3' inside property line (5' minimum suggested) from the existing fence for maintaining the area between the fences.
12. Existing topography, drainage, and landscaping shall not be disturbed for the construction of a fence except with the approval of the ARB. All fencing and site improvements shall not impede storm water flow or affect such flow from and to adjacent properties. Wherever possible, fences should be located so that trees do not have to be removed.
13. Black aluminum or other metal type open picket fences are acceptable / strongly encouraged in lieu of other material and solid type fencing and shall not exceed 6'-0" in height. Wood fencing

is allowed, however, shall be a high grade of lumber, exposed posts with decorative capitals, additional picket detailing other than a straight cut or dog-eared top, etc. and as reviewed and approved by the ARB on a case by case basis. Masonry and any combination of wood, metal, etc. fencing is also allowed. Chain-link fencing, split rail or horse farm type horizontal railing fencing are not allowed. Other styles of fencing may also not be allowed on a case by case basis as determined by the ARB.

14. All fence details and locations must be reviewed and approved by the ARB on a lot-by-lot and case-by-case basis prior to beginning any such fence installation.

## **Driveways and Walkways**

1. Driveways and vehicle parking pads shall be paved with a hard surface material such as concrete, exposed oyster shell or aggregate in concrete, stamped concrete and stone or brick pavers. Accent detailing at edge of drive to street is also recommended for additional emphasis and detail (i.e. 2' strip of accent material such as oyster shell aggregate parallel to street sidewalk). Any type of pad other than naturally colored concrete shall be reviewed and approved by the ARB on a case by case basis. Asphalt driveways are not permitted. The aggregate base, thickness, reinforcement, etc. should comply with good construction practices and / or as required by the local authorities. Close attention must be paid to driveway, garage, carport, etc. placement, setbacks and not to encroach onto buffer areas, association owned common property and neighboring lots.
2. Reduce width of drive at the street to single car dimension and/or as required by the local authorities. Note there may be additional drive restrictions per each specific lot location in regard to specific house plan / garage placement, etc.
3. Additional driveways will not be permitted for parking purposes except in front of the garage or as approved by the ARB on a case-by-case basis if the impervious SF limitations allow and they do not have a visual adverse effect from the street, other public spaces and other homes.
4. Divided "Carolina" driveways are allowed and encouraged on longer runs of drives and to give visual relief to longer driveways. The dimensions for the "Carolina" drive shall be 2" - 6" wide concrete on each side of a 2' - 0" wide sod strip for a total width of 7' - 0". "Carolina" drives should begin and end allowing required turning radius to avoid driving on center sod strip. Brick pavers, textured concrete, stone, etc. are also encouraged as an alternative infill in the sod strip area.
5. Parking will not be permitted in areas where the subdivision's drainage flow may be interrupted.
6. Walkways (minimum of 36" in width) are recommended to extend from the front door to the street / sidewalk (where street sidewalk is present and strongly recommended at all other locations) in a perpendicular or curvilinear fashion. These walks are not recommended on lots that require the house be set back a substantial distance from the street, where existing trees prohibit and where insufficient space is not present (i.e. cul-de-sac lots). Oyster shell aggregate, brick paver detailing, textured concrete, etc. are also encouraged on all walkways. Walks from front entry (or secondary entries) to the main drive / parking area are also strongly recommended.

## **Exterior Lighting**

1. Site lighting shall be low intensity, and when used, should be used to accent entrances and special features. Overall high levels of light are not desired, or may not be allowed by the local authorities. Intensity should be no greater than required for pedestrian safety, other than as an accent on landscape plantings or buildings.
2. Exterior lighting shall be shielded from adjacent properties. Exterior lighting fixtures shall be proportioned per the scale of use and coordinated with the architectural style of the house.
3. Post lights are allowed and must be approved prior to installation.

## **Mailboxes**

All single family homes are required to have a standardized mailbox and pedestal. The mailbox structure shall be installed at the front of the lot 4' from the interior edge of the drive or as otherwise directed and approved by the Developer / Owner, ARB and / or the local authorities. A standardized mailbox design has been selected. Contact the Developer / Owner for mailbox details and authorized suppliers. If previously constructed and approved under previous requirements prior to these Guidelines then such houses are exempted.

## **Dog Houses**

1. Dogs and other pets shall be contained within the specific dwelling units. However, Dog houses are allowed and will be reviewed and approved on a case by case basis. They shall be typically allowed and located only on non-waterfront lots, totally in rear yard, centered as much as possible on house, within the building setback and be located so as not to be obtrusive. They shall be built and painted to blend with their immediate surroundings and match the existing house.
2. Dog houses are typically not approved on waterfront lots and only reviewed and approved by the ARB on a case by case basis and if allowed shall only be located in wide side yards and screened from view of adjacent properties and shall not impede any view of water from adjacent properties.
3. Landscaping may be required to soften the structures visually.
4. Dog runs are not allowed.

## **Recreational and Play Equipment**

1. Play equipment, play houses, etc. are typically only allowed on non-waterfront lots and shall be placed in rear yards within the building setbacks. Consideration should be given to lot size, equipment size, material, design, amount of visual screening, and relationship to neighboring property. If allowed on waterfront lots on a case by case basis, such equipment shall be located near the main house and shall not impede views of water from adjacent properties. Play equipment and play houses shall be screened with landscaping as reviewed and approved by the ARB.
2. Equipment constructed from natural materials (wood) is strongly encouraged. Painted metal play equipment, not including wearing surfaces (c.g. slides, sliding poles, and climbing



rungs) shall be painted dark green or brown to blend with natural areas.

3. Play houses must be in scale with the size of the yard and existing buildings and shall not exceed 100 SF in size (including any covered porch/stoop areas). The playhouse must be finished / painted to match the existing house details, finishes and colors.
4. Skateboard, bike, and other type ramps are not allowed. High level acoustical activities and motorized equipment are also not allowed.
5. In-ground swimming pools are allowed and must be located in the rear yard within the building setbacks and shall not be visible from front street of house (or corner side street if on a corner Lot) and must be designed as an integral part of the Dwelling and landscape as determined by the ARB. All governmental requirements and restrictions applicable to swimming pools shall be applicable to the construction of swimming pools on any Lot and approval by ARB shall in no way relieve the Owner of the responsibility and obligation to comply with such governmental requirements. Pools shall be fenced for safety purposes and Owners may be required to install safety features such as locks or covers for these items when not in use. Landscaping shall be provided around any retaining wall and such wall and landscaping must be an integral part of the overall landscape plan. All mechanical equipment necessary for the operation of any pool must be located in the rear or side yard and shall be screened from the street and neighboring dwellings/buildings by a fence, wall, or landscaping screening and shall be submitted to and approved by the ARB. Above ground pools are prohibited. Pools on waterfront lots shall be located so as not to impede views of water from adjacent properties.
6. Hot tubs, saunas, or spas are allowed and shall be an integral part of the deck or patio area and / or the rear yard landscaping. Hot tubs, saunas, or spas shall be located in the rear or rear side yard, shall not be visible from front street of house (or corner side street if on a corner Lot), 8' x 8' maximum size, shall be installed in such a way that is not immediately visible to adjacent Lot Owners, and shall not create an unreasonable level of noise for adjacent Lot Owners and shall not impede view of water from adjacent properties on waterfront lots. All mechanical equipment necessary for the operation of any hot tub or sauna must be located in the rear or side yard and shall be screened from the street and neighboring units by a fence, wall, or landscaping, such screening as approved by the ARB. The lot owner may be required to install safety features such as locks or covers for these items when such are not in use. Applications for hot tubs, saunas and spas shall be accompanied by a screen or fence plan and a plot of the property with the improvements indicated thereon and evidencing compliance with the above criteria.
7. Permanent and / or mobile basketball goals (and other similar equipment) are basically only allowed on non-waterfront lots and are not allowed to be mounted on the front of the house, street elevations of corner lots and/or located in the yard where highly visible from the street or public areas. Mobile basketball goals are not allowed near to or highly visible from any street. Basketball goals (in-ground mounted preferred) are allowed in rear yards of non-waterfront lots and deep side yard side / rear load drive areas if not highly visible from the street or public areas. Basketball goals shall be a minimum of 10' from property lines. Posts shall be black or dark green in color and shall have clear plexiglass type backboards. Lighting fixtures attached to goal posts and backboards are not allowed. Mobile basketball goals will only be allowed on front load garage drives as reviewed and approved by the ARB on a case by case basis and if such mobile basketball goals are removed from public view after each use. All basketball goals will be reviewed and approved by the ARB on a case-by-case and lot-by-lot basis. Additional landscape screening may be required around all such basketball goal locations whether mobile or permanent.

## **Yard Art, Ornaments, Birdhouses, Statues, etc**

1. Lawn ornaments and yard art, flags (as noted below), lantern poles, flood lights, security lights, fishponds, bird baths, etc. are allowed and require approval of the ARB and on a case by case basis. Such approved items are prohibited in front yards, on front porches / stoops and rear yards of waterfront lots if impeding views of water from adjacent waterfront lots. Side and rear yard areas are acceptable if concealed within a privacy wall. Approved ornaments and statues installed in rear yard areas or behind a privacy wall must be placed so as to not be visible from streets. Ornaments and statues shall not exceed 6' in height. Seasonal ornaments are allowed per Declaration and time allotments. Items not requiring approval of the ARB include holiday decorations, for sale / for rent signage, garage / yard sale signage and political campaign signs provided that such signs are in accordance with standards set forth by the Covenants, Developer / Owner / ARB and the local authorities. On the items which don't require approval, the ARB reserves the right to request a homeowner to remove an item if surrounding homeowners complain and if, upon inspection, the ARB considers the item unsightly or a nuisance. Holiday decorations shall be removed per requirements of the Covenants or a maximum of 7 days after such holiday season has ended.
2. ARB approval is not required for the rear yard installation of a birdhouse, or a bird-feeder that is less than one foot wide by one and a half feet tall (maximum 8' high pole), or a birdbath that is three feet tall or less, including any pedestal and does not impede view of water on waterfront lots. Placement in any front or side yard requires ARB approval and shall not exceed the preceding size and heights and limited to one fixture.
3. Exterior clotheslines are not allowed.
4. Yard-mounted flagpoles are not permitted on any portion of the Properties, except for flags and flag poles installed by or for the Association at amenity sites. Lot Owners may attach one USA flag, not to exceed 4' x 6', mounted to their house or garage without the approval of the ARB. No other flags are allowed.
5. ARB approval is required for all fountains regardless of location. Fountains shall be located in side and rear yards only. Fountains shall not be allowed in front yards and street side yards of corner lots with ARB approval on a case by case basis. Fountains shall not exceed 3' in height and a maximum number of two per lot. Such fountains in rear yards of waterfront shall not impede views of water from adjacent waterfront lots.

## **Retaining and Screen Walls**

1. Retaining walls shall be unobtrusive as possible and built to the minimum height needed to serve their function. Materials may be brick, natural stone, square corner timbers, or concrete, depending on location and contextual relationship. Generally, rounded landscape timbers will not be approved due to their lack of stability when used to retain earth, the strong horizontal lines created by the juxtaposition of the timbers, and their appearance. Retaining walls shall be a minimum of 5' from property lines or only as approved by the Developer/Owner and ARB on a case by case basis.
2. The ends of the walls should be tapered into the ground rather than abruptly ending in space. If the height of the wall requires a railing to comply with building codes, the applicant should consider stepping the wall in a terracing effect to minimize or remove the need for such railings.

3. Mechanical, electrical, plumbing, etc. and equipment shall be concealed and located so as not to have an adverse effect on the use of adjacent properties. Mechanical equipment should not be located in side yards due to the high visibility, size / clearances and acoustical issues of such equipment and impact to adjacent properties.
4. Landscaping will usually be required to soften the visual impact of retaining walls, screen walls, and other exposed structures depending on the final detail, heights, etc. of such retaining and screen walls.

## **Garbage and Recycles**

All garbage and recycles containment and receptacles shall be located inside house or garage or totally screened from view. Such screen walls and enclosures shall match the architectural detailing and colors of the house. Garbage and recycle receptacles may remain outside near the street as required for pick-up, however, they shall be returned to their concealed locations at the end of such days. Landscape screening is also required around such screen walls. Trash receptacles cannot be seen from the street or from the back or front porch of an adjacent neighbor.

## **Tree Removal**

1. No existing live ornamental trees (e.g. holly, dogwood, redbud) may be removed without specific ARB written approval. No existing live deciduous or evergreen trees the trunks of which are six or more inches in diameter may be removed without specific ARB written approval.
2. Removal of live trees will be approved if their continued existence would be detrimental. In many cases, the ARB may require replacements. "Detrimental" conditions include physical intrusion by trees, roots, and branches on buildings or other structures in a way that could cause damage, excessive shade, or could block paths and sight lines from vehicles. Overgrowth may also be considered detrimental.
3. Trees damaged by storms or other events, dead trees, etc. may be removed without ARB review and approval.

## **Awnings**

1. Awnings may be appropriate for rear or side-yard patios and decks, or even exposed rear entrances. Awnings are not allowed on front elevations.
2. Awnings must be consistent with the architectural style and scale of the house. The color of the fabric must be compatible with the existing house colors. Any exposed frames must be painted to match the trim or the dominant color of the house. No vinyl, aluminum or other metal type material awnings allowed.

## **Satellite Dishes and Antennae**

Provide specifications on size and color of dish and proposed location. The ARB reserves the right to deny the request if it is determined that the location of the dish would make it unsightly from the street and if another functioning acceptable location is available. Dishes larger than 1 meter in diameter are not allowed. Dishes should be painted to match house color as determined by the ARB. Landscape screening is required around ground mounted dishes where visible from street or public areas. No exterior antennae are allowed.

## **Solar Equipment**

1. Solar equipment and panels are allowed. All solar collectors and other equipment require ARB approval on a case by case basis.
2. A drawing showing location of the unit on the roof showing visibility from streets and neighboring lots must be submitted to the ARB. Solar collectors shall be located as inconspicuously as possible and flush / parallel with the main roof (no dormer and secondary roof locations allowed). Whenever possible, collectors should be placed on the rear of the home or on the side that has the least public exposure. Collectors should be attached only to the roof, not free standing or ground mounted. Every effort must be taken to camouflage the plumbing and supports for the collectors. This camouflage may require completely encasing the collectors. All metal parts should be painted to match the roof color. There should be a minimum exposure of piping with no piping running down the side of the dwelling. The ideal installation is one that is laid flat on the roof. Panels on street fronts are allowed on a case by case basis if such locations are the best solar orientation for the house. Such front elevation panels shall be all black panels with no exposed mountings, fixtures, etc.
3. Any tree removal required to permit increased solar exposure to the collectors must adhere to the tree removal guidelines. No topping or removal of trees on association common areas shall be allowed.

## **Rain Barrels**

1. Rain barrels are allowed per the following requirements and are reviewed and approved by the ARB on a case by case basis.
2. Rain barrels must be placed or installed at the rear of the dwelling, or on the side of the dwelling as long as the barrels are not visible from the street. Under no circumstances are rain barrels permitted on the front of the dwelling.
3. Only two (2) maximum size of eighty (80) gallons rain barrels are allowed per home unless approved otherwise.
4. Dark colors prevent sunlight from entering the barrel. Without sunlight, algae and other organisms cannot flourish in the barrel. Therefore, rain barrels may be black, dark green, or brown / terra cotta in color and as coordinated with the house architecture, exterior materials and colors. They must be made of either plastic or wood (metal containers are not allowed).
5. Mosquito control needs to be exercised by design or by screening to eliminate any mosquito breeding.

## **Docks and Piers**

1. Only VISTA docks as approved by the ARB and allowed by CAMA and the covenants regulations and requirements are allowed including maximum size, location on lots/water's edge, materials allowed, etc. and will be reviewed and approved by the ARB on a case-by-case basis. Clearing of property at water's edge is only allowed within the limits of CAMA regulations and any other authority regulations and requirements. The maximum

allowed size is 9' x 16' plus a swim platform of 9' x 4.5').

2. Piers are not allowed.

## **Landscaping and Site Development**

1. General: A Landscape Plan is required for each specific lot and may be delayed and submitted to the ARB for review and approval at least 30 days prior to landscape installation (per previous ARB procedures and requirements section), All landscaping shall be in accordance with the requirements of the local authority and CAMA requirements and these Guidelines. Nothing herein shall be construed to be less than nor to reduce the requirements. In particular, streetscape and buffer requirements shall be adhered to. Note also that the Developer/Owner and ARB will initially and periodically review the initial and additional landscape installations of the builders to ensure landscaping is meeting the goals of the Developer / Owner and community. Such deficient landscaping as determined by the Developer/Owner and/or ARB will be required to be replaced and/or upgraded.
2. Landscape design should be integrated into the design of the home, from its inception. The use and preservation of native and naturalized landscape materials is strongly encouraged. Planting plans should strive to have as strong an impact as possible at the time of installation. New planting compositions should employ simple plant massing and a limited palette of plant types in order to build unity and cohesiveness in the design.
3. The ARB may require additional landscaping to create adequate screening and privacy from the street and adjacent lots and most specifically areas such as but not limited to drives and walks, decks, patios, mechanical and electrical equipment, etc.
4. The paving and drainage design, including curb and gutter, drainage easements, etc., shall not be altered in any way without the expressed written requests and written approval from the Developer/Owner and local authorities (when required). Homebuilders and homeowners shall refer to the recorded and other site development drawings for all additional information and requirements including but not limited to storm water drainage and easements, sewer easements, buffers, flood plains, CAMA buffer areas, building setbacks, other specific lot requirements, etc.
5. Buildings and landscape material shall be placed on the site so the maximum number of desirable trees and other natural features are preserved. The site shall be finish graded for positive drainage away from house and accessory buildings to prevent ponding or soil erosion on the site or adjacent properties.
6. Irrigation is encouraged but not required. If irrigation is used, encroachment Permits MAY be required by the local authorities for irrigation systems located in the public right of way. The irrigation system shall be permitted by and constructed to the local authorities' standards. The irrigation system shall be automatically controlled by a time clock. Pop-up sprinklers or drip system shall be used. No permanent risers shall be allowed. An irrigation plan should be submitted on the landscape plan for record. All head locations, pipe sizes, valve locations shall be shown. All equipment shall be identified on the plan.
7. Landscape lighting shall be low intensity, and when used, should be used to accent entrances and special features. Overall high levels of light are not desired, or allowed. Intensity should be no greater than required for pedestrian safety, other than as an accent on landscape plantings or buildings. Exterior lighting shall be shielded from adjacent

properties,

8. Rear decks that are visible from the street or adjacent lots as determined by the ARB must be underpinned with horizontal or diagonal lattice and / or landscaped for screening. Evergreen shrubs are also required for decks 4'-0" or more above grade (when visible from streets).
9. Sod is required for all homes. Types of grasses allowed include Zoysia (varieties include Zenith, El Toro and Compadre encouraged), Bermuda Centipede and St. Augustine. Fescue is not allowed. Sod shall extend from the back of curb / edge of street to the front of the house of the entire front yard and extend along the side yards back to at least mid point of house (to rear yard and rear yards also strongly recommended). Corner lots must also sod entire street side yards and rear yards (if fencing or landscape screening not provided) and as determined by the ARB. However, mulched natural areas are permitted on up to 60% of the corner lot street side yard and other side and rear yards and as reviewed and approved by the ARB.
10. Included below is a list of the minimum amount of landscape material required for each lot. Many situations will require additional large evergreen shrubs to soften the impact of blank walks and / or garage entries. Evergreen shrubs may also be required to create privacy between homes. Additional landscaping may also be required on a case by case basis on corner lots, highly visible lots and lots adjacent Marion Road.
11. Any plant material that dies or becomes unsightly after installation will be replaced by approved plants within 30 days of notification by the Developer / Owner and / or ARB.
12. Landscape screening shall be provided for all service areas, electric and gas meters, HVAC equipment, utility boxes or as otherwise specified and directed by the ARB. Screening shall consist of one or more of the following methods: A planting screen consisting of a minimum of two staggered rows of evergreen shrubs with a minimum height of four feet at the time of installation and spacing that will form an effective visual screen or a wall or fence of a material specifically approved by the ARB.
13. No fence, wall, hedge, shrub planting or grades, which may obstruct vehicular sight distance, shall be permitted at any driveway turnout or intersection. No fence, wall, hedge, shrub or trees may be planted on any street right of way except as approved by the local authorities, Developer / Owner and / or ARB.

## **Minimum Landscape Requirements**

Front yard landscaping should include at minimum foundation and accent shrubs along the front foundation of the house that are in line with the scale of the house. Additionally, a tree (regular size or ornamental) should be included in the front yard landscape.

### **Foundation Shrubs-Low Growing**

18" - 24", 30" o.c. max., Azalea, Holley, Boxwood, Hawthorn, Abelia, Dwarf Buford, Nandina, Gardenia, etc.

### **Foundation: Accent Shrubs-Medium Growing**

3" - 4", 5'-0" o.c. max., Holly Boxwood, Acuba, Camella, screen is Cleyera, Juniper, Ogmanthus, Gardenia, Loropetalum, Acuba, etc.

### **Large Evergreen Screen or Accent**

7' - 8', 8'-0" to -10°-0" o.c., Magnolia, Ligustrum, Osmanthus, Pines, Viburnum, Gardenia, etc.

### **Flowering Accent Shrubs**

24" - 30", Quince, Hydrangea, Jasmine, Rhododendron, Rose, Spirea, Azelea, Camellia, Forsythia, Gardenia, etc

### **Flowering or Accent Tree**

1.0" - 1.5" (6' minimum), Crepe Myrtle, Dogwood, Plum, Cherry, Serviceberry, Redbud, Japanese Maple, etc.

## **Construction Maintenance and Miscellaneous**

1. During construction, all debris shall be placed in a single location on the lot of the construction site only. The debris shall be contained by some type of barrier (e.g. wire fencing) to assist in keeping the debris from being scattered.
2. Weekly (Fridays required) and after construction is completed there shall be no debris or trash of any kind remaining on any lot, on sidewalks or streets contiguous thereto and no excess building material, storage shed or trash shall remain on such a lot. Storage of any building materials, equipment, etc. is not allowed on any sidewalk or street. It is hereby made the duty of the homebuilder or his agent, or the homeowner, to remove or cause to be removed any and all of the above debris within 72 hours of notification by the Developer/Owner and/or ARB. Failure to comply with the request will cause removal of the debris by action of the Developer/Declarant/HOA authority and all related costs will be charged to the homebuilder or the homeowner.
3. During construction, all streets shall be kept clean of mud and trash and all broken curb or paving shall be promptly repaired.
4. It is the primary responsibility of each homeowner to maintain his property in a way that does not detract from the overall beauty of the community. Following is a list of areas that should be reviewed on a regular basis to ensure that your home is in good repair:
  - a. Landscaping (shrubbery, trees, lawns, etc.)
  - b. Driveways and sidewalks
  - c. Decks
  - d. Fences
  - e. Play equipment
  - f. Roofing
  - g. Wood
  - h. Paint and stain
  - i. Garbage can storage
5. If at any time the Developer/Owner and/or HOA is made aware of a property that has deteriorated to the point that it is affecting the aesthetics of the community, representatives of the Developer/Owner/HOA will make a Site inspection. Based on the severity of the deterioration, the homeowner will be given a specified length of time to make the necessary repairs. If after that time, repairs have still not been made, the Developer/Owner/HOA may be forced to take more strenuous action per the Covenants and all related costs will be charged to the homebuilder or the homeowner.
6. There are many changes and additions that property owners can make to their property. The ones described in these Guidelines are the most common. If the proposed project is not included in the Guidelines, refer to the one that is closest in concept to your project and use

it as a guide for preparing an application to the ARB.

7. Most of all, in all that is proposed, consider the neighbors and neighborhood to provide the best aesthetic and quality project possible.





*Brice's Creek Harbour*

# ARB SUBMITTAL CHECKLIST

## BUILDER SUBMITTAL FORM

NO SUBMITTAL WILL BE REVIEWED UNLESS ALL INFORMATION IS INCLUDED

June 2015

**Note: Submit completed ARB Submittal Checklist and required information to ARB for ARB review and approval prior to proceeding with any permitting or construction as required.**

Builder / Homeowner Name _____	Lot No. _____
Plan Name _____	Date Submitted _____
Street Address _____	ARB Review Fee _____

### Site Plan (8-1/2" x 11")

- Scale
- Setbacks and easements
- Building footprint and finished floor elevation
- Clearing limits not to exceed necessary construction zone (indicate on plan)
- Water meter & sewer locations (from field observation)
- Driveway (include any special materials)
- Decks and patios
- Walkways
- Fencing and retaining walls (including fence detail if proposed)
- Service areas (include method of screening)
- Accessory buildings (if any)
- Impervious square footage (If required by New Bern)

### Landscaping Plan (8-1/2" x 11" / 11" x 17" maximum)

- A Landscaping Plan is required for each specific lot.

### Architectural Plans (8-1/2" x 11" or copy of Approved Builder Cut-Sheet)

- Floor plans with finishable square footage (within limits)
- Front, sides & rear elevations (with material indications)
- Special details (porch railings, columns, etc.)

### Colors and Materials

- Color Selection Form must be attached

Reviewing is only for conformance with the Brice's Creek Harbour Architectural Guidelines. The builder / owner is responsible for compliance with the Guidelines, Covenants, CAMA and any other local, state and federal ordinances and other applicable codes, regulations, etc.

- Approved       Approved as Noted       Not Approved       Resubmit

\_\_\_\_\_  
Reviewed By  
Brice's Creek Harbour ARB Representative

\_\_\_\_\_  
Date



*Brice's Creek Harbour*

## COLOR SELECTION FORM

June 2015

**Note: Submit completed ARB Color Selection Form and required information to ARB for ARB review and approval prior to proceeding with any exterior finishing, painting, etc. as required.**

Builder / Homeowner Name \_\_\_\_\_ Lot No. \_\_\_\_\_  
Plan Name \_\_\_\_\_ Date Submitted \_\_\_\_\_  
Street Address \_\_\_\_\_

All exterior colors must be selected and submitted to the Architectural Review Board (ARB) for review and approval prior to painting / finishing house. In case of conflict with existing homes, another color choice may be required for ARB review and approval. Review the permanent files and adjacent house colors for color coordination and prevention of color duplication prior to submittal. Provide material manufacturer, product / model name, color name, color number, etc. as required for each material and color to best indicate / identify such material and color. Paint colors other than Sherwin Williams colors shall be submitted with color chip samples (minimum 1" square in size and larger samples may be required) for ARB review, approval and record. Provide a color brochure sheet for all brick, stone, other veneers, roof, special door and window colors, etc. proposals for review, approval and record. All exterior materials and colors should be submitted with the original house submittal to best assure your first choice selection. Note: Color selection approval based on a first-come first-serve basis. See the Guidelines for other specific exterior material and color requirements.

Brick \_\_\_\_\_ Stone \_\_\_\_\_  
Siding \_\_\_\_\_ Trim \_\_\_\_\_  
Shakes \_\_\_\_\_ Board and Batten \_\_\_\_\_  
Front Door \_\_\_\_\_ Garage Door \_\_\_\_\_  
Windows \_\_\_\_\_ Shutters \_\_\_\_\_  
Roof \_\_\_\_\_ Fencing \_\_\_\_\_

Other (Accent areas, accessory buildings, etc.) \_\_\_\_\_

**Reviewing is only for conformance with the Brice's Creek Harbour Architectural Guidelines. The builder / owner is responsible for compliance with the Guidelines, Covenants, CAMA and any other local, state and federal ordinances and other applicable codes, regulations, etc.**

Approved       Approved as Noted       Not Approved       Resubmit

Reviewed By \_\_\_\_\_  
Brice's Creek Harbour ARB Representative

Date \_\_\_\_\_



*Brice's Creek Harbour*

# ARB ALTERATIONS AND ADDITIONS SUBMITTAL CHECKLIST

## HOMEOWNER SUBMITTAL FORM

NO SUBMITTAL WILL BE REVIEWED UNLESS ALL INFORMATION IS INCLUDED

June 2015

**Note: Submit completed ARB Alterations and Additions Submittal Checklist and required information to ARB for ARB review and approval prior to proceeding with any additions and alterations project permitting or construction as required.**

Builder / Homeowner Name _____	Date Submitted _____
Street Address _____	Lot No. _____
Telephone Numbers _____	ARB Review Fee _____

### Site Plan as required (8-1/2" x 11")

- Setbacks and easements
- Existing house and additions footprint and finished floor elevation(s)
- Driveway and parking improvements / additions
- Deck, patio, walkway, etc. improvements / additions
- Fencing and retaining walls (including fence details) improvements / additions
- Accessory outbuilding improvements / additions
- Other site improvements / additions as required
- Impervious square footage (If required by New Bern)

### Landscaping Plan as required (8-1/2" x 11" / 11" x 17" maximum)

- A Landscaping Plan is required for any landscape improvements other than for maintenance purposes.

### Architectural Plans as required (8-1/2" x 11")

- Floor plans with square footage of improvements / additions
- Front, sides & rear elevations (with material indications)
- Special details (porch railings, columns, etc.)
- Color Selection Form must be attached

### Neighbor Notification

- Notification (for information purposes only and not for their "approval") of all adjacent neighbors or would reasonably view the improvement from their property required (indicate names of neighbors contacted on back)

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- Approved       Approved as Noted       Not Approved       Resubmit

\_\_\_\_\_  
Reviewed By  
Brice's Creek Harbour ARB Representative

\_\_\_\_\_  
Date



*Brice's Creek Harbour*

# LANDSCAPE SUBMITTAL CHECKLIST

## BUILDER SUBMITTAL FORM

**NO SUBMITTAL WILL BE REVIEWED UNLESS ALL INFORMATION IS INCLUDED**

**June 2015**

**Note: Submit completed Landscape Submittal Checklist and required information to the ARB for review and approval 30 days prior to landscape installation.**

Builder / Homeowner Name \_\_\_\_\_ Lot No. \_\_\_\_\_  
Plan Name \_\_\_\_\_ Date Submitted \_\_\_\_\_  
Street Address \_\_\_\_\_

### Landscaping Plan (8-1/2" x 11" / 11" x 17" maximum)

- Scale , North arrow, Property Lines
- Setbacks and easements
- Building footprint including windows and doors
- Clearing limits not to exceed necessary construction zone (indicate on plan)
- Water meter & sewer locations (from field observation)
- Type of turf proposed and any required buffer beds or edging
- Driveway, Decks and patios
- Walkways
- Fencing and retaining walls (including fence detail if proposed)
- Service areas (include method of screening) and Accessory buildings (if any)
- All proposed plant material shown and labeled
- Plant list with key and size of each plant

### Partial List of crucial Landscape design elements to include on Landscape Plan:

(Please refer to Architectural Guidelines for complete Guideline information)

- Minimum one street tree and one ornamental tree in front per lot
- HVAC and all mechanical equipment and service areas are screened
- Screening of blank walls, garage entries and property lines that are bare between adjacent lots
- Additional landscaping if lot backs up to road, is on a corner, near clubhouse or highly visible rear decks have lattice or plants when visible from road and neighbors

**Reviewing is only for conformance with the Brice's Creek Harbour Architectural Guidelines. The builder / owner is responsible for compliance with the Guidelines, Covenants, CAMA and any other local, state and federal ordinances and other applicable codes, regulations, etc.**

- Approved       Approved as Noted       Not Approved       Resubmit

\_\_\_\_\_  
Reviewed By  
Brice's Creek Harbour ARB Representative

\_\_\_\_\_  
Date



*Brice's Creek Harbour*

# VARIANCE FORM

**SUBMITTAL MAY NOT BE REVIEWED UNLESS ALL INFORMATION IS INCLUDED**  
**June 2015**

Lot Owner Name \_\_\_\_\_ Lot No. \_\_\_\_\_  
Street Address \_\_\_\_\_ Date Submitted \_\_\_\_\_

The ARB decides whether a variance is to be granted or denied based on the requirements set out in the Guidelines and careful consideration of the merits of the individual request. The Lot Owner hereby makes application to the ARB for the following variance. Note: For any variance provide all related graphic information (site plan, floor plans, elevations, etc.) as required to best communicate and describe proposed variance. Use additional sheets and documents as needed.

The variance requested is described in detail as follows:

\_\_\_\_\_

\_\_\_\_\_

The reasons for the request are:

\_\_\_\_\_

\_\_\_\_\_

The impacts of the request on the neighbors and/or development are:

\_\_\_\_\_

\_\_\_\_\_

Affected adjacent Lot Owners (If Resident requested including Lot nos. and names of Lot Owners if available):

\_\_\_\_\_

\_\_\_\_\_

**Reviewing is only for conformance with the Brice's Creek Harbour Architectural Guidelines. The builder / owner is responsible for compliance with the Guidelines, Covenants, CAMA and any other local, state and federal ordinances and other applicable codes, regulations, etc.**

Approved       Approved as Noted       Not Approved       Resubmit

\_\_\_\_\_  
Reviewed By  
Brice's Creek Harbour Declarant Representative

\_\_\_\_\_  
Date

## Desired Architectural Details and Sample Homes

The following is a list of the detail and material elements required for the Coastal Architecture vision for the Brice's Creek Harbour community. Following this list are pictures of homes in the neighborhood that represent the style and architectural details desired in this neighborhood.

- Simple massing of main house body.
- Simple roof shapes and elements such as shed and gabled dormers.
- Wide roof overhangs of 2" recommended (1" minimum on smaller houses ) with exposed rafter tails.
- Exposed rafters on porches and stoops are encouraged.
- Roof details such as knee bracing/roof brackets.
- Metal roofing with a minimum metal roof accent on porches, stoops, pigeon walks, water tables, etc.
- Exterior materials may include horizontal lap siding with accents of shakes, board and batten, etc. common to coastal architecture. All shake//shingle exterior is also acceptable. Brick, stucco and parged foundation walls are allowed but stone and similar veneers are not.
- Coastal pastel exterior colors with bright accent colors on front doors, shutters, shakes, board and batten, etc.
- Front porches are strongly recommended on all houses (minimum 7" deep for functional use with handrails). Rear covered porches and/or screened porches for outdoor living experience. Diversity of porch details such as classical round tapered columns (Charleston vernacular only), square columns, various handrail detailing, etc.
- Wide simple trim around all windows and doors.
- Large windows for maximizing natural light and views to exterior with upper sash muntins/grills (various detailed configuration for diversity) and open lower sashes.
- Shutters, if proposed, should have hardware as if operable and properly proportioned with the size of the window.



