



## DESIGN GUIDELINES

**REVISED: December 2013**

1. Design Guidelines. These Design Guidelines are promulgated according to the Declaration of Covenants, Conditions and Restrictions for Dunham Marsh recorded in the clerk of the Superior Court Bryan County Book 693, pages 170 – 195, inclusive, as amended from time to time (“Declaration”) in Accordance with Article IV of the Declaration. The Design Guidelines have been prepared by Dunham Marsh Partners, LLC (“Declarant”) and may be amended from time to time.

2. Architectural Review Committee. All plans and specifications contemplated herein shall be submitted to the Dunham Marsh Architectural Review Committee (hereinafter the “ARC”). The ARC shall consist of at least three but no more than five people appointed by the Board of Directors. The Declarant reserves the right to exercise all rights of the ARC as stipulated in Article IV Section 3 of the Declaration where deemed to be in the best interests of the community.

3. Submission for ARC Approval. Every lot owner submitting plans for architectural approval may submit either two (2) complete sets of printed plans on 11” x 17” paper or may submit plans electronically by email to [ncota@thecotagroup.com](mailto:ncota@thecotagroup.com) together with a completed Application for plan review. An application fee of Two Hundred Fifty Dollars (\$250.00) will be paid for all applications for home construction and Fifty Dollars (\$50.00) for applications for fence approval, exterior additions, or renovations. The \$50.00 application fee for fence reviews will be waived if the fence design is submitted at the time of home plan submittal. Checks should be made payable to Dunham Marsh Homeowners Association.

**Incomplete submissions will not be reviewed by the ARC. Within Fifteen (15) days of complete submission, the ARC shall either approve or disapprove with an explanation of the committee decision. The ARC will attempt to expedite the review process whenever possible, however, the applicant must allow for up to fifteen (15) days for the review process to be completed.**

4. Preliminary Application. Prior to preparation of construction drawings and final application, the ARC recommends that the applicant submit a preliminary application for its comment. The preliminary application may be drawn in sketch form and should include a site plan, floor plans, and elevations.

5. Architectural Compatibility. It is the intent of the Declaration of Restrictions and these Guidelines that all structures within the community be harmonious in quality and design. The ARC will encourage traditional designs characterized as low-country, coastal or traditional. The primary building materials which will be allowed are brick, siding (wood or wood-like), brick/siding combinations, and stucco. The ARC will consider existing and planned homes in its consideration of the compatibility of the proposed home with the community.

The following architectural elements are encouraged:

- (a) Traditional and historic architecture
- (b) Simple designs without many competing elements.
- (b) Consistent and functional details.
- (c) Use of one and two story designs
- (d) Consistent material and color treatment of all facades.
- (e) Front & side porches constructed of wood or natural decking materials.
- (f) De-emphasis of the garage on the front façade.
- (g) Adequate storage space provided within the home and garage.
- (h) Multiple piece fascia and fascia which is substantial enough in size.
- (i) Raised foundations with functional porches over 6' in depth.

The following architectural elements are discouraged:

- (a) Trendy architectural elements.
- (b) Non-functional windows and architectural details.
- (c) Bright colors and strong contrasting colors.
- (d) complicated roof forms.

6. Building Type. No building shall be erected, altered, placed or permitted to remain on any Lot or building parcel, except for one detached single-family residence which shall not exceed thirty-five (35) feet in height, unless approved in advance by the ARC.

7. Square Footage Requirement. Dwellings shall have a living area, exclusive of garage of at least One thousand four hundred fifty (1,500) square feet in phase 1 and phase 9 and a living area of at least one thousand seven hundred (1,700) square feet in phases 2 – 3 C. The ARC may consider covered porches as living area in its sole discretion.

8. Dwelling Quality and Materials. The ARC shall have final approval of all exterior building materials. Exposed concrete block shall not be permitted on the exterior of any building or detached structure unless prior approval is obtained from the ARC. The ARC shall discourage the use of imitation materials for facades and encourage the use of materials such as brick and wood or a combination of the foregoing. Vinyl siding is permitted in phase 1 and 9 of the community only. Siding in all subsequent phases must be fiber cement (Hardiboard) or other material approved by the ARC. Vinyl siding or vinyl accents such as vinyl cedar shakes may be allowed in all phases of the community in gables or areas more than 8 feet above the ground level of the home.

9. Layout & Building Setbacks. No foundation for a residence shall be poured, nor shall construction commence in any manner or respect, until the layout for the building or renovation is approved by the ARC. The purpose of this requirement is to facilitate the residence being placed on the Lot in its most advantageous position and each residence within the Subdivision being provided some measure of visual and acoustical privacy. All setbacks are intended to be a minimum with actual setbacks determined on a case by case basis considering existing trees, existing and planned adjacent homes, and views. Any buildings or structures constructed on the property must be set back a minimum number of feet from the property lines according to the recorded plat of the Subdivisions and according to the following:

Phase I

- (a) Front – Twenty (20) feet.
- (b) Side - Three (3) feet with a minimum of fifteen (15) feet in between houses.
- (c) Rear - Twenty (20) feet.
- (d) Garages - Attached garages will be a minimum of twenty (20) feet from the rear property line. Detached garages must be a minimum of seven and one half (7.5) feet from the rear property line.

Phase II, III & IX

- (a) Front – Twenty (20) feet.
- (b) Side - Seven and one half (7.5) feet.
- (c) Rear - Twenty (20) feet.
- (d) Garages - Same setback requirements for phase I for front load lots. See section 10 herein for alley loaded lots.

10. Garage Requirements. Garages shall be located to the rear of the home whenever possible. For front loaded lots where the garage opens to the street, the garage door opening must be a minimum of four (4) feet behind the front plane of the house. Front entry garages which face the road will be reviewed with the most scrutiny for their design aesthetic and may be subject to additional requirements of ARC in its sole discretion such as “carriage” or upgraded door types due to the increased visibility of the doors to the street and neighborhood. Car ports shall be permitted in lieu of a fully enclosed garage provided that they are behind the rear line of the home and have a minimum of forty (40) square feet of enclosed storage space.

11. Building Setbacks for Alley Loaded Garages. Garages for alley loaded lots shall have a rear setback of twenty two (22) feet from the alley for garages that open toward the alley and seven and one half (7.5) feet if the garage entrance is parallel to the alley.

12. Roofs. Minimum pitch of roof will be 6/12 unless the ARC determines that the particular design warrants the use of a lesser pitch. Roofs will have an overhang of at least 12 inches. All protrusions through the roofs must be indicated on the submitted plans. Protrusions for power ventilators or other apparatus shall not be permitted unless approved by the ARC. Roofing and shingle material shall be approved by the ARC as to color and material.

13. Limitation on Similar Front Elevations on the same street. The same front elevation shall not be constructed more than 3 times on any given street within the community nor shall the same front elevation be constructed with less than 2 homes between it and the same elevation. This requirement is not intended to apply to the rebuilding of the same home plan with alternative front elevations. The ARC shall determine, in its sole discretion, if a home’s

front elevation is similar enough to another home built on that street to be considered the same elevation.

14. Exterior Color Plan. Prior to initial construction and development on a lot, each Owner must submit a color plan showing the color of the roof, exterior walls, shutters, trims, etc., to the ARC. The ARC shall consider the extent to which the initial color plan is consistent with the homes in the surrounding area. Changes to an original exterior color plan shall require the approval of the ARC. Builders building on multiple lots in the community may submit a master color palette to be approved by the ARC.

15. Foundations. Block foundations are preferred and recommended. Monolithic slabs will be allowed only if raised high enough to permit a minimum of one step up from the grade of the entry walkway to the grade of the porch deck and high enough to expose a minimum of 6 inches of foundation material below the skirt board or water table band. Foundations shall be finished in a material approved by the ARC. For siding homes, the foundations will be finished with brick, stucco or tabby. A water table band or skirt board shall be a minimum of 8" in height shall be constructed between the primary building exterior material and foundation treatment.

16. Driveway Construction. All dwellings shall have a paved driveway of stable and permanent construction not less than door to door width at the entrance of the garage. Driveway location and design, including turn-around areas, must be submitted on the site plan for approval. All driveways must be constructed with an approved material.

17. Utility Wiring & Connections. Building connections for all utilities, including, but not limited to, water, electricity, telephone and cable television shall be run underground from the property connecting points to the building structure in such a manner to be acceptable to the governing utility authority. **Interior home wiring and exterior utility connections for the bundled telecommunications must be according to specifications provided by Connexion Technologies and its affiliates.**

18. Removal of Trees. No trees of over ten (10) inches in diameter at four (4) foot above natural grade shall be cut or removed without approval of the ARC. Prior to clearing, each Owner will be required to flag trees which Owner intends to remove for inspection by the ARC. The ARC will, within five (5) days, approve or require modification to the proposed tree removal. Prior to flagging of trees to be removed, Owner may "underbrush" their Lot and remove any trees of six (6) inch caliper or less.

19. Garbage and Trash Containers. No Lot shall be used or maintained as a dumping ground for rubbish, trash or other waste. All trash, garbage and other waste shall be kept in sanitary containers shielded from view from the road. All Lots shall be maintained during construction in a neat, nuisance-free condition with construction dumpsters placed as inconspicuously as possible.

20. HVAC Service Yards. No window or wall air conditioning units shall be permitted. An HVAC Service yard shall be constructed on every Lot to enclose and screen the HVAC units with additional pad of sufficient size to store the owner's refuse container(s). The HVAC service yard shall be constructed out of wood or masonry and painted or finished a color



approved by the ARC. The height of the HVAC service yard shall be no less than 42” and no higher than 60”.

21. Mailboxes. No mailbox, paperbox or other receptacle of any kind for use in the delivery of mail, newspapers, magazines, or similar material shall be erected on any Lot other than the uniform design approved by the ARC. If and when the United States mail service or the newspaper or newspapers involved shall indicate a willingness to make delivery to wall receptacles attached to dwellings, each property owner, upon the request of the ARC, shall replace the boxes or receptacles previously employed for such purpose or purposes with wall receptacles attached to the dwelling.

22. Signs. No sign, other than approved signage developed by the ARC, shall be displayed to the public view on any Lot except as may be approved as to size, design and otherwise by the ARC.

23. Propane Tanks. All propane tanks or other gas containers shall be located behind the front line of the residence and shall be shielded from view of the road, adjoining homes, and the golf course with a painted or stained fence and/or complimentary landscaping. Propane tanks shall not exceed three (3) feet in height. The burying of propane tanks underground will be encouraged where possible.

24. Gutters. The installation of gutters to the exterior of a home must be approved by the ARC. Gutters should be professionally installed with downspouts located in as inconspicuous a location as possible. Colors used should be compatible with the exterior of the home to minimize the view of the gutters from the road.

25. Game and Play Structures. Basketball goals are not permitted within the community. Any other type of play structure must be approved by the ARC prior to installation and must conform to the following restrictions:

- (a) All swing sets and play structures must be of wood construction and must be no larger than eight (8) feet in height or fifteen (15) feet in length. The ARC may consider allowing larger play sets on lots that back up to natural wooded areas that are not visible from the public roads or many homes.
- (b) Non-permanent movable toddler gyms, play structures, and the like intended for young children that are constructed of plastic or other similar material shall be allowed provided they are no larger than five (5) feet in height and five (5) feet in length and are maintained in a neat and orderly appearance, in the opinion of the ARC.
- (c) A permanent stand of sod, mulch, or other bedding material should be provided under all swing sets and play structures. The use of landscaping to screen swing sets and play structures from roadways and other adjoining homes may be required by the ARC.

All game and play structures should be located in the rear of the home and maintained in a neat and orderly appearance. Based on the visibility of the game and play structures from public roads and other homes in the community, fencing and/or landscape screening may be required by the ARC. If, in the opinion of the ARC, any game and play structure is not maintained in a neat and orderly appearance, the ARC may require repair or removal from the Property in its discretion.

26. Swimming Pools. Any swimming pool to be constructed on any Lot shall be subject to the requirements of the ARC which include, but are not limited to, the following:
- (a) Composition to be of material thoroughly tested and accepted by the industry for such construction;
  - (b) The outside edge of any pool wall may not be closer than four (4) feet to a line extended and aligned with the side walls of the dwelling unless otherwise approved by the ARC.
  - (c) Any exterior lighting for a pool or other recreation area shall be designed so as to buffer the surrounding residences from the lighting.
  - (d) Perimeter must be enclosed by a retaining wall, fence, or other barrier, the design of which must be approved by the ARC, which shall be constructed or installed so as to obstruct access by persons other than the owners of the lot. All gates installed in the fence enclosing the swimming pool shall be self-latching with latches placed at least four (4) feet above the ground. All such gates shall be kept securely closed and latched at all times.

27. Fences and Walls. **The composition, location, color and height of all fences or walls must be approved by the ARC. All proposed fences will be reviewed individually according to the criteria established herein.** All fences must be constructed in strict accordance with the approved site plan and shall be no less than three (3) feet or more than five (5) feet in height. All fences must be painted or stained a color approved by the ARC within 30 days of installation, unless an extension is granted by the ARC in writing.

Shielding enclosures may extend no further than six (6) feet from the outside wall of the house, can be no higher than five (5) feet in height, and no more than twelve (12) feet in length. If constructed of brick, the brick must be of a color matching the existing structure and all other materials must be painted or stained a color approved by the ARC.

The use of Thompson's water seal or any other temporary wood sealers will not satisfy the requirement that fences be painted or stained. Chain link and board on board stockade type fences will not be allowed. In general, fences should be constructed within the building setback lines as defined in Section 9.

Fences must be decorative in nature and must have a minimum of 20 % open area in the fenced surface. Fences to the rear of homes that back up to an alley may have a minimum of 10 % open space. The use of masonry corner posts, masonry gate posts, jogs in the rear fence line, and complimentary landscaping may be required by the ARC in its discretion.

The ARC will consider, among other things, the following in its review of proposed fences:

- (a) Visual continuity with fences on adjoining properties.
- (b) Visual impact from roadways.
- (c) Quality of design and aesthetic appeal.
- (d) Compatibility of the fence to the home.

28. Amendment to Architectural Review Guidelines. The Architectural Review Guidelines may be amended from time to time by the Board of Directors of the Dunham Marsh Homeowners Association if deemed to be in the best interests of the community. The determination of the "best interests of the community" will be made by the Board of Directors in its sole discretion.

29. Waiver of Architectural Review Guidelines. The Architectural Planning Criteria set forth herein are intended as guidelines to which adherence shall be required by each owner within the Property; provided, however, the Declarant shall have the express authority to waive any requirement set forth herein if it deems such waiver in the best interests of the community and the deviation requested is compatible with the general character of the neighborhood.

30. Minimum Landscape Requirements. Every home built in the community must meet the minimum landscape requirements established by the ARC. All yards must be sodded to the rear line of the home. Seeding or sprigging of grass in the rear yard is permitted. Every home must have an irrigation system covering the front and side yards, corner lots should have an irrigation system covering the rear yard as well. Shrubbery beds along the foundation shall be mulched with a sufficient amount of pine straw, bark, cypress, or other suitable mulching material. The minimum requirements for landscaping shall be determined by lot size with minimum requirements established for lots of over up to 70' in width, lots over 70' in width and alley lots according to the attached minimum plant requirements. The size of required shrubbery and trees are as important as the quantity. The landscaping must be fully completed prior to the occupancy of the home and must conform to the minimum requirements provided for herein, in the sole discretion of the ARC, in order for the owner or builder to receive a return of their construction deposit.

31. Hours of Permitted Construction Activity. Construction activity shall not be performed between the hours of 9:00 p.m. and 7:00 a.m. on weekdays, or between the hours of 9:00 p.m and 9:00 a.m. on weekends unless.

- a. Such activities are emergency repairs, or
- b. Such activities are done within the home and create no noise such as painting. The determination of whether an activity does not create any noise shall be made by the Declarant in its sole discretion.

32. Storage Buildings. All storage buildings must be approved in writing by the ARC prior to construction or installation on any lot. No more than one (1) storage building shall be permitted on each lot and storage buildings will only be allowed within a fenced rear yard. Storage buildings must be placed in a location as approved by ARC to minimize visibility of the building from roadways within the community and other adjacent homes, landscape screening may be required by the ARC in its discretion. Pre-fabricated storage buildings may not exceed eight (8) feet by ten (10) feet by eight (8) feet in height. The maximum size for a constructed storage building shall be eighty (80) square feet and a maximum of eight (8) feet in height. Storage buildings shall be compatible with the appearance of the home in materials and colors. No utilities such as gas or electric shall be permitted on or in a storage building. An application for a storage building shall include a site plan depicting the proposed layout and location of the storage building, a photo of the home, the proposed exterior materials and colors for the storage building and any proposed landscaping to screen the storage building.