

ARCHITECTURAL REVIEW COMMITTEE (ARC) GUIDELINES



INTRODUCTION

The purpose of architectural design review is to keep the community attractive for the enjoyment of residents and the protection of property and property values. The Declaration and Covenants (Declarations) authorizes the Architectural Review Committee (ARC) to establish rules, standards and procedures for the orderly development of the subdivision and requires homeowners to obtain written approval from the ARC for any

buildings, additions or other exterior improvements to their property. This is to ensure that homeowners comply with the provisions of the Declaration and the ARC guidelines. The ARC and Board have established these guidelines in accordance with the authority granted to them by the provisions of the Declaration to work for you and your contractor to assure uniform and fair application of the declaration and are intended to provide all lot owners in Sandy Creek Farms. In the event of any conflict between the Declaration and these ARC Guidelines, the Declaration shall be the controlling document. These ARC Guidelines can be changed and amended.

The ARC reserves the authority to review and approve applications for buildings, additions or exterior improvements which are not explicitly described by these guidelines, and to consider additional guidelines in the review process whether published or not. These guidelines may be amended by the ARC as it deems necessary or appropriate. All improvements must be constructed in compliance with all laws, statutes, ordinances and regulations of governing authorities. If any provision in these Guidelines shall be deemed invalid, such a determination shall in no way affect any of the other provisions herein. We encourage you to submit your completed ARC request form to the SCRPOA President or Vice President or the Chairman of the ARC Committee as early as possible so you may incorporate these Guidelines into your plans. We look forward to working together to maintain and promote the appeal of our community.

DESIGN REVIEW PROCEDURES

The ARC must review all plans, materials, paint colors, roof colors, etc. for every proposed property improvement (new home or home remodel, detached garages, sheds or outbuildings) project before work can commence. Application forms are included in the FORMS section of these Guidelines. The application forms serve as a checklist for you and the ARC to ensure that all major elements have been considered in the design of your home. Please review the ARC Operating Guidelines.

VARIANCES

The ARC, in its sole discretion, may grant a variance from the requirements listed in these ARC Guidelines. The variance will not be effective unless it is in writing. Variances are taken into consideration individually. Variances cannot be contrary to the provisions set forth in the Declaration or governing codes. The ARC shall provide notice of the variance request to the neighborhood association, which will inform homeowners of the request. The variance shall be discussed in an open public meeting and homeowners shall be given an opportunity to provide comments.

ARC GUIDELINES January 2021

GENERAL SITE CONSIDERATIONS & KNOWLEDGE SITE IMPROVEMENTS Primarily, the home must meet the setbacks on the recorded Subdivision Map/Plat (Instrument # 10541132, dated 4/27/2007) and attached to this document. A proper ARC submittal must show all setbacks and easements on a site survey drawing. The survey drawing should be used as the architectural and landscape plan base drawing, but the survey drawing must be submitted as part of the ARC submittal.

Driveways

All homes must have a driveway. Driveways are to have a minimum width of ten (10) feet. The material allowed for driveways is concrete or paver. The sidewalk entry should be the same materials or compatible in design with the driveway.

Fences, Privacy Screens, and Walls

Fences, privacy screens, and walls must receive ARC approval. The maximum height is six (6') feet. Fences and walls may not be constructed in front yards. Front window privacy walls must be designed as an integral part of the house and behind the setback lines. Wood and plastic fences are allowed. Chain link and wire fencing are prohibited.

Service yard areas for the storage of trashcans, location of A/C compressors, pump equipment, etc. must be screened from street or side yard views by fencing or landscaping.

Swimming Pools

All swimming pools must be built in accordance with local and Alabama Statutes. Swimming pools and pool screens must be built within the building setbacks. Pools and decks may not be built within utility easements.

Above ground pools and pools constructed of synthetic materials are permitted only behind fencing and meet local building codes.

Amenity Structures

All amenity structures and lawn structures must be approved by the ARC. Radio towers or antennas are not allowed

Landscaping

Landscaping is mandatory and each owner shall landscape his own lot subject to the Declarations and the ARC guidelines.

Landscaping Maintenance

The landscaping must be maintained by the owner. The SCFPOA shall have the right to enter upon any part of the Lot and trim or prune, at the expense of the owner, any hedge or other planting which in the opinion of the Association or the ARC, of its location or height is unreasonably detrimental to the adjoining property or obscures the view of street traffic or is unattractive in appearance. The owner shall be given fifteen (15) days prior written notice.

Lighting

Outdoor lighting should be unobtrusive and not shine onto adjoining properties so as to make the lighting a nuisance. Security flood lights should be low wattage and not intrude on the neighbor's property or interior rooms.

Irrigation

The automatically controlled landscape irrigation system for home sites must be properly utilized and maintained. Irrigation devices shall not be installed above finished grade within roadside easement areas or rights-of-way so as to not cause a hazard.

Mailboxes

Mailboxes must be attractive and fit in with the character of the neighborhood. Whimsical designs must have ARC approval.

ALTERATIONS, MODIFICATIONS AND REMODELINGS

The original design integrity must be maintained if any modifications are desired to be made that affect the exterior of the home. It is suggested that homeowners meet with the ARC to discuss intended changes to determine what information is required for ARC review. Remodeling, alterations, and modifications that result in property damage to a neighbor require replacement or repair to return the property to its original state. Homeowners with projects that require people, equipment, or supplies to be moved across the property line with potential damage shall make arrangements with the neighbor prior to the initiation of the project.

The following may be accomplished without receiving preapproval from the ARC: • Replacement (maintenance) of any appurtenance, fixture or element with the identical item, including landscaping, light fixtures and mailboxes. • Seasonal flower plantings. • Holiday lighting within the guidelines and time period permitted. • Furniture, accessories, grills or outdoor kitchens, low volume sound speakers, low voltage decorative lighting within the lanai/pool screen enclosure living area.

Modifications that require ARC approval in advance of installation or construction: • Room additions or any exterior structure modifications • Addition of swimming pool • Modification of screened enclosure • Roof replacement or modification including roof color • Awning additions • Addition of hurricane shutters and any other visible hurricane protection devices • Walkway and driveway additions or modifications • All exterior painting, including wall and trim colors if color is changed) • Fence or walls • Permanent planters and decorative elements added to the exterior of the home. • Addition of garden structures such as arbors, pavilions, pergolas and gazebos. • Addition of any permanent vertical accessory structure within or outside of a screened enclosure such as pool cabanas • Electrical generators, and propane tanks. (Specs, drawings, and photos must be included.) Homeowners should notify (not seek approval of) neighbors on both sides of any remodeling, alterations, and modifications.

Minimum Living Areas

The minimum air-conditioned living areas (not including garages) for Lots south of the bridge is 2,500 square feet. Lot on north side of the bridge is 3,000 square feet.

No Carports are allowed

Elevations and Roofing

All elevations of a house must be designed to be architecturally pleasing. Roofing material to be Architectural shingles, metal or tile. No bright colors are permitted

Accessory Structures

All accessory structures shall be located within the buildable area of the lot and consistent with the design, materials and colors of the principal structure. Accessory structures shall be shown on the site plan and the architectural drawings set with architectural elevations and trim details. Examples of accessory structures include roofed vertical components that may contain pool cabanas, separate outdoor kitchens, awnings and sheds. The Color must match the color scheme of the house and the roof must be of the same material. ARC approval is needed.

Garage Doors

Acceptable colors should match the body of the house. Garage doors that vary from the body of the house must coordinate with the color scheme.

Trim, Accents, and Doors

Trim and accent colors may be lighter or darker than the body but must have a direct relationship to the main body color as complementary or contrasting colors. Once the roof and body colors are established then the trim and accents can be chosen that work with and tie together the entire project. Other colors can be used with care for accent areas such as front doors, shutters, balustrades, metal grilles, railings and similar.

APPEAL

If final approval is denied by the ARC and the homeowner wishes to contest, the homeowner may make an appeal to the SCFPOA Board of Directors. The appeal must be filed within forty-five (45) days from the denial. The subsequent decision of the Board shall be the final decision.

REQUESTOR NOTICE - These guidelines are minimum standards and the ARC may reject plans or require revisions on purely aesthetic grounds. Design elements, materials, etc. not identified in the document does not imply automatic approval or denial of those elements. It is impossible to include all options, materials, emerging technology, etc. Contact the ARC for guidance prior to including items that are not included in the document.

Application Procedure

SUBMISSION. All applications for approval to construct a dwelling, make any exterior changes, additions or improvements must be submitted to the ARC in writing by completing the application form currently in use. Plans and specifications for any new construction, exterior change, addition or improvement should be attached to the application. All applications, additional information, or requests for appeal shall be mailed or delivered to the President, Vice President or ARC Chairman of the SCFPOA.

The application should be supported by the following information:

- (a.) drawing(s) of the proposed structure showing the top, front, side, and rear exterior views; overall dimensions (length, width, height) for the structure; and the layout and dimensions of supporting structures (e.g. beams, rafters, trusses and etc.)
- (b.) a copy of an official survey of the Lot showing location of easements, existing buildings and structures, and the proposed location of the improvement;
- (c.) a description of all materials used, Color samples (e.g. "Paint chips") for all colors involved

(d.) Photographs are helpful.

The ARC reserves the right to request additional information deemed by it to be necessary to properly evaluate the application. If the ARC requests additional information and such information is not submitted to the ARC by the applicant in a timely manner (so that the application may be approved or disapproved within THIRTY (30) days of its receipt), the application shall be denied. In no event shall non-action be deemed to constitute approval of an application. However, the applicant may thereafter submit a new application with the requested information to the ARC for its review.

ARC DECISIONS. ARC committee members shall consider each application for compliance with the Declaration and with these guidelines. The decision of a majority of members to approve or disapprove an application shall be considered the decision of the ARC. ARC decisions shall be conveyed in writing to the applicant and shall include a statement of the conditions under which the application is approved, if any, or the primary reason(s) for disapproving the application. If construction does not commence within 6 months, the approval shall no longer be effective.

BOARD OF DIRECTOR APPEALS. If the application is denied by the ARC, the applicant may within thirty (30) days submit an appeal to the Board of Directors. The Board of Directors shall review the appeal at one of its next two (2) meetings following the date upon which the appeal is received and notify the applicant of the Board's decision. All decisions of the Board of Directors shall be final.

STATUS OF APPLICATION DURING APPEAL. During the appeal period, the decision of the ARC on the original application shall remain in effect. Failure of the Board of Directors to respond to a request for reconsideration within thirty (30) days of the date of its receipt shall not automatically result in approval of the original application.

