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HARRY D'OLIVE, JR. PROBATE JUDGE
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THE COMMONS

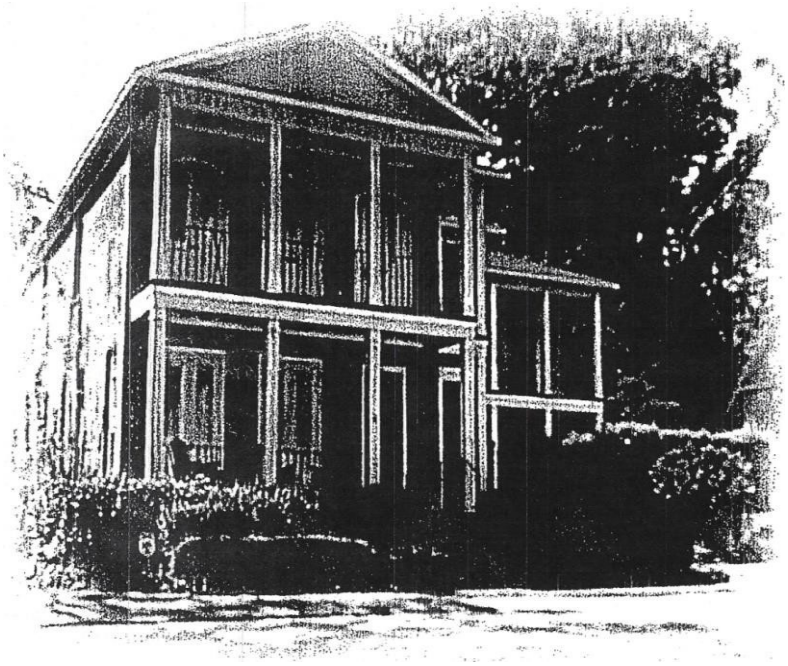
Architectural Guidelines



At Magnolia Springs, Alabama

www.thecommonsal.org

Revised and approved November 18, 2021



Let the effects of
nature and time
become part of
the character of
the house.

A. Hays Town

Introduction

In communities tested by time there is a continuous awareness of the local or vernacular tradition that has evolved slowly over time. *The Commons* wants to preserve the awareness of Magnolia Springs and its unique traditions and blend them with the philosophies of Neo-Traditional land planning.

Through developing decades of American Architecture, the image of the American house was one of a freestanding dwelling rising from its own land. It was thought to be an individual object separate from the walls of the neighbors. In the Neo-Traditional philosophy, the houses bear the responsibility of enhancing life on the streets and sidewalks and bringing a human and architectural presence to the forgotten public domain. These aspects not only can accommodate, but also respond to modern living to create a pattern language that time weaves through effortlessly. Through the ages, the principles and methods might vary, but the values remain the same. *The Commons* is intended for the houses and communities to be invested with more feeling and character.

History has shown us that time cures all design flaws and enhances the positive aspects. Details and ideas that didn't work didn't last. These survivors prove that evolutionary design is healthier than visionary design. This will be the challenge of *The Commons* to use modern visionary planning to achieve the success of time-forged developments. These points will be achieved first by the overall land planning--changing how the neighborhood lives and interacts. Secondly, the use of the common space--the small villages within the whole,and then, finally, taking these ideals from a pattern that is constant in its houses and structures. This Architectural Guidelines Booklet presents a concise, jargon free, realistic illustration of how certain elements that give an area its special character, are achieved.

Following the predominant character and range of architectural idioms requires organization and streamlining of what seems to be very broad and elusive information. However, careful interpretation and adherence to the overall concept will create the visual cohesiveness that anticipates time and proves…

Beauty is in what time does.

DISCLAIMER

Neither **The Commons Owners Association, Inc.,** nor any of its directors, officers, employees or agents, nor the Architectural Review Committee, nor any member thereof, shall be liable to any unit owner, or to any other person or party arising or resulting from or in any way relating to the subject matter of any review, acceptance, inspection, permission, consent, or approval, or denial of approval of any submission to the committee or any public authority, whether given, granted,or withheld.

No approval or disapproval of plans and specifications submitted to the committee or any public authority, any no publication of architectural standards for the condominium by the committee or the developer shall be construed either to represent, guarantee or imply that such plans or architectural standards will result in a properly designed dwelling or other structure or improvement will be built or constructed in compliance with any code or governmental regulation or in a good workmanlike manner. Approval of any particular plans shall not be construed as a waiver of the right of the committee to disapprove all or any portion of the same or similar plans if such plans are subsequently submitted for approval in any other instance.

No person may rely on any verbal statement or representation of any party, The Owners' Association, the Architectural Review Committee, or any of their respective affiliates, members, directors, officers, employees or agents.

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OVERVIEW OF REVIEW PROCESS

An Architectural Review Committee has been established to review all residential homes and associated structures proposed for The Commons at Magnolia Springs, Alabama. The architectural review process will focus on maintaining the community aesthetics, environmental safeguards, and a consistent level of quality.

In an effort to streamline guidance and fashion a process that is easily understood, this guidance has been completely rewritten from the original version and is considered a living document with further updates and changes expected over time.

The guidance is broken down into two primary areas:

Part 1- New Home Build Guidance
Part 2- Established Home Renovations, Maintenance and Updates

Part 1. New Home Build Guidance
Section A
Master Plan Building Type Guidelines

1. **Prior to building a home you will need to:**
   a. Ensure the home you desire to build meets the requirements for the unit you have selected. Each unit has a prescribed build-type requirement. There are very specific requirements that must be achieved for each build-type.

   b. Once you have established the build type required for your specific unit and have selected an architect and builder, you will need to thoroughly review the **New Construction Design Elements Part 1, Section B** and provide this information to the architect and builder for preparation of a **Pre-Build Package**. Once the package is prepared in accordance with *Part 1, Section C*, present the package to The Commons Architectural Review Committee.

   c. Once the **Pre-Build Package** has been reviewed and approved, you will need to prepare an application for the Baldwin County Architectural Preservation Review Board. This should work hand-in-hand with the Baldwin County Permit Application. *Refer to Part 1, Section D*.

   d. After the Baldwin County Planning Zoning Department and Architectural Preservation Review Board have approved your package, provide a copy of the approval to The Commons Architectural Review Committee.

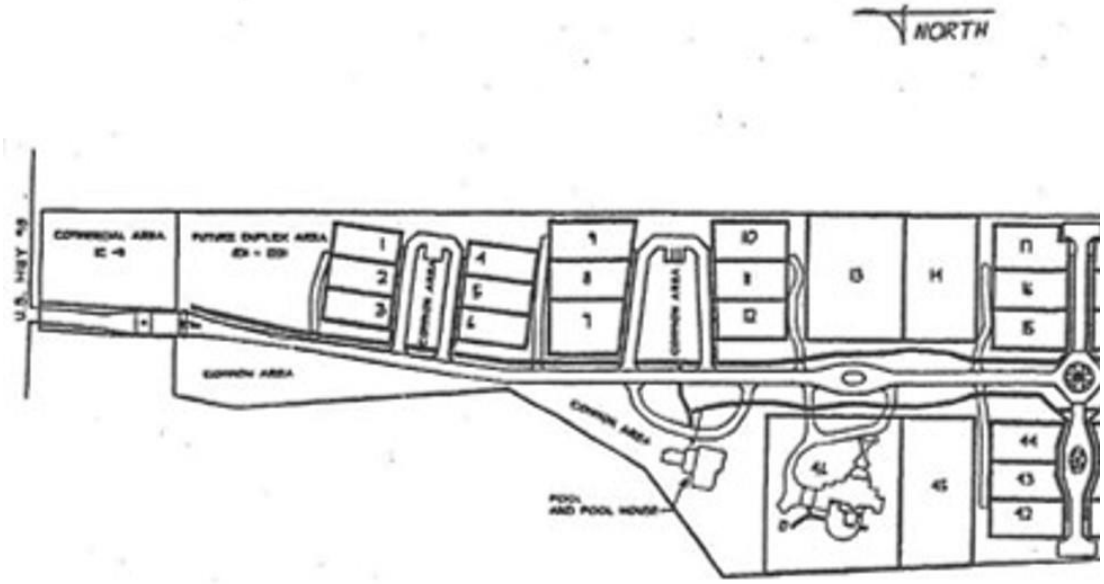
   e. Units that are within a Flood Hazard Area must gain additional build approval from the Baldwin County Building Official/ Flood Plain Administrator. A site elevation certificate and additional compliance requirements must be met and a separate package is required in accordance with the Flood Damage Prevention Ordinance. *Refer to Part 1, Section E*.

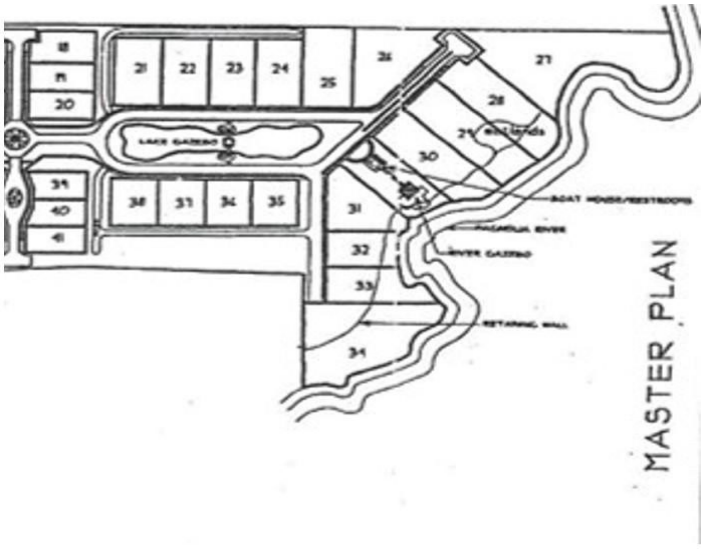
   f. If the Flood Hazard Area is applicable to your unit, after the Baldwin County Building Official/Flood Plain Administrator has approved your package, provide a copy to The Commons Architectural Review Committee.

   g. You are now ready to move forward. Throughout the build, there are strict requirements for your builder to follow. These requirements are established in an effort to prevent damage to The Commons property, maintain cleanliness of the surrounding area, prevent nuisance related activity, preserve the environment and help ensure the build process is accomplished in a timely manner. *Refer to Part 1, Section F*.

   NOTE: The property owner and builder must sign the Construction Guideline/ Schedule Agreement and return to the board of directors prior to start of construction.

The Commons Master Plan





- Units 1-6 Building Type A
- Units 1-12 Building Type A-1
  Units 15-20
  Units 39-44
- Units 13-14 Building Type B
  Units 45-46
- Units 21-26 Building Type C
  Units 35-38
- Units 27-34 Building Type D

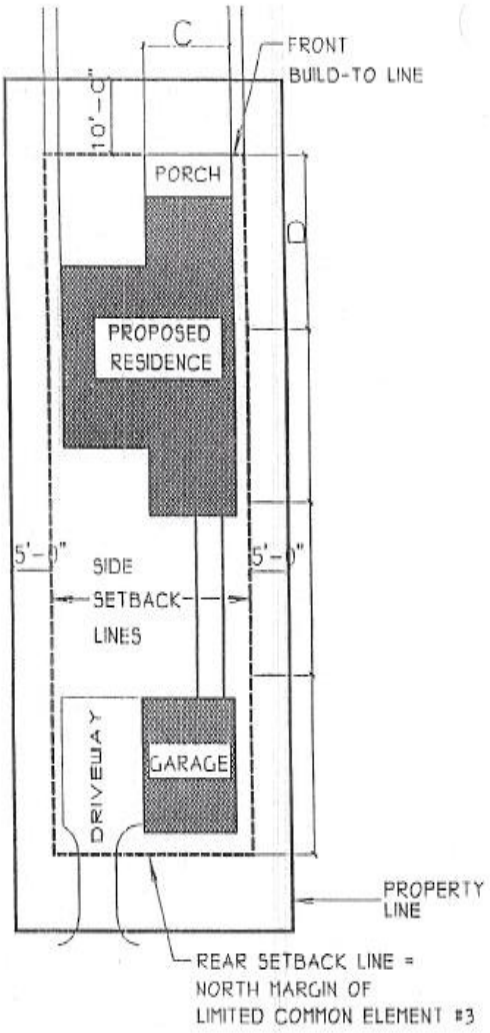
Building Type Guidelines

Units 1-6	A	Primary residence 1400 sq. fl. minimum heated/cooled area*
Units 7-12, 15-20, 39-44	A1	Primary residence 1800 sq. fl. minimum heated/cooled area*
Units 13-14, 45-46	B	Primary residence 4000 sq. fl. minimum heated/cooled area*
Units 21-26, 35-38	C	Primary residence 2400 sq. ft. minimum heated/cooled area*
Units 27-34	D	Primary residence 3000 sq. fl. minimum heated/cooled area*
Units D-1 & D-2	Duplex Building	1600 sq. ft. (each unit)
Units C-l	Commercial Site	See exhibit C

All Architectural Guidelines in terms of the overall style for residential units, apply to all commercial buildings with variations to accommodate commercial building codes and requirements.

*See the pages that follow for specific building types and specific unit restrictions. Also, reference the Garage section under the Building Design and Construction Standards section of the Guidelines Booklet for unit usage restrictions.

Building – Type A1

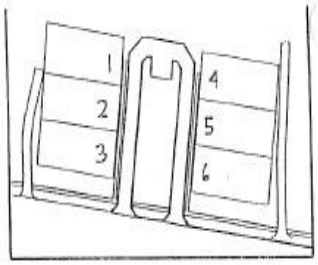


A = OVERALL BUILDABLE AREA

B = PRIMARY RESIDENCE STRUCTURE WIDTH

C = 50% OF STRUCTURE'S WIDTH MUST BE AN OPEN PORCH

D = FRONT 25% OF AVAILABLE BUILDABLE AREA DEPTH



MINIMUM TOTAL HEATED/ COOLED SQUARE FOOTAGE

1400 SQ. FT.

A MINIMUM OF 50% OF THE OVERALL PRIMARY STRUCTURES WIDTH (C) MUST BE AN OPEN PORCH WITH THE MAJORITY BUILT ON THE FRONT BUILD TO LINE.

SOME HISTORICAL ARCHITECTURAL STYLES USING PRIMARY SIDE PORCHES MAY BE SUBMITTED FOR APPROVAL AND WILL BE REVIEWED ON AN INDIVIDUAL BASIS.

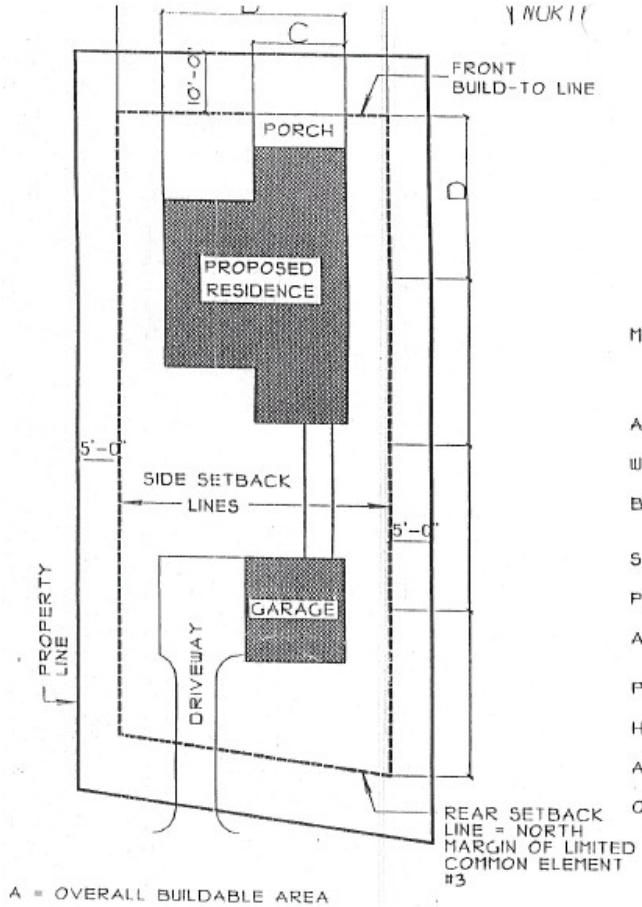
PRIMARY RESIDENCE STRUCTURE IS RECOMMENDED TO HAVE 90% OF THE WIDTH OF THE RESIDENCE (B) AT SOME POINT WITHIN THE FRONT 25% IN DEPTH (D) OF THE BUILDABLE AREA.

ALTERNATE LAYOUTS MAY BE SUBMITTED FOR APPROVAL BASED ON PRESERVATION OF NATURAL FEATURES ON THE UNIT.

UNITS 1 - 6

BUILDING TYPE A

Building – Type A

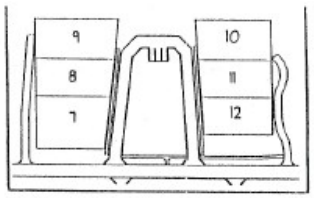


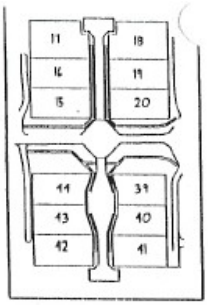
A = OVERALL BUILDABLE AREA

B = PRIMARY RESIDENCE STRUCTURE WIDTH

C = 50% OF STRUCTURE'S WIDTH MUST BE AN OPEN PORCH

D = FRONT 25% OF AVAILABLE BUILDABLE AREA DEPTH





MINIMUM TOTAL HEATED/ COOLED SQUARE FOOTAGE

1800 SQ. FT.

A MINIMUM OF 50% OF THE OVERALL PRIMARY STRUCTURES WIDTH (C) MUST BE AN OPEN PORCH WITH THE MAJORITY BUILT ON THE FRONT BUILD TO LINE.

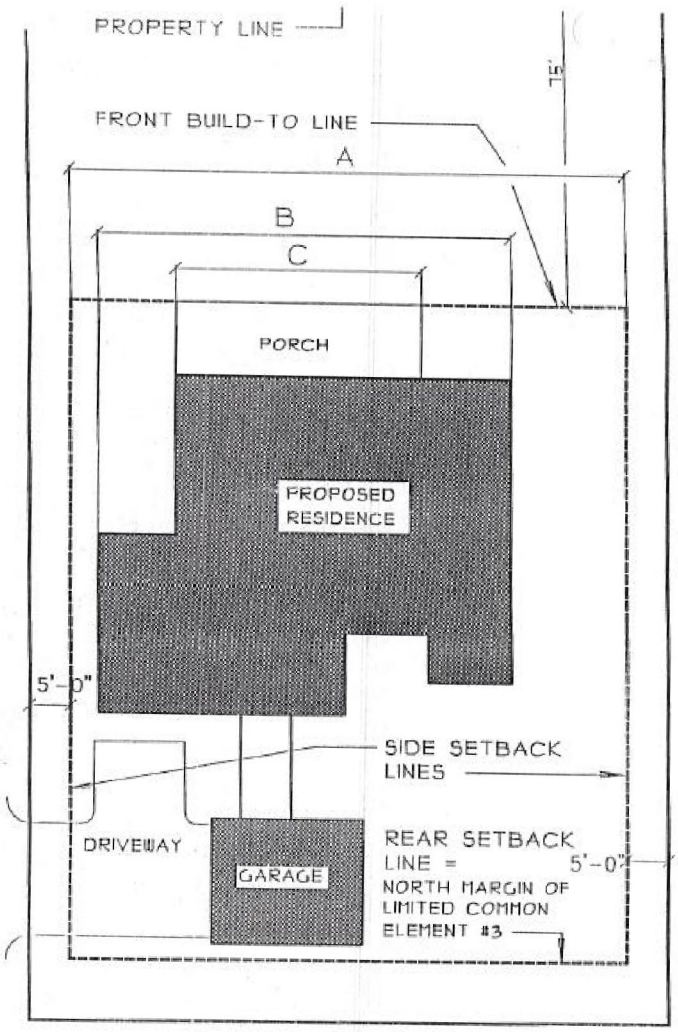
SOME HISTORICAL ARCHITECTURAL STYLES USING PRIMARY SIDE PORCHES MAY BE SUBMITTED FOR APPROVAL AND WILL BE REVIEWED ON AN INDIVIDUAL BASIS.

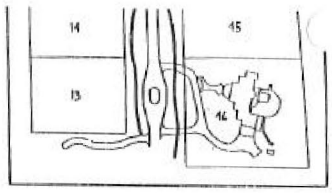
PRIMARY RESIDENCE STRUCTURE IS RECOMMENDED TO HAVE 90% OF THE WIDTH OF THE RESIDENCE (B) AT SOME POINT WITHIN THE FRONT 25% IN DEPTH (D) OF THE BUILDABLE AREA.

ALTERNATE LAYOUTS MAY BE SUBMITTED FOR APPROVAL BASED ON PRESERVATION OF NATURAL FEATURES ON THE UNIT.

BUILDING TYPE A-1 UNITS 7-12 15-20 39-44

Building – Type B





MINIMUM TOTAL HEATED/ COOLED SQUARE FOOTAGE 1000 SQ. FT.

A MINIMUM OF 50% OF THE OVERALL PRIMARY STRUCTURES WIDTH (C) MUST BE AN OPEN PORCH WITH THE MAJORITY BUILT ON THE FRONT BUILD-TO LINE.

SOME HISTORICAL ARCHITECTURAL STYLES USING PRIMARY SIDE PORCHES MAY BE SUBMITTED FOR APPROVAL AND WILL BE REVIEWED ON AN INDIVIDUAL BASIS.

ALTERNATE LAYOUTS MAY BE SUBMITTED FOR APPROVAL BASED ON PRESERVATION OF NATURAL FEATURES ON THE UNIT.

ALL GARAGES MUST LOAD FROM THE SIDE ALLEYS ONLY.

THE RESIDENCE AND IMPROVEMENTS LOCATED ON UNIT 16 ARE EXEMPT FROM THESE REQUIREMENTS.

A = OVERALL BUILDABLE AREA

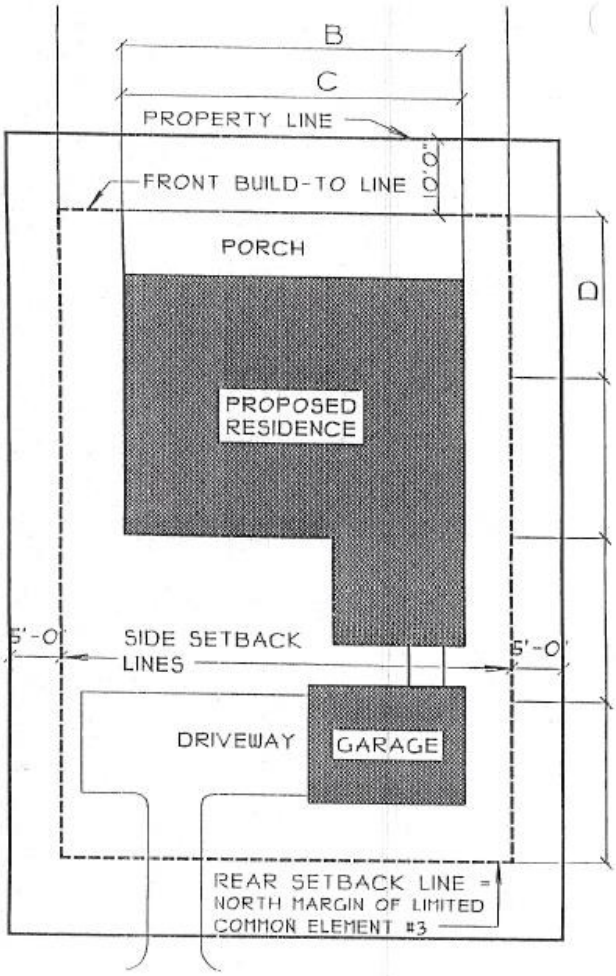
B = PRIMARY RESIDENCE STRUCTURE WIDTH

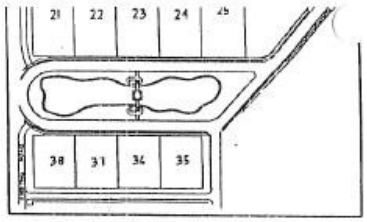
C = 50% OF STRUCTURE'S WIDTH MUST BE AN OPEN PORCH

UNITS 13-14, 45-46

BUILDING TYPE B

Building – Type C





MINIMUM TOTAL HEATED/ COOLED SQUARE FOOTAGE

2400 SQ. FT.

A MINIMUM OF 50% OF THE OVERALL PRIMARY STRUCTURES WIDTH (C) MUST BE AN OPEN PORCH WITH THE MAJORITY BUILT ON THE FRONT BUILD TO LINE.

SOME HISTORICAL ARCHITECTURAL STYLES USING PRIMARY SIDE PORCHES MAY BE SUBMITTED FOR APPROV. AND WILL BE REVIEWED ON AN INDIVIDUAL BASIS.

PRIMARY RESIDENCE STRUCTURE IS RECOMMENDED TO HAVE 90% OF THE WIDTH OF THE RESIDENCE (B) AT SOME POINT WITHIN THE FRONT 25% IN DEPTH (D) OF THE AVAILABLE BUILDABLE AREA.

ALTERNATE LAYOUTS MAY BE SUBMITTED FOR APPROVAL BASED ON PRESERVATION OF NATURAL FEATURES ON THE UNIT.

A = OVERALL AVAILABLE BUILDABLE AREA

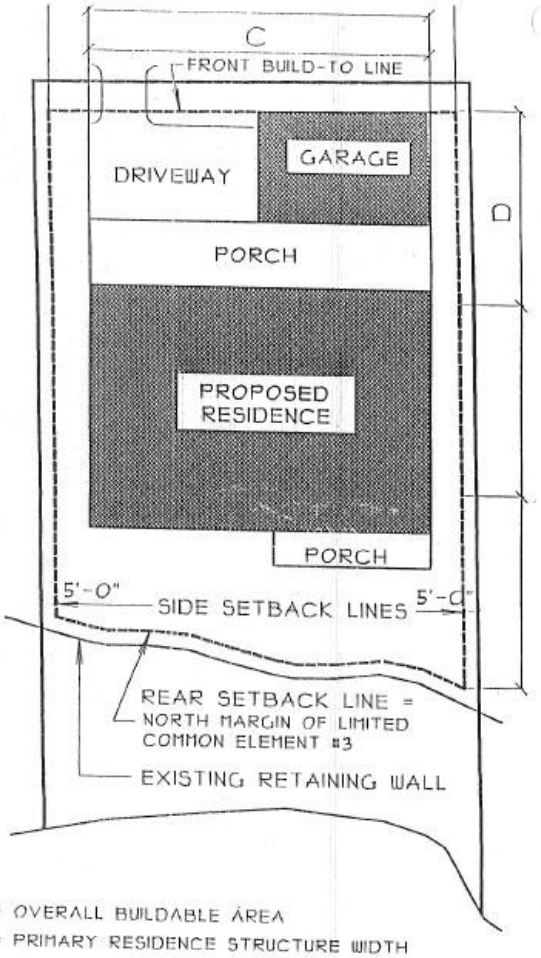
B = PRIMARY RESIDENCE STRUCTURES WIDTH

C = 50% OF STRUCTURE'S WIDTH MUST BE AN OPEN PORCH

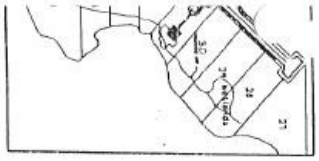
D = FRONT 25% OF AVAILABLE BUILDABLE AREA DEPTH

BUILDING TYPE C UNITS 21-26, 34-35

Building – Type D



A = OVERALL BUILDABLE AREA
B = PRIMARY RESIDENCE STRUCTURE WIDTH
C = 50% OF STRUCTURE'S WIDTH MUST BE AN OPEN PORCH
D = FRONT THIRD OF AVAILABLE BUILDABLE AREA DEPTH



MINIMUM TOTAL HEATED / COOLED SQUARE FOOTAGE
3000 SQ. FT.

A MINIMUM OF 50% OF THE OVERALL PRIMARY STRUCTURES WIDTH (C) MUST BE AN OPEN PORCH WITH THE MAJORITY BUILT ON THE FRONT BUILD-TO LINE, EXCEPT FOR CASES IN WHICH THE GARAGE IS BUILT ON THR FRONT BUILD-TO LINE (SEE NOTE BELOW).

SOME HISTORICAL ARCHITECTURAL STYLES USING PRIMARY PORCHES MAY BE SUBMITTED FOR APPROVAL AND WILL BE REVIEWED ON AN INDIVIDUAL BASIS.

PRIMARY RESIDENCE STRUCTURE IS RECOMMENDED TO HAVE 90% OF THE WIDTH OF THE RESIDENCE (B) AT SOME POINT WITHIN THE FRONT THIRD (D) OF THE AVAILABLE BUILDABLE AREA IN DEPTH.

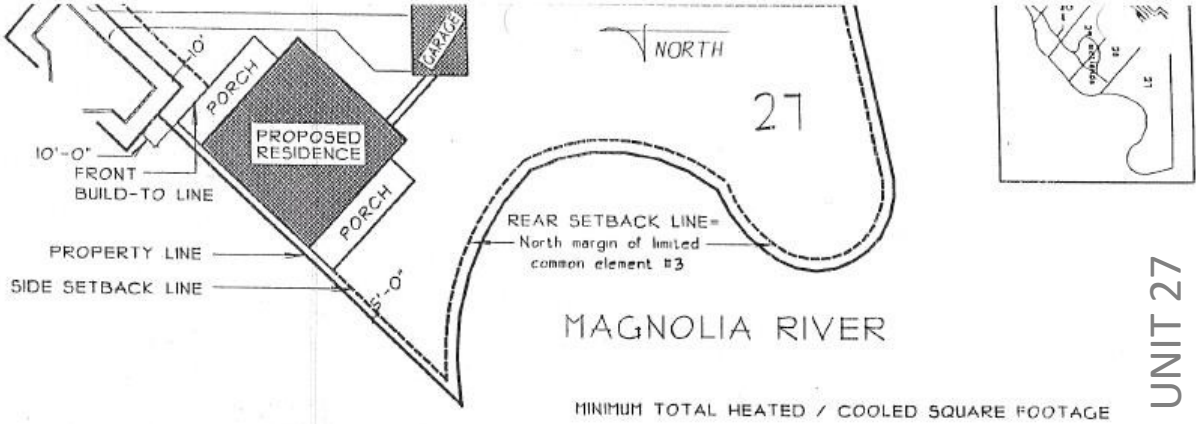
ALTERNATE LAYOUTS MAY BE SUBMITTED FOR APPROVAL BASED ON PRESERVATION OF NATURAL FEATURES ON THE UNIT.

IF GARAGES ARE BUILT ON THE STREET SIDE OF THE PRIMARY RESIDENCE, THEY MUST BE LOCATED ON THE BUILD-TO LINE. IF THE GARAGE IS BUILT IN THE REAR, THE FRONT PORCH MUST BE ON THE BUILD-TO LINE.

NO GARAGE DOORS SHALL BE VISABLE FROM THE STREET. (SEE DETAILED DRIVEWAY PLACEMENTS IN BUILDING DESIGN AND CONSTRUCTION SECTIONS OF THE GUIDELINES.)

BUILDING TYPE D UNITS 28-33

Building – Type D



UNIT 27

BUILDING TYPE D

ONLY BOATHOUSES ARE ALLOWED SOUTH OF RETAINING WALL ON UNITS 27-34 AND ARE SUBJECT TO ALL FEDERAL, STATE, AND LOCAL APPROVALS AND PERMITS.

IF APPROVED, ALL PIERS, BOATLIFTS, AND BOATHOUSES SHALL FOLLOW THE SAME SIDE SETBACK PLACEMENTS AS THE GARAGE RESTRICTIONS. (SEE PAGE 32 OF THE GUIDLINES BOOKLET.)

NO GARAGE DOORS SHALL BE VISABLE FROM THE STREET. (SEE DETAILED DRIVEWAY PLACEMENTS IN BUILDING DESIGN AND CONSTRUCTION SECTION OF THE GUIDELINES BOOKLET.)

MINIMUM TOTAL HEATED / COOLED SQUARE FOOTAGE

3000 SQ. FT.

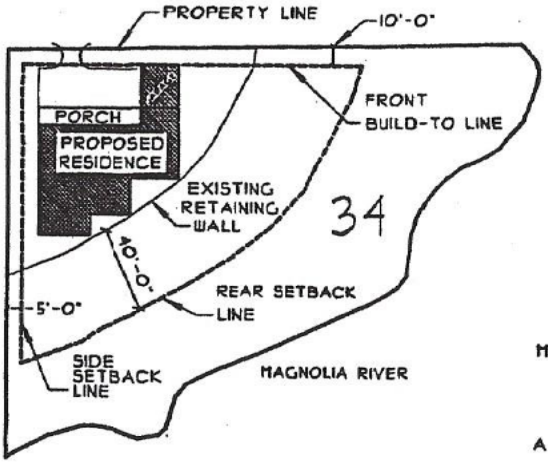
A MINIMUM OF 50% OF THE OVERALL PRIMARY STRUCTURES WIDTH MUST BE AN OPEN PORCH WITH THE MAJORITY BUILT ON THE FRONT BUILD-TO LINE.

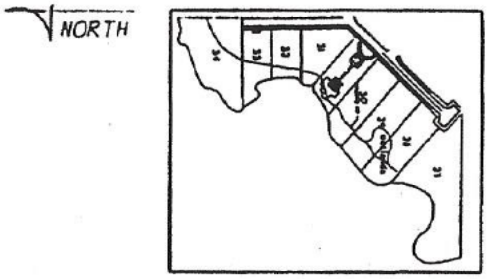
SOME HISTORICAL ARCHITECTURAL STYLES USING PRIMARY SIDE PORCHES MAY BE SUBMITTED FOR APPROVAL AND WILL BE REVIEWED ON AN INDIVIDUAL BASIS.

PRIMARY RESIDENCE STRUCTURE IS RECOMMENDED TO HAVE 90% OF THE WIDTH OF THE RESIDENCE AT SOME POINT WITHIN THE FRONT 25% IN DEPTH OF THE AVAILABLE BUILDABLE AREA.

ALTERNATE LAYOUTS MAY BE SUBMITTED FOR APROVAL BASED ON PRESERVATION OF NATURAL FEATURES OR IRREGULAR BUILDABLE AREAS ON THE UNIT. .

Building – Type D





ONLY BOATHOUSES ARE ALLOWED SOUTH OF RETAINING WALL ON UNITS 27-34 AND ARE SUBJECT TO ALL FEDERAL, STATE, AND LOCAL APPROVALS AND PERMITS. UNIT 34 PRIMARY RESIDENTIAL STRUCTURE MAY EXTEND OVER THE RETAINING WALL AND IS SUBJECT TO ALL FEDERAL, STATE, AND LOCAL APPROVALS AND PERMITS.

IF APPROVED, ALL PIERS, BOATLIFTS, AND BOATHOUSES SHALL FOLLOW THE SAME SIDE SETBACK PLACEMENTS AS THE GARAGE RESTRICTIONS. (SEE PAGE 32.)

NO GARAGE DOORS SHALL BE VISABLE FROM THE STREET. (SEE DETAILED DRIVEWAY PLACEMENTS IN BUILDING DESIGN AND CONSTRUCTION SECTION OF THE GUIDELINES.)

MINIMUM TOTAL HEATED / COOLED SQUARE FOOTAGE

3000 SQ. FT.

A MINIMUM OF 50% OF THE OVERALL PRIMARY STRUCTURES WIDTH MUST BE AN OPEN PORCH WITH THE MAJORITY BUILT ON THE FRONT BUILD-TO LINE.

SOME HISTORICAL ARCHITECTURAL STYLES USING PRIMARY SIDE PORCHES MAY BE SUBMITTED FOR APPROVAL AND WILL BE REVIEWED ON AN INDIVIDUAL BASIS.

PRIMARY RESIDENCE STRUCTURE IS RECOMMENDED TO HAVE 90% OF THE WIDTH OF THE RESIDENCE AT SOME POINT WITHIN THE FRONT 25% IN DEPTH OF THE AVAILABLE BUILDABLE AREA.

ALTERNATE LAYOUTS MAY BE SUBMITTED FOR APROVAL BASED ON PRESERVATION OF NATURAL FEATURES OR IRREGULAR BUILDABLE AREAS ON THE UNIT.

UNIT 34

BUILDING TYPE D

Part 1 New Home Build Guidance
Section B
New Construction Design Elements

Site Grading

There shall be no direct channeling of runoff into wetlands from home rooftops or other impervious surfaces unless methods of filtration are provided. Runoff during construction may not cause damage to adjacent properties. It is required that an erosion control device, such as temporary silt fencing, be installed throughout the construction process. Retaining walls may be required on some where grading is required, and is to follow the architectural style of the house. The wall design has to be submitted in the package for approval. Approved materials for retaining walls are brick, stucco over concrete block, or stacked stone. All drawings must show retaining wall location on the unit and how it integrates to the site grading.

Foundations - Finished Floor Elevations

- Building Types A & A1: Finished floor elevations must be a minimum 24" or no more than 36" above center of roadway (minimum of three steps from sidewalk to finished floor of front porch), excluding units 18-20 and 39-41, which are in an existing flood plain. For these units, the current minimum first floor elevation shall comply with current government flood regulations These regulations may be amended from time to time by government authorities. *Refer to Part 1 Section E.*
- Building Types B: Finished floor elevations must be a minimum 24" or no more than 36" above center of roadway (minimum of three steps from sidewalk to finished floor of front porch).
- Building Types C & D: Units 21-38 are in an existing flood plain. The current minimum elevation for the first floor shall comply with current government flood regulations. *Refer to Part 1 Section E.*
- Building Types Duplex 1 & Duplex 2: Finished floor elevations must be 24" above center of roadway (minimum of three steps from sidewalk to finished floor of front porch).

Pile foundation structures that are 36” or less, must be wrapped with brick. All undercroft areas are to be screened with approved materials.

Porches, Patios, Decks, and Railings/Building Height Restrictions

Porches, Patios, Decks, and Railings

- All main residential structures are required to have a street side porch unless otherwise approved. Decks and/or terraces are also encouraged on all residences. All porches and decks are to be in proportion with the finished floor elevation and to the site. For building types A, A1, B, and C, 50% of the overall structure width must be placed on the front build-to line and is required to be an open porch. Building types D are required to have porches of at least 50% of the overall structure width on the street side. With all units, some historical architectural styles may be approved as a variation of these guidelines.
- Primary porches are required to be open and have a minimum of 10’ ceilings. Column spacing is to be vertically proportioned at a distance center to center smaller than the height of the column. Columns are required to be wood, iron,wood having a stone base, iron with a stone base, or an appropriate combination of the above.
- Any screening must be indicated on submittal drawings and approved by the Architectural Review Committee. If screened areas are approved, the screening material must be 66” in width of copper, aluminum, or fiberglass. Division breaks on screen walls must stay within like proportion to that of the main residence unless otherwise approved.
- Railings on porches and decks must comply with all local and applicable building codes but must compliment the architectural style of the residence. Approved materials are wood, iron, or appropriate combinations of the above. Code height requirements are not to be exceeded.

Building Height

- Structure heights may not exceed forty-five feet (45') above the finish floor. Limits are two and one half (2 ½) stories. First floor minimum ceiling height for residences is 10 feet (l0') above finished floor. Design of the residences will have to take into consideration the existing trees, limb heights, and foliage. Trees or tree limbs may not be cut or trimmed to accommodate construction unless approved by the Architectural Review Committee.

Exterior Walls/Roof and Eaves

Exterior Walls

- Approved exterior wall finishes are painted or stained wood siding, brick, metal lath stucco, or other approved materials. No synthetic stucco systems will be permitted. Aluminum and vinyl siding are not permitted. Stone maybe used at foundations and column bases only.
- Only two (2) exterior finish materials shall be applied to sides of the exterior house and approved detached buildings. Proper screening compatible with the finish material is required where breakaway walls are required.
- No exposed concrete walls or blocks will be permitted. No unstained or unpainted siding or trim will be permitted. Color of exterior walls and accent colors will be carefully reviewed for overall consistency and compatibility throughout the neighborhood. No color extremes will be permitted.

Roof and Eaves

- The following roof designs are permitted: hip, gable, and Dutch-hip. No geodesic domes or "A" frames will be allowed.
- Minimum roof pitch is a six inch (6") rise in a twelve-inch (12") run on primary residences. A four-inch (4") rise in a twelve-inch (12") run may be constructed over porches as approved by the Architectural Review Committee. Flat roofs may be approved as long as the majority of the primary structure's roof meets minimum pitch requirements.
- Acceptable roofing materials are metal, copper or 5V-crimp, natural or synthetic slate, wood and synthetic shake, or dimensional asphalt shingles. Colors must be compatible with the architectural style and neighborhood aesthetic intent.
- No roof penetrations for plumbing, heating vents, or fans will be permitted on the front side of the roof. All roof penetrations shall be painted the same color as the roofing material. Interlacing shingles are required on all valley flashing where applicable.
- All rafter tails must be left exposed with special attention paid to the aesthetic and proportion of the members being consistent with the architectural style of the development as well as the house structure. Roof forms and slopes are indicated by the architectural style of the house. No random or inconsistentroof lines will be permitted.

Chimneys / Doors / Windows, Shutters, and Dormers / Mechanical Equipment

Chimneys

All chimneys must have wood or masonry finish materials that are compatible with the chosen veneers. Exposed prefabricated chimney caps are not acceptable. The Architectural Review Committee must approve all chimney caps and covers. No prefabricated metal flue caps will be permitted without an approved cap screening treatment.

Doors

Entrance doors shall be representative of the structure's architectural style including sidelights and transoms. Accepted elements are solid wood doors with divided glass panels, raised wood panel doors ranging from two to six panels, or solid wood with metal frame with solid glass panel. Flush or metal doors will not be permitted. Sliding doors are not allowed on elevations visible to the street, front, side, or corner units. Storm doors are not permitted. Screen doors are not permitted on any entrance doors on a street elevation.

Windows, Shutters, and Dormers

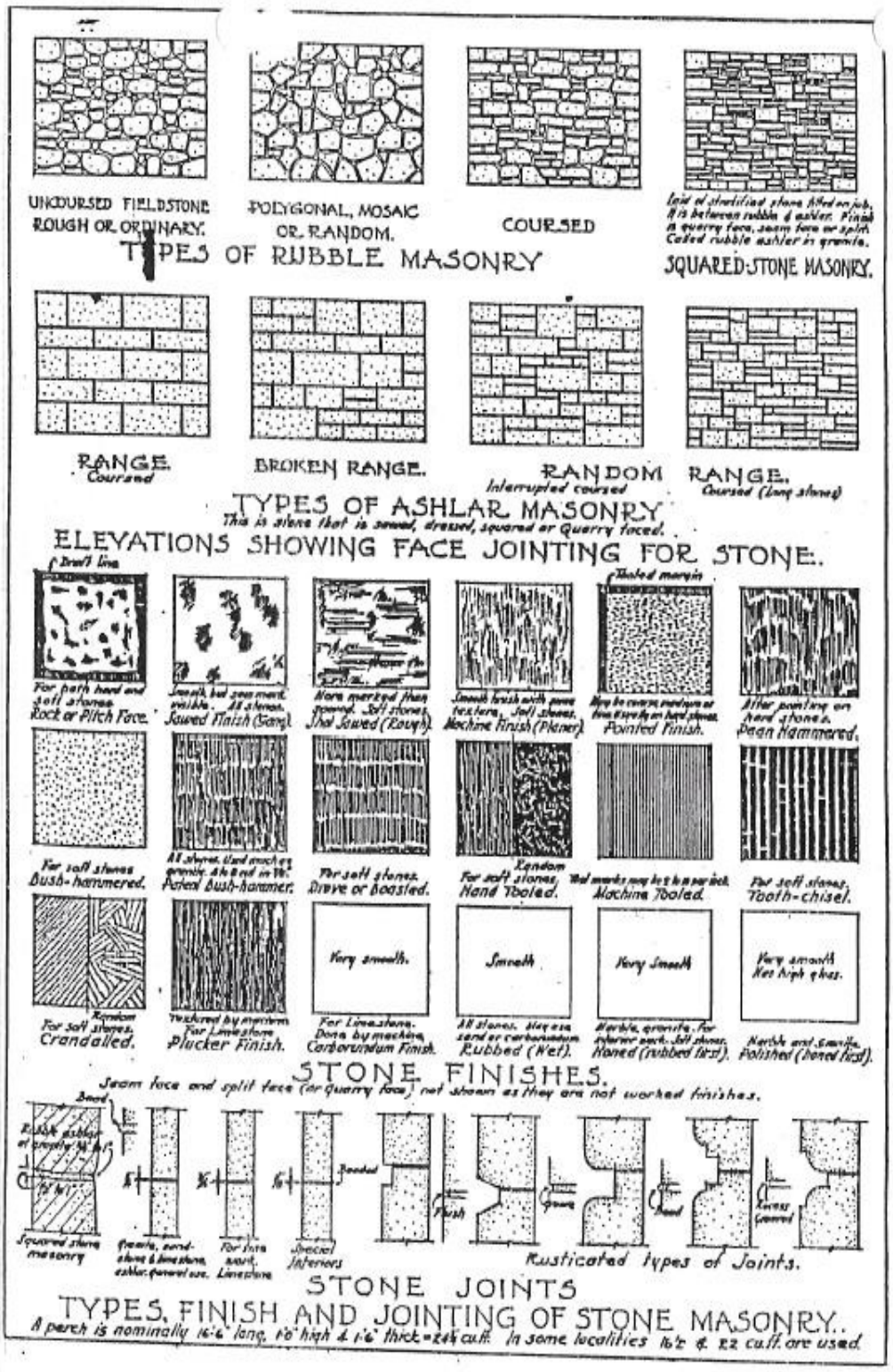
All windows should be wood, vinyl or aluminum clad wood, or premium vinyl (e.g., Anderson, Jeld-Wen, Windsor). No dark tinted or reflective glass will be permitted. Stained, beveled, or leaded glass windows are permitted but must be approved by the Architectural Review Committee. Muntin or lite patterns consistent with the vernacular architectural style are encouraged. All shutters must be compatible with the architectural style of the residence. Proper scale and proportion are required for dormers. Exterior finish material should match or be compatible with the exterior finish of the house.

Ornaments

Only those decorative elements true in historical reference to the particular architectural style will be permitted. Only items essential to the function or architectural expression of the house will be allowed. False vents and false windows that are shuttered, will be allowed as approved by the Architectural Review Committee.

Mechanical Equipment

Outside air conditioning units must not be located in the front yard. They may be located in the side yard if screened from the street and neighbors' views. Approved screening is an integral part of the architectural design, not a building appendage. No exposed piping, electrical, heating/air conditioning system components will be permitted, landscape installations shall be enough to screen immediately. No window air conditioners will be permitted.



SITE INFORMATION

Site & Lawn Furnishings / Fencing / Sidewalks / Tree Preservation

Site and Lawn Furnishings

No accessory or lawn furnishings are permitted in any front yard, such as birdbaths, birdhouses, frog ponds, flagpoles, lawn sculptures, or artificial plants. All fixed play structures are subject to approval by the Architectural Review Committee and must be located at the side or rear of the house. Proper visual screening is required on corner units to prevent play structure from being visible from any street. Tree houses or platforms shall not be constructed without approval from the Architectural Review Committee.

Fencing

Fencing shall coordinate in style and materials with the home. All front yard fencing shall be no more than 30" above grade. Rear and side yard fencing shall be a minimum of 30" and a maximum of 96". Approved fencing materials are iron, wooden picket, brick and iron combinations, and premium vinyl.

Stone will be permitted as a low wall in combination with wrought iron as long as it is appropriate and coordinates with the respective architectural style of the house. No solid-stacked stone walls will be allowed. All wooden elements must be painted or stained with detailed tops at intermediate posts. Chain link fences are prohibited.

Sidewalks

Main entry sidewalks connecting street sidewalks to the front porches are required to be a minimum of 4' wide using only approved materials of smooth concrete, scored stained concrete, brick, gravel, or pavers. In order to provide access during construction, some street side sidewalks were not installed. On these units, after construction is complete, the unit owner is required to install sidewalks on the street side of their property as indicated by the master plan.

Tree Preservation

It is our intention to save as many trees as possible. Removal of any Live Oak trees greater than 37" in circumference, measured 4' about the ground is prohibited. Exceptions to this rule will be considered by the Architectural Review Committee on a case-by-case basis. Approval will not be given without an extensive review. The review will include, but not be limited to, justification of the necessity to remove the tree, location of the proposed structure and efforts to preserve the tree.

Owners are encouraged to design their home around existing trees. However, if that cannot be done, an application for removal of a Live Oak must be submitted prior to any action. Applications for removal of a Live Oak should include a depiction of the proposed structure's footprint on the lot and location of the tree(s). If an exception to this rule is approved, owners shall plant another Live Oak in a suitable location as a replacement.

All limbing of Live Oaks must be submitted for approval and require review by an arborist at the unit owners' expense.

When it is necessary to raise the grade around a tree, rock or drywall should be used to keep soil from contacting the bark to protect the trunk. Consideration should be made to protect any root system of existing trees when changing existing conditions.

Approved Landscape Planting

In order to maintain the native foliage of the area, the foliage approved planting list has been compiled. Any plant found not to be native or on the approved list must be submitted to the Architectural Review Committee for approval.

Approved Landscaping Planting List

TREES

Bradford Pear	Sweet Gum	Cherry Bark Oak	Willow Oak	Tree form Ligustrum
Red Maple	Tulip or Yellow Poplar	Laurel Oak	Slash Pine	Tree form Sasanqua
Southern Sugar Maple	Cucumber Tree	Live Oak	Pond Cypress	White Oak
Horse Chestnut	Sycamore	Nuttall Oak	Bald Cypress	Flowering Cherry
River Birch	Japanese Magnolia	Pin Oak	Winged Elm	Black Walnut
Shagbark Hickory	Southern Magnolia	Scarlet Oak	Drake Elm	Crepe Myrtle
American Beech	Sweet Bay Magnolia	Shumard Oak	Weeping Willow	Swamp Chestnut Oak
Green Ash	Tupelo Gum	Southern Red Oak	Dogwood	Black Gum
Japanese Maple				Gingko

GROUND COVER	VINES	GRASSES
Asiatic Jasmine	Carolina Yellow Jasmine	Bermuda
Dwarf Gardenia	Confederate Jasmine	Centipede
Emerald Sea Juniper	English Ivy	St. Augustine
Green Liriope	Fig Ivy	Zoysia
Monkey Grass		(Bahia not allowed)
Variegated Liriope		

Landscaping / Landscape and Outdoor Lighting

Landscaping

- It is recommended that type A1, B and C units plant three (3) trees of a variety on the approved landscape list of a minimum size of 10' in height. Type D units are recommended to plant two (2) trees of a variety on the approved landscape list ofa minimum size of 10' in height.

- Each homeowner is required to fully landscape and maintain the unit according to the approved plan submitted to the Architectural Review Committee. Grassed areas are to be fully sodded, not sprigged or plugged. Landscape plans must include front yard, rear yard, and side yards. Only fully sodded areas between the curb and the sidewalk will be permitted. No other planting will be permitted in this area. Private irrigation systems will be allowed.

- Any proposals for the removal of unwanted specimen trees and/or extensive use of plants with forms or colors that are not native to the area will not be approved.

- In order to locate a patio or deck, it is important to know and complement the physical aspects of the unit as well as requirements. The materials used should be consistent or complement the architectural style of the house. Brick, stone, tile, wood, or scored stained concrete is recommended. Areas under decks, patios, and porches shall not be open to view. To enclose the underside, the approved exterior finish building material of the house, other approved exterior finishes or painted lattice shall be used. Landscaping alone will not provide adequate screening.

Landscape and Outdoor Lighting

- All landscape and outdoor lighting must protect neighboring properties from view of bright light sources. Whenever possible, required incandescent lighting should be integrated into such elements as eaves, overhangs, and exterior walls or on freestanding posts on the street side.

- No floodlights are allowed to be attached to the soffit on any elevation of the house facing the street. It is recommended to use accent tree lighting fixtures directed up into tree foliage that will provide low intensity illumination. All landscape lighting should be hidden from view and must be unobtrusive in appearance. No color lenses or lamps will be allowed. No motion-slide or mercury vapor light will be allowed

Driveways /Garages & Carports

Driveways

- No curb cuts will be allowed on the front of units 1-26 and 35-44 (*See pages 21-26*) for specific driveway placements). All driveways and parking areas shall be surfaced with gravel, brick, brick pavers, or other materials approved by theArchitectural Review Committee.

- No asphalt will be allowed. Smooth concrete driveways may be considered and must be approved by the ARC. Driveways shall be minimum of 9' in width. Driveways must have a minimum 3' wide green space from the driveway edge to the adjacent property.

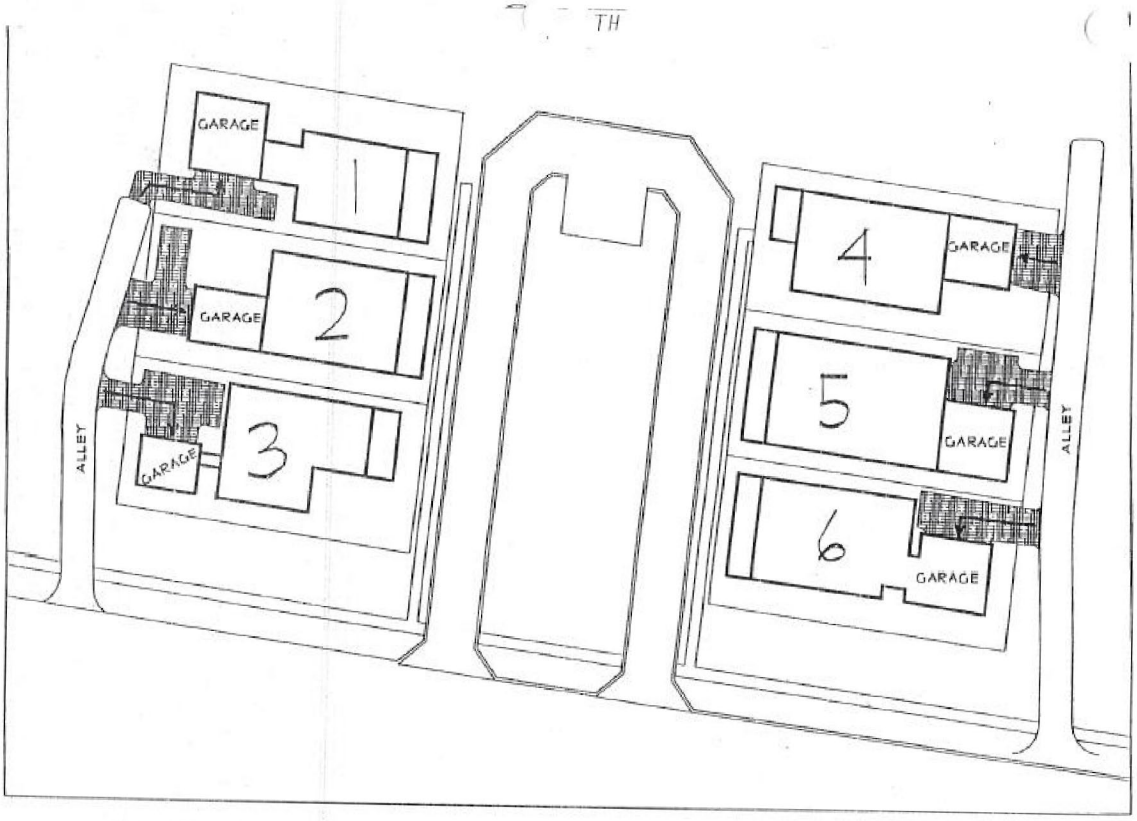
- If damaged during construction, all curbs, aprons, roadways, and sidewalks, on or off residential units, shall be repaired to their original quality by the unit owner.

Garages and Carports

- All residences are required to have accommodations for parking in the form of a carport or garage for a minimum of two (2) automobiles. All garages shall have doors and should not face the street or side street on corner units unless approvedby the Architectural Review Committee.

- Garage door must allow overhead retraction or carriage style swing openers.Garage doors shall be closed at all times when not in use. Carports must be screened from street or alley views and remain free from clutter and may not be a primary open storage space.

Driveway Placement



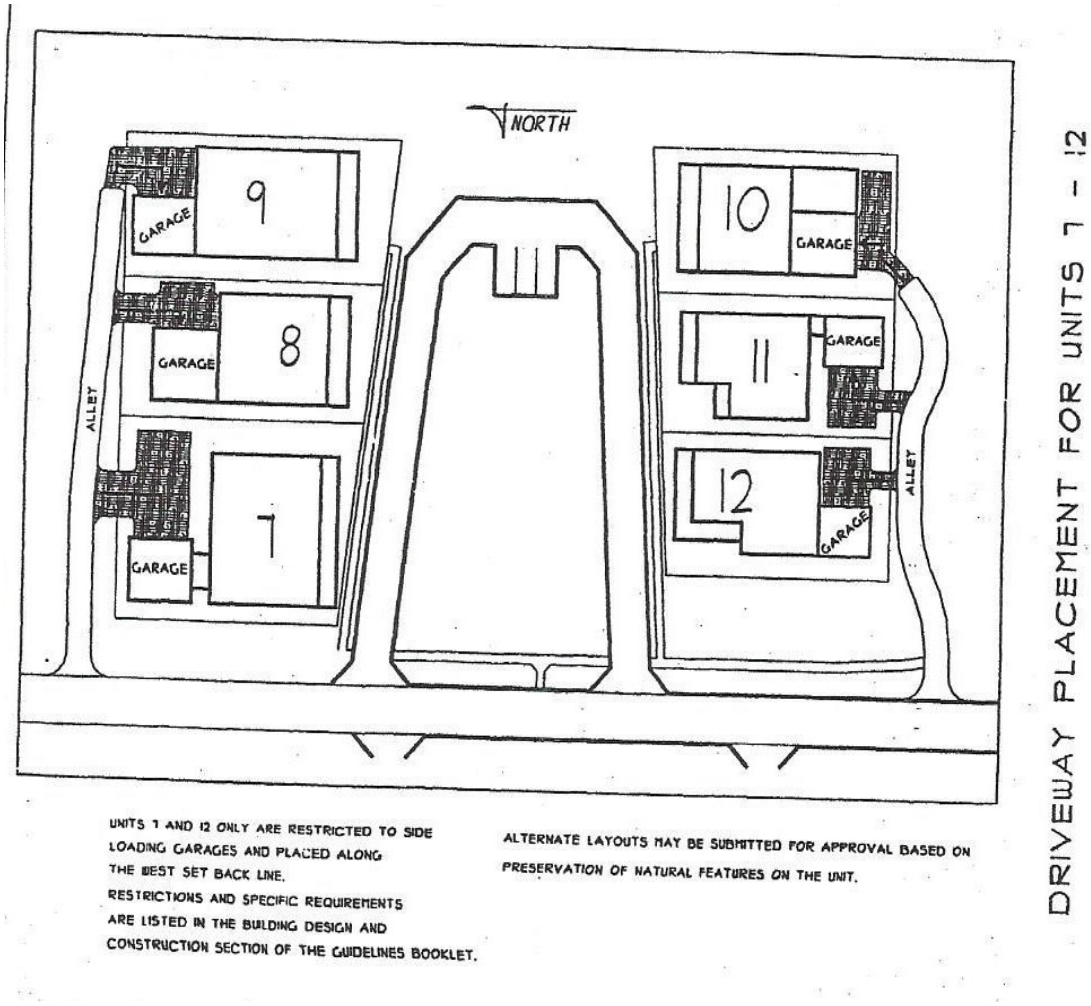
DRIVEWAY PLACEMENT FOR UNITS 1 - 6

UNITS 3 AND 6 ONLY ARE RESTRICTED TO SIDE LOADING GARAGES AND PLACED ALONG THE WEST SET BACK LINE.

RESTRICTIONS AND SPECIFIC REQUIREMENTS ARE LISTED IN THE BUILDING DESIGN AND CONSTRUCTION SECTION OF THE GUIDELINES BOOKLET.

ALTERNATE LAYOUTS MAY BE SUBMITTED FOR APPROVAL BASED ON

Driveway Placement

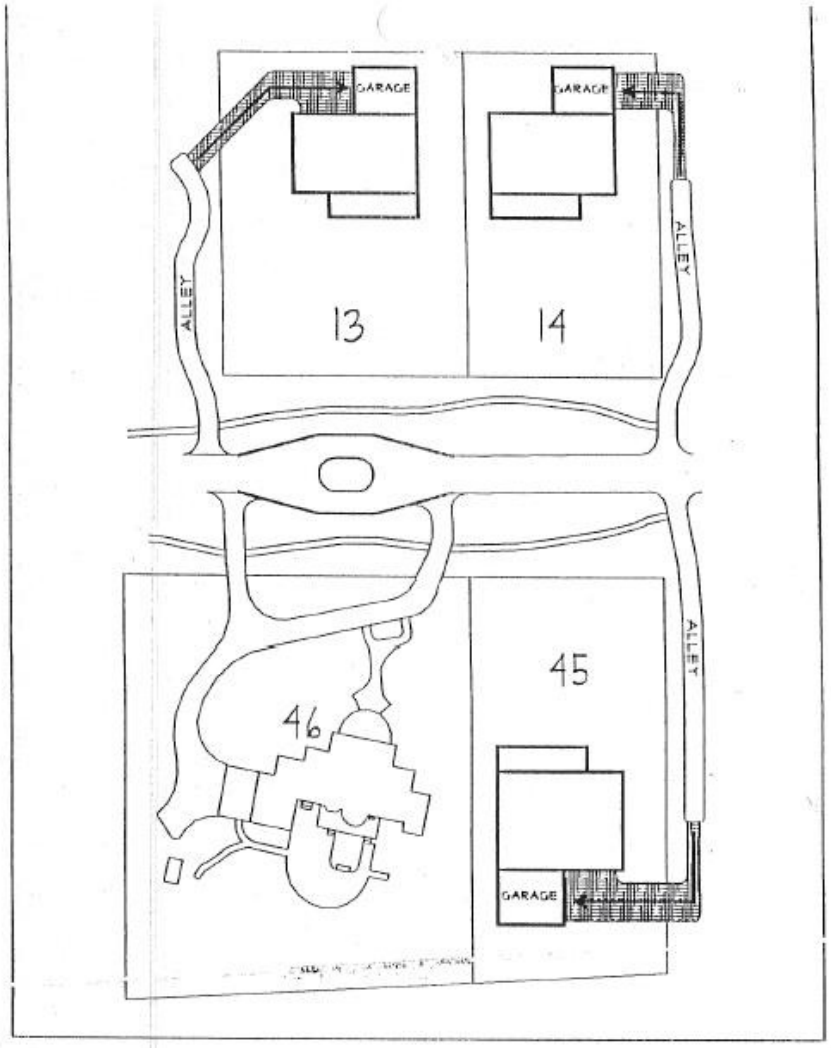


DRIVEWAY PLACEMENT FOR UNITS 7 - 12

UNITS 7 AND 12 ONLY ARE RESTRICTED TO SIDE LOADING GARAGES AND PLACED ALONG THE BEST SET BACK LINE. RESTRICTIONS AND SPECIFIC REQUIREMENTS ARE LISTED IN THE BUILDING DESIGN AND CONSTRUCTION SECTION OF THE GUIDELINES BOOKLET.

ALTERNATE LAYOUTS MAY BE SUBMITTED FOR APPROVAL BASED ON PRESERVATION OF NATURAL FEATURES ON THE UNIT.

Driveway Placement



ALTERNATE LAYOUTS MAY BE SUBMITTED FOR APPROVAL BASED ON PRESERVATION OF NATURAL FEATURES ON THE UNIT.

DRIVEWAY PLACEMENT FOR UNITS 13-14 & 45-46

Driveway Placement

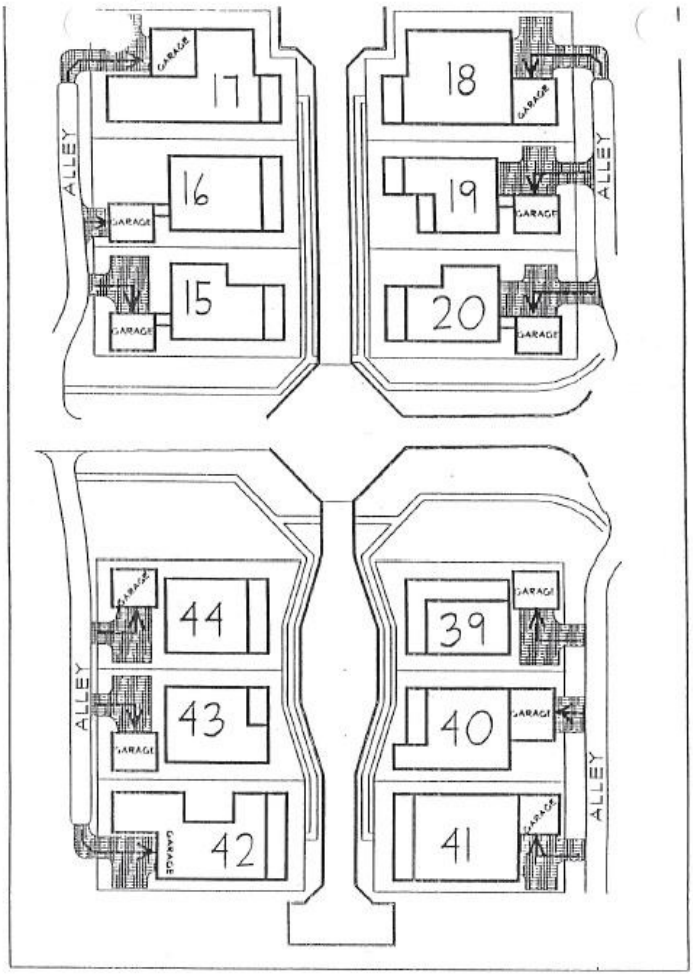
NORTH

UNITS 15 AND 20 ONLY ARE RESTRICTED TO SIDE LOADING GARAGES AND PLACED ALONG THE WEST SET BACK LINE.

UNITS 39 AND 44 ONLY ARE RESTRICTED TO SIDE LOADING GARAGES AND PLACED ALONG THE EAST SET BACK LINE.

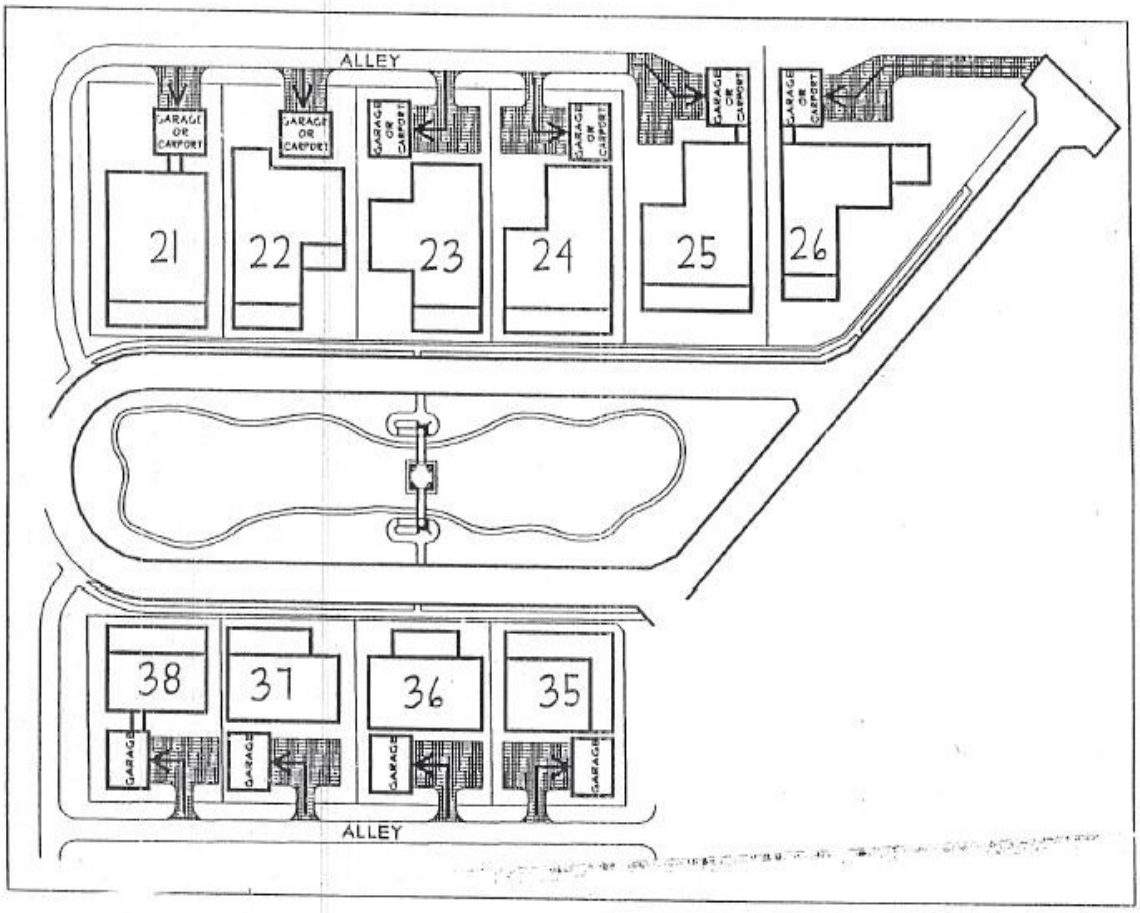
RESTRICTIONS AND SPECIFIC REQUIREMENTS ARE LISTED IN THE BUILDING DESIGN AND CONSTRUCTION SECTION OF THE GUIDEBOOK.

ALTERNATE LAYOUTS MAY BE SUBMITTED FOR APPROVAL BASED ON PRESERVATION OF NATURAL FEATURES ON THE UNIT.



DRIVEWAY PLACEMENT FOR UNITS 15-20 39-44

Driveway Placement



DRIVEWAY PLACEMENT FOR UNITS 21-26 35-38

ALTERNATE LAYOUTS MAY BE SUBMITTED FOR APPROVAL BASED ON PRESERVATION OF NATURAL FEATURES ON THE UNIT OR IRREGULAR BUILDABLE AREAS ON THE UNIT.

UNITS 21, 25, & 35: GARAGE MUST BE ALONG THE SOUTH SETBACK LINE

UNITS 22-24, & 36-37: OPTIONS ALONG THE AVAILABLE BUILDABLE AREA

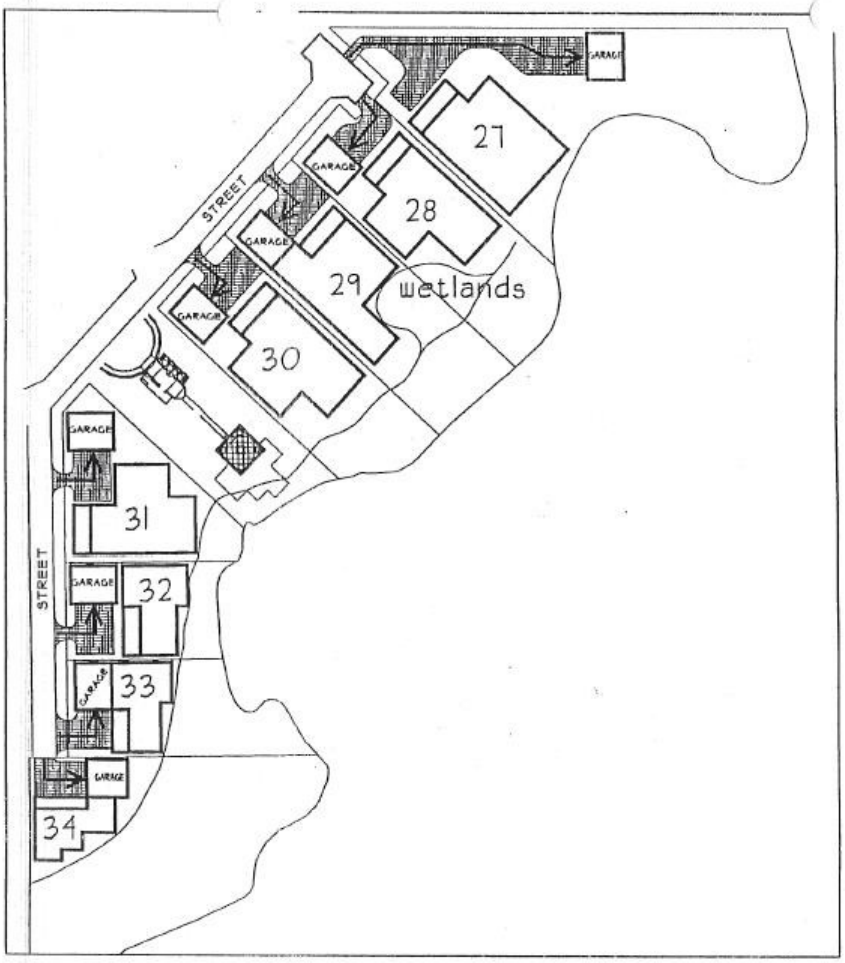
UNITS 26 & 38: GARAGE MUST BE ALONG THE NORTH SETBACK LINE

Driveway Placement

NORTH

UNITS 28-30: GARAGE MUST BE ALONG THE WEST SETBACK LINE

UNITS 31-33: GARAGE MUST BE ALONG THE EAST SETBACK LINE



DRIVEWAY PLACEMENT FOR UNITS 27-34

ALTERNATE LAYOUTS MAY BE SUBMITTED FOR APPROVAL BASED ON PRESERVATION OF NATURAL FEATURES OR IRREGULAR BUILDABLE AREAS ON THE UNIT.

Outbuildings

- Outbuildings must be located to the side or rear of the principal structure withinthe building setbacks. Any permitted, accessory structures, such as detached garages, carports, carriage houses, workshops, guest cottages, storage sheds or pool houses, must incorporate design elements, materials, finishes, and colors compatible with the architectural style of the house. Covered walkways to accessory structures are encouraged where appropriate. All outbuildings and structures have to be shown on the preliminary site plan, which has to be submitted and approved by the Architectural Review Committee.
- Piers, boat lifts, and boathouses will only be allowed South of the retaining wall on units 27-33. All piers, boat lifts and boathouses must be approved by federal, state, and local authorities not limited to the Corps of Engineers. Any structures located on the water edge, including but not limited to piers, boat lifts, and boathouses, shall be built on the same side as the garage and follow the setback restrictions. All piers, boat lifts, boathouses, and accessory structures are subjectto review and final approval by the Architectural Review Committee.
- The Home Owners Association is making no guarantees or implied approvals for waterfront structures. Structures on unit 34, including a boathouse, may extend over the retaining wall and are subject to all federal, state, and local approvals and permits.
- Doghouses are considered accessory structures and may not be visible from any roadway. All development fencing and outbuilding regulations pertaining to materials and design apply to all animal enclosures as well.

Pools, Spas, and Tennis Courts

- The form and configuration of a pool or spa should reflect the architecturalcharacter of the residence. Due to potential damage to natural features, the Architectural Review Committee will review each proposed pool or spa/hot tub on an individual basis. No freestanding above-ground pools will be allowed. No overhead enclosures will be allowed over pools or spas.
- All pool mechanical equipment shall be enclosed in a structure compatible with the architectural style of the residence. Pool decking is to follow the guidelines of the approved patio and deck materials. Fencing compatible with the architectural style, that also gives a visual screen from the roadway, is required around all pools and spas. All elements concerning outdoor spas or hot tubs such as site location, size, shape, and decking must be submitted for approval to the Architectural Review Committee. Individual tennis courts are not permitted.

Part 1 New Home Build Guidance Section C

Pre-Build Package (Page 1 of 4)

Date submitted for review: _____

Unit Owner Name, Number and Email: _____

_____

Unit Number:____

Build Type: _____

Heated Square Footage: _____

Porch Square Footage: _____

Architectural Review Committee will review the following items prior to unit owner moving forward for permit approval:

1. Package prepared for Baldwin County Architectural Preservation Review Board.
2. Set of structure plans and renderings with all elevations depicted.
3. Rendering is reflective of the desired architectural aesthetics.
4. Type of material to be used on walls, roofs, windows, trim, etc. conform/maintain the desired quality desired throughout the neighborhood.
5. Elevation details appear to be appropriate for the unit and if additional criteria is appropriate for a specific unit, those requirements are to be approved by the associated county authority.
6. Setbacks, garage placement, porches, screening, fencing and landscaping appear to be appropriate.
7. Owner and builder are aware of:
   a. Construction Guideline/Schedule criteria and Agreement Contract in Part 1, Section F.
   b. Owner/Contractor Architectural Agreement Contract in Part 1, Section F.
   c. Owner/Contractor understand that construction employees and related subcontractors **are not authorized** to use any of the common facilities; pool, river house, gazebo, kayaks **and are not allowed to fish in the pond.** Permission to use the river can only be authorized by the unit owner if they specifically own a unit along the river.

The status of the submitted package/plan/rendering is:

_____Approved _____Revise and resubmit

_____Not approved _____Approved as corrected

By: 1._____ Date: _____

2._____ Date: _____

3._____ Date: _____

The Commons

Three (3) Signatures are required before the approval process is complete.

Part 1 New Home Build Guidance Section C

Pre-Build Package (Page 2 of 4)

Owner:		**Unit #:**	
Submittal Date:		**Review Date:**	

Site Plan	**Yes**	**No**	**N/A**	**N/S**
Site plan submitted with a legible scale and the unit number clearly labeled				
Building type requirements and square footage clearly labeled				
Structures and all outbuildings placed on unit to meet criteria				
Walks, driveways, alley access,' decks, and patios shown with dimensions and materials indicated				
Landscape Plan				
All existing trees and vegetation shown; landscape plan submitted				
Sidewalk shown and dimensioned a min. of 4' wide in correct location on unit				
All fencing shown in correct location on unit and meets guideline requirements with sketch elevation				
Utilities point of attachment and equipment screening shown				
Exterior lighting types and locations indicated				
North arrow indicated				
Schematic Elevations				
Schematic elevations submitted on an 8 1/2" x 11" format with a legible scale. These drawings may be hand sketched or hardline drawn				
All four (4) elevations submitted				
Floor level expressed in detailing of exterior				
Chimney constructed with appropriate materials with cap				
Front porch details within architectural guidelines				
Door and window trim meet guideline requirements				
Doors representative of the architectural style and meet guideline requirements				
Any fencing shown in correct location on unit and meets guideline requirements				
Utilities point of attachment and equipment shown				
Exterior lighting types and locations indicated				
North arrow indicated				
General				
Two (2) copies of construction documents with specifications submitted				
Color Board				

Part 1 New Home Build Guidance Section C

Pre-Build Package (Page 3 of 4)

		Yes	No	N/A	N/S
Site Plan					
Site plan submitted with an easily legible scale with unit number					
All unit criteria shown (property lines, setbacks, and build-to lines)					
Structures placed on unit to meet criteria					
Walks, driveways decks, and patios shown with dimensions and materials indicated					
Drives shown off of rear alley (where applicable)					
Sidewalks shown and dimensioned at 4' wide in correct location on unit					
Accessory structures located in proper area of unit					
Any fencing shown in correct location on unit and meets guideline requirements					
Utilities point of attachment and equipment shown					
Exterior lighting types and locations indicated					
North arrow indicated					
Foundation Plan					
Foundation plan submitted with an easily legible scale					
Foundation Elevations					
• Building Types A, A1	Finished floor must be 24" above center of roadway (min. of three steps from sidewalk to finished floor of front porch). If unit 18-20 or 39-4l (flood plain), unit complies with current government flood regulations.				
• Building Type B	Elevation for the finished floor must be 24" above center of roadway (min. of three steps from sidewalk to finished floor of front porch).				
• Building Types C	Elevation for the finished first floor complies with current government flood regulations Fill dirt is limited to 1’ above existing grade.				
• Building Type D	Elevation for the finished first floor complies with current government flood regulations Fill dirt is limited to 1’ above existing grade.				
Front porch, terrace, or stoop elevated a minimum of 16" above grade					
Foundation walls are finished consistently with architectural style					
Footing details shown					
Floor Plan					
Floor Plan submitted with an easily legible scale					
Windows and doors shown as related to elevations					
All decks and railings drawn, and materials indicated					
Total square footages indicated					
Do total square footages meet minimum requirement?					

Part 1 New Home Build Guidance Section C

Pre-Build Package (Page 4 of 4)

	Yes	No	N/A	N/S
All rooms labeled				
Elevations				
Elevation plans submitted with an easily legible scale				
All four (4) elevations submitted				
Floor level expressed in detailing of exterior				
Chimney constructed with appropriate materials with cap within guidelines				
Front porch details are within Architectural guidelines				
Door and window trim meet guideline requirements				
Door(s) representative of the architectural style and meet guideline requirements				

Comments:

The following comments in each category need to be addressed.

Site Plan:

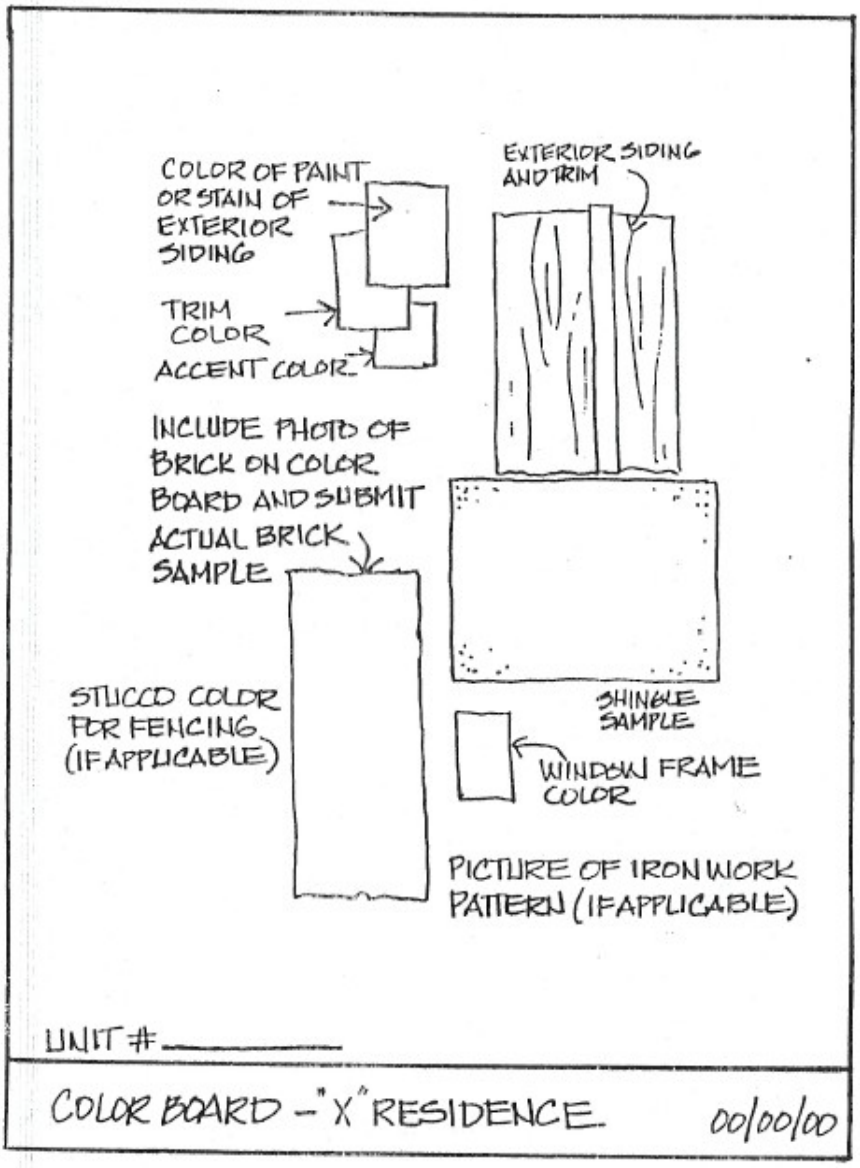
Foundation Plan:

Floor Plan:

Elevations:

Landscape Plan:

Materials/
Color Board:



EXAMPLE - FINAL REVIEW

Part 1 New Home Build Guidance
Section D
Baldwin County Architectural Preservation Review Board

1. Please refer to the following application guidance for Baldwin County Architectural Presentation Review Board. These procedures may change from time to time and it is the homeowner's responsibility to ensure the most current forms and procedures are followed.

BALDWIN COUNTY ARCHITECTURAL PRESERVATION REVIEW BOARD

APPLICATION PROCEDURE

1. Obtain application and review guidelines from the Baldwin County Planning and Zoning Department or the Baldwin County Building Department.

2. Review guidelines and develop plans and complete application accordingly.

3. Submit application along with plans and other materials as required, to the Baldwin County Planning and Zoning Department or Baldwin County Building Department.

4. All applications must be complete and submitted **1 week** prior to the Board meeting.

5. After review for completeness the application and accompanying material will either be:
   A. Forwarded to the Architectural Preservation Review Board for formal review and decision, or;
   B. In the case of **incomplete** applications, the submitted materials will be sent back to the applicant for resubmittal. The Board will only consider **complete** applications.

6. If the application is approved the application will be forwarded to the Planning and Zoning Department for zoning review. If denied the application and submitted information will be mailed back to the applicant for resubmittal.

*Please note: All County Historic Districts are also located in zoned areas of Baldwin County. Along with Architectural and Preservation Review Board approval, any application proposing new construction, additions, alterations, renovations, change in use etc. will require zoning approval. It is recommended that a Land Use Certificate be completed and turned in along with the Architectural and Preservation Review Board application (Land Use Certificate applications can be obtained at the Baldwin County Planning and Zoning Department or Baldwin County Building Department. This will assist in an expedited permitting process of your project.)

Signs:

_____ Rendering of the proposed sign, showing total area of the sign

_____ Description of materials being used

_____ Sampling of lettering to be used

_____ Sample of colors to be used

_____ Description of support or standard

_____ Proposed lighting, if any. *Note: Flashing or moving lights are prohibited*

_____ A drawing of the sign

Structure Demolition Permit:

_____ Photographs of building or structure to be demolished

_____ Statement of purpose of the demolition, with a reference to the future land use of this site. Please note that if the Board determines that the building is of historic or architectural value, it can delay demolition for six months, giving Baldwin County Historic Development Commission the opportunity to develop an alternate plan for the preservation of the building. If no other plan is developed which is acceptable to both the owner and the Baldwin County Historic Development Commission, a permit to demolish can be issued at the end of the six (6) month period.

Structure Relocation:

_____ Submittal requirements for new construction apply

_____ Photographs of building or structure to be relocated

Fencing:

_____ A drawing and a photograph of the type of fencing proposed showing:

_____ Placement on the lot

_____ Materials to be used

_____ Proposed height

_____ Paint samples if the fence is to be painted

Checklist for Certificate of Appropriateness

The following items must be submitted:

New Construction or Extensive Renovation or Repair of Existing Structures:

_____ A set of structure plans and renderings (11 x 17 or smaller) showing all exterior elevations including the following:

- _____ Overall dimensions
- _____ Type of materials to be used on walls, roofs, windows, trim, etc. (submit samples if possible or a detailed description of the material)
- _____ Elevation details
- _____ Screening for utilities, etc.
- _____ Landscaping plan

_____ Color samples of exterior finish

_____ Site plans, with dimensions, proposed fences, accessory buildings and parking facilities, exterior lighting, etc.

Minor Renovation or Repair:

_____Drawings or photographs showing the front elevation of the building.

_____Drawings or photographs of the area of the building to be altered or repaired, if not the front elevation. If rear or side elevations are to be altered, a photograph showing the building's relationship to the neighboring structures is required.

_____Either a written description or a drawing of the work to be done, including materials to be used and paint samples.

_____If applicable, either a written description or a drawing of a site plan explaining fencing, screening, plantings, accessory buildings, etc.

Baldwin County Architectural and Preservation Review Board

Application for Certificate of Appropriateness

APPLICANT: _____

**if applicant is not owner, an agent authorization form must be submitted*

MAILING ADDRESS: _____

City: _____ **State:** _____ **Zip Code:** _____

Telephone: (_____) _____-_____ **Fax:** (_____) _____-_____

PARCEL ID NUMBER: 05-__ __-__ __-__ __-__-__ __ __-__ __ __.__ __ __

HISTORIC DISTRICT: ( ) MALBIS ( ) MONTROSE ( ) BATTLES WHARF/ POINT CLEAR ( ) MAGNOLIA SPRINGS

(CHECK IF APPLIES TO BUILDING OF THE PROPOSED WORK):

☐HAS A COUNTY HISTORIC MARKER ☐ON THE NATIONAL REGISTER OF HISTORIC PLACES

☐ON THE ALABAMA REGISTER OF LANDMARKS & HERITAGE

E-911 ADDRESS AT WORK SITE: _____

WILL THERE BE A CHANGE INUSE AT THE SITE: ☐ YES ☐NO

IS A VARIANCE, CONDITIONAL/SPECIAL USE, OR REZONING REQUIRED FOR THE PROPERTY: ☐ YES ☐NO

DESCRIPTION OF PROPOSED WORK (CHECK AND DESCRIBE):

☐ NEW CONSTRUCTION _____

☐ REPAIRS/RENOVATION _____

☐ BUILDING RELOCATION _____

☐ BUILDING DEMOLITION _____

☐ PAINTING EXTERIOR _____

☐ ROOFING _____

☐ LANDSCAPING _____

☐ OTHER _____

COMMENTS: _____

_____

Material List

(This table must be completely filled out in order for your application to be considered complete and to be put

Feature	Material or Feature	Color
Roof Style (hip, gable,...)		----------
Roof Materials		
Siding		
Trim		
Windows		----------
Shutters		
Doors		
Porches		
Fence		

on the agenda. Mark NA in the table if it does not apply to the proposed work.)

SIGNATURE OF APPLICANT:_____ **DATE:**_____

BOARD ACTION : ☐ **APPROVED** **DATE:**_____

☐ **DENIED** **DATE:**_____

CHAIRMAN: _____ **DATE:**_____

COMMENTS: _____

_____

_____

OFFICE USE ONLY
DATE RECEIVED_____ **RECEIVED BY:**_____

PLANNING DISTRICT:_____ **ZONING CLASSIFICATION:**_____

Part 1 New Home Build Guidance
Section E

Flood Damage Prevention

1. Homeowners must refer to the Flood Damage Prevention Ordinance Unincorporated Baldwin County, Alabama for complete information: https://baldwincountyal.gov/all-mobile/departments/building-inspection/flood-hazard-management

2. This information and associated procedures may change from time to time; it is the ***homeowner's responsibility*** to ensure the most current procedures are followed.

Part 1 New Home Build Guidance
Section F

Construction Guidelines/Schedule

Construction Access

- All unit owners will be provided a construction access code upon Final Review approval.
- All contractors, under contract to build in The Commons, will be required to sign a document stating they have been made privy to the Construction Guideline/Schedule criteria and Agreement, as well as, the Architectural Agreement Build Guidelines. Builders and contractors will follow construction regulations. Unit owners are responsible for providing their contractor construction access codes for the main gate.

Construction Guidelines

- All construction work shall be limited to weekdays beginning no earlier than 7:00 a.m., and ending no later than 6:00 p.m., unless exempted by the ARC. Contractor parking shall be limited to alleyways and on the premises of the riverfront units only.
- All curbs, aprons, roadways, drives, drainage equipment above or below grade, sidewalks, landscape items, electrical conduit, all utility equipment, street lights, public structures or gates on or off residential units, shall be repaired to their original quality by the unit purchaser if damaged during construction.
- Runoff construction may not cause damage to adjacent properties. All erosion control should follow ADEM standard control practices. There shall be no direct channeling of runoff into wetlands from home rooftops or other impervious surfaces unless an approved method of filtration is provided.
- All reasonable means shall be taken during and after construction to protect and preserve existing vegetation. All architects, and contractor company signs may be displayed during the scheduled build period. Any other signs such as material suppliers, subcontractors, etc., will not be permitted.
- Contractors must be licensed in the state of Alabama and all permits must be posted and protected from weather. All construction personnel must follow all OSHA rules and regulations. All accidents are to be reported to the appropriate authorities as soon as possible after the incident occurs. All construction vehicles must comply with applicable laws, re: inspections, licensing, and authorization for operation. Contractors must provide toilet facilities for the workers on the job site in a discrete location. Boards or any other material shall not be nailed to trees during construction.
- During construction, all trash debris, and waste shall be contained daily in the on-site dumpster which is required during construction.
- No burning of debris is allowed. The construction site should be cleaned daily and if necessary, the owners' association reserves the right to have the site cleaned as needed, in order to comply with the foregoing, and the owner will be charged for the cost.
- Radios, tape players and similar equipment must be regulated as to not create possible noise nuisance for adjacent homeowners. The use of intoxicants and drugs are strictly

prohibited. Any contractor found to be in obvious nonconformance of these regulations may be denied access and work may be suspended.

- Reviews during construction may be conducted by the Architectural ReviewCommittee to ensure conformance with the approved drawings. Any change order drawings made during construction must have approval prior to changes being made. Major changes must be resubmitted for approval. Final inspection will be made after contractor has completed construction, including landscaping, and the Architectural Review Committee notified of a finish date.

- The Commons Homeowners Association and their directors, officers and agents, the Architectural Review Committee assume no responsibility for reviewing construction in progress for compliance with any codes. The owner assumes full liability for failure of construction to comply with approved documents.

Construction Schedule

- Construction must begin within six (6) months after plan approval. If construction has not begun within this time period, a new submission for final approval is required.

- Completion of construction, which is receipt of the certificate of occupancy of the structure, should be completed within twelve (12) months of the actual initiation of construction. Approved landscaping must be in place upon construction completion, which is receipt of the certificate of occupancy.

Contractor Agreement to comply with Architectural Guidelines for Construction

This document hereby verifies that _____ who is to build the
Contractor

structures approved for unit #____for_____, has read and
Owner(s)

understands all the Architectural Guidelines for Construction in *The Commons,* at Magnolia Springs, AL.

I, all my company representatives and subcontractors, hereby agree to follow and uphold all rules and regulations stated in the Architectural Guidelines.

_____ _____

Contractor Date

_____

Owner Date

Part 2- Established Home Renovations, Updates, and Maintenance

Note: All renovations, updates and maintenance are subject to the same build guidance, restrictions, and criteria provided in Part 1.

1. All renovations that have the potential to alter the aesthetics, environmental safeguards, and/or affect the level of quality of any home or outbuilding shall be submitted to the Architectural Review Committee (ARC) for review prior to undertaking such renovation. Once the ARC provides a preliminary approval, the homeowner is responsible for submitting renovation packages requiring approval by the Baldwin County Architectural Preservation Review Board.
2. Homeowners are solely responsible for compliance with the Flood Damage Prevention Ordinance Unincorporated Baldwin County, Alabama. For complete information: https://baldwincountyal.gov/all-mobile/departments/building-inspection/flood-hazard-management
3. Any maintenance that has the potential to alter the aesthetics, environmental safeguards, and/or affect the level of quality of any home or outbuilding shall be submitted to the ARC for review and approval prior to performing such actions. Routine maintenance should not affect any of the aforementioned elements and does not require an ARC review.
4. Any update that has a potential to alter the aesthetics, environmental safeguards, and/or affect the level of quality of any home or outbuilding shall be submitted to the ARC for review and approval prior to conducting.
5. In the event that renovation, updates, maintenance or any other work require furnishings to be removed from the home and stored in a Pod or other container, the Pod/Container shall be placed near the garage area in a manner not to interfere with traffic and out of site, as much as possible. If placement in the garage area is not possible, please contact the Board of Directors for assistance in identifying an approved location. Additionally, storage Pods/Containers shall be a temporary use element and not placed for an extended period of time--not to exceed sixty days. In the event of a natural disaster that creates delayed repairs, please consider long-term offsite storage solutions, if possible. If Pods or container must be utilized longer than sixty days, please consult the Board of Directors.
6. In the event that renovation, updates, maintenance or any other work require a dumpster to be placed on site during the work being performed, the dumpster shall be placed in the garage area in a manner not to interfere with traffic and out of site, as much as possible. If placement in the garage area is not possible, please contact the Board of Directors for assistance in identifying an approved location. Additionally, dumpsters shall be routinely emptied and when not empty shall be maintained as to prevent debris from being blown or scattered about the neighborhood. All material being removed during a renovation, update and/or maintenance action shall be properly placed in a container and not positioned or scattered in the street, yard or in any way affecting the neighborhood. If a renovation item is too large to be placed in a dumpster, the item (s) shall be neatly stacked out of site and removed within ten days.
7. As much as reasonably possible, workers shall not leave tools, wood or other materials out in an open environment, e.g., porch, yard, etc. The garage should be used for overnight storage. Homeowners who are temporarily offsite during such renovations, updates and/or

maintenance are solely responsible for ensuring workers and artisans comply with the above details. The construction site should be cleaned daily and if necessary, the Commons Owners Association reserves the right to have the site cleaned as needed, in order to comply with the foregoing, and the owner will be charged for the cost.

8. All renovations, updates, and maintenance actions that fail to maintain the level of quality and/or negatively affect the aesthetics and/or environmental safeguards of The Commons may be subject to fine(s) as set by the Board of Directors and in accordance with The Commons Owners' Association Collection Procedures.

Definitions

THESE DEFINITIONS SUPPLEMENT, BUT DO NOT TAKE THE PLACE OF, THE DEFINITIONS IN THE DECLARATION OF CONDOMINIUM OF THE COMMONS, ACONDOMINIUM. IN THE EVENT OF ANY CONFLICT BETWEEN THE ABOVE DEFINITIONS AND THOSE IN THE DECLARATION, OR ANY CONFLICT BETWEEN ANY OF THE PROVISIONS OF THESE GUIDELINES AND THE DECLARATION, THE PROVISIONS OF THE DECLARATION SHALL GOVERN.

- Accessory structure — a building or use associated with the primary structure but not under the same roof such as a garage, carport, etc.
- Alley — a 10' aggregate road allowing primary means of access from the rear of the unit to garages, carports, and/or accessory structures. Vehicular entry to the property must be from the alley at the rear or side of each unit.
- Architectural Review Committee — a board of reviewers provided for in the "Covenants, Conditions and Restrictions" and related documents, to ensure that the desired character of the residences and overall community are maintained
- Available buildable area — the area between the two side setback lines, and the front build-to line and rear setback lines Building type D - riverfront units that have alternate defined buildable areas. Unit 27 has a rear setback line of 10' from Magnolia River. For units 28-33, the rear setback-line is 5' from the retaining wall. Unit 34 has a rear setback line of 40' on the waterside of the retaining wall.
- Build-to line — the line located 10' from the front property line where the majority of the front porch must be built.
- Final Review — the second part of the Architectural Review Process to receive final approval. which is needed to begin construction.
- Finish floor — the point of measure where the actual floor is of the primary residence
- Front yard fencing — fencing that runs along the street side property line that mar extend, to the rear of the front porch Outbuilding — a building or use associated with the primary residence structure not under the same roof
- Preliminary Review — the first part of the Architectural Review Process where the unit site plan and schematic elevations are submitted for review, which must be obtained before submittal of the Final Review.
- Primary residence structure — the main building intended for residential use.
- Rear setback line — the line that is the minimum distance from the rear property line which establishes the area on which the principle structure or outbuildings must be built
- Rear yard fencing — fencing that runs along the rear property line, down the side property lines and may extend to the rear of the front porch.
- Retaining wall — the existing wall structure on riverfront units.
- Review Process — a two-part process where the intended design of the residential project is reviewed by the Architectural Review Committee to ensure desired character and community standards and guidelines.
- Screened (as applied to carports) — open carports must have at least a semi opaque screen of approved materials, visually shielding contents from all streetscapes.

- Setback line - the line which is the minimum distance from the street, alley, or other line that establishes the area which the primary structure or outbuildings must be built.
- Side setback line - the line which is the minimum distance from the street, alley, or other line that establishes the area which the primary structure or outbuildings must be built.
- Structure - the main building or primary residence.

THIS INSTRUMENT PREPARED

Judith H. Miller
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Judith H Miller
Property Manager &
Treasurer

STATE OF ALABAMA NOTARY PUBLIC
OWEN CARAWAY
My Commission Expires
March 10, 2024

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owen caraway
11-30-2021

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