

Design Guidelines

1. **Fencing:** The Architectural Control Committee has the right to approve the design, materials and location of all fences prior to the installation thereof. The Architectural Control Committee reserves the right to inspect the fence at any time before, during or after construction to insure compliance with the approved fencing plan.

The Architectural Control Committee retains the sole and absolute right to dictate the use of a single fence design for installation along landscape easements and lots adjacent to the golf course and lakes.

- 1.1. **Fencing Requirements:** The Architectural Control Committee will generally approve the following types of fences:
 - A. Non-stockade style wood fences are generally approved, provided such fences do not exceed 6 feet in height; provided, however, in no event shall any wood fence which abuts the retention facility exceed 48 inches in height. Stockade style wood fences are prohibited.
 - B. Vinyl clad chain-link fences are generally approved, provided such fences do not exceed 48 inches in height unless such fences are used to surround pools, in which event fence height restrictions are 5 feet. Plain chain-link fences are prohibited.
 - C. Wrought iron fences are generally approved provided such fences do not exceed 6 feet in height.
- 1.2. **Fencing – Golf Course Lots:** With the exception of lots where an in-ground pool has been constructed, the maximum height of fencing on lots adjacent to the golf course is:
 - A. Wrought-iron up to 4 feet;
 - B. Picket fences up to 4 feet;
 - C. Cape Cod style fences up to 4 feet; and
 - D. Vinyl clad chain link fences up to 4 feet.
- 1.3. **Fencing Location:** All fencing must be approved prior to the installation of a given fence. The following are guidelines regarding fencing locations, which generally will be approved by the Architectural Control Committee:
 - A. No fencing will be allowed in the front set back line of the house. With respect to corner lots, this includes the side yard facing the side street of the residence.
 - B. The fencing of drainage, utility and landscape easements is prohibited.
- 1.4. **Fencing – Approved Construction Techniques:** All fencing shall be constructed of quality materials. All fencing shall be properly braced and all posts shall be placed into the ground with concrete or placed at such a depth so as to insure the fence will be secure and will not move. All fence bracing or ribbing shall be on the inside of the fence unless otherwise approved by the Architectural Control Committee.
- 1.5. **Fencing – Maintenance:** All fences must be maintained in a reasonable fashion. All warped boards shall be replaced on a timely basis. All painted fences shall be maintained on a regular basis so the fence always has a reasonable appearance. The Architectural Control Committee shall provide notice of any maintenance violation. Such violations shall be corrected within 15 days of receipt of said notice. If the violation is not corrected, the Architectural Control Committee, through the Homeowners Association, retains the right to correct the violation and bill the homeowner for all applicable costs including but not limited to: lien rights, attorneys fees, cost of repairs, interest at the maximum rate allowable by law, and all other reasonable costs of collections.
- 1.6. **Fencing, Invisible:** Generally, requests for invisible fencing will be approved subject to the Architectural Control Committee approval of the proposed fence location prior to installation. All controller boxes and other equipment shall be hidden from view.
2. **Livestock & Poultry:** No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats and other household pets may be kept provided they are not kept, bred or maintained for any commercial purposes. The owners of such permitted pets shall confine them to their respective lots in such a manner so as to prevent such permitted pets from being a nuisance. Owners of dogs shall so control or confine them to avoid barking which will annoy or disturb adjoining homeowners.
3. **Dog Kennels & Houses:** The Architectural Control Committee has the right to approve the materials, design and location of all kennels and doghouses prior to construction thereof. Dog kennels and houses shall be placed in a location where they are not eyesores or nuisances to surrounding homeowners. Each kennel

must be screened with either wood fencing or trees as approved by the Architectural Control Committee, depending on the individual request. All dog houses must be constructed of quality materials with neutral shingle roof colors, siding and trim painted to match the primary colors of the residence of the applicant.

4. **Mini-Barns and Accessory Structures**: Generally, requests for mini-barns and accessory structures will be denied.
5. **Antennas – Television, Radio and Satellite**: Generally, requests for the attachment of a TV or radio antenna to the exterior of the home or the placement of satellite dishes on a given lot will be denied unless the satellite dish is less than or equal to eighteen (18) inches in diameter and placed in an approved location by the Architectural Control Committee prior to the dish's installation.
6. **Decks**: Generally, requests for decks will be approved subject to the following requirements:
 - A. The deck shall be constructed out of treated lumber or cedar.
 - B. Railing on deck shall not exceed four feet (4') in height.
 - C. The Architectural Control Committee prior to the commencement of construction must approve final configuration of the deck and any stain or color treatment.
7. **Porches, Screened-In Porches, Room and Garage Additions**: Generally, requests for screened in porches and garage and room additions will be approved subject to the following guidelines:
 - A. The additions shall be constructed with quality materials.
 - B. The roofline shall follow the natural roofline of the home, or be approved by the Architectural Control Committee. No shed roof designs will be approved.
 - C. The roof, siding and trim shall match the colors of the primary residence.
 - D. All detailed construction plans must be approved **prior** to the commencement of construction.
 - E. Room & garage additions must be substantially similar to the outside of the primary residence.
8. **Gazebos**: Generally, requests for the installation of Gazebos will be approved subject to the following guidelines:
 - A. The gazebo shall be constructed of quality materials and shall be firmly anchored into the ground.
 - B. The gazebo shall not exceed fifteen feet (15') in height.
 - C. The Architectural Control Committee has the right to approve the design and location of the gazebo prior to construction.
9. **Pools**: The Architectural Control Committee prohibits the installation of above ground pools. Children's wading pools will be addressed on a case by case basis. A detailed development plan must be provided to the Architectural Control Committee for its review and approval prior to the commencement of construction of any in-ground pool. No alteration to the existing grade of any lot may be done without the prior approval of the Architectural Control Committee. Any proposed grade changes must be shown on proposed plans.
- 9.1 **Pool Fencing**: Any application for construction of an in-ground pool will not be considered unless the application is accompanied by an application for an acceptable fence design. The design shall conform to county or municipal regulations for such fencing. Generally, only wrought iron type fencing will be approved around a pool.
- 9.2 **Pool Houses**: Generally, requests for pool houses with changing areas and storage sheds or mini barns will be denied. Pool equipment must be screened from offsite view by solid and/or landscape screening.
10. **Basketball Courts**: Generally, requests for the installation of basketball courts will be approved subject to the following criteria being met:
 - A. The Architectural Control Committee has the right to approve the design and location of the court prior to the construction thereof.
 - B. The Architectural Control Committee will not approve courts in excess of twenty-five foot by twenty-five foot (25'x25').
 - C. The court shall be constructed of concrete or asphalt materials.
 - D. Generally, no lighting will be permitted.
11. **Basketball Goals**: Generally, requests for the installation of basketball goals will be approved, subject to the following:
 - A. Only basketball goals constructed with clear plexiglass backboards will be approved for installation within the Southern Dunes community.

- B. No backboard shall be attached to the primary residence.
- C. Generally, goals will be approved if they are located adjacent to driveways.
- D. All posts must be installed in concrete.
- E. The Architectural Control Committee shall have the right to approve the final location of the goal and backboard prior to installation. Goals are not permitted to face the street or block the sidewalk.

12. **Lawn Ornaments:** All permanent lawn ornaments and other items added to the lot beyond the primary residence are subject to the approval of the Architectural Control Committee. No lawn ornament shall be installed without first being approved whether permanent or non-permanent and shall not exceed twenty-four (24) inches in height or as approved by the Architectural Control Committee. All repair and maintenance of such items is the responsibility of the homeowner. If the homeowner fails to make required repairs and maintenance, the Homeowners Association has the right to make such repairs and maintenance and to invoice the homeowner for such costs. The homeowner shall pay such cost within ten (10) days after receipt of the invoice.
- 12.1 **Year End Holiday Decorations:** All decorations may not be installed prior to Thanksgiving and must be removed by no later than January 31st.
13. **Landscape Designs & Planting Beds:** All landscape designs including planting beds for front and side yards are subject to review by the Architectural Control Committee. The Architectural Control Committee reserves the right to deny any request based upon a lack of conformity to the established aesthetics of the Community.
14. **Vegetation:** A homeowner shall not permit the growth of weeds and volunteer trees and bushes on his lot and shall keep his lot reasonably clear from such unsightly growth at all times. If a homeowner fails to comply with the restriction, the Homeowner's Association shall cause the weeds to be and the lot cleared of such growth at the expense of the homeowner thereof and the Homeowner's Association shall have a lien against the cleared lot for the expense thereof.
15. **Signage:** All signage is subject to local and state regulations. The Declarant and its' builders reserve certain sign rights as outlined in the Covenants & Restrictions and the Declaration. All signage, except as follows, is subject to the approval of the Architectural Control Committee. The Declarant and its' builders are hereby exempted from this requirement.
- 15.1 **Temporary Signage:** All signage is subject to the Architectural Control Committee approval, one (1) a builder shall allow sign in the front yard of a primary residence after the initial sale of the residence. Up until this point one (1) builder and one (1) realtor sign will be allowed subject to Architectural Control Committee approval as to placement, size and colors utilized.
- 15.2 **Prohibited Signage:** the Architectural Control Committee generally will not approve the following signage:
- A. Signs advertising goods, services or home occupations.
 - B. Pennants, banners and portable signage not approved by the Architectural Control Committee.
 - C. Any signage directed at the Golf Course without Architectural Control Committee and Golf Course approval.
 - D. During development, no entranceway signage shall be allowed except by the declaring and its designated builders.
 - E. No entranceway signage is allowed with exception of approval by the Architectural Control Committee.
16. **Sod & Trees:** Generally, all front and side yards to back edge of the house must be sodded, unless specifically approved by the Architectural Control Committee.
17. **Lights & Mailboxes:** The Declarant shall dictate a standard mailbox and yard or coach light for each section of the Southern Dunes Community. The cost of each shall. Be the responsibility of the purchaser or builder of the home. The title owner shall be responsible to keep mailboxes and lights in good repair and shall not alter the mailboxes or lights either without Architectural Control Committee. The title owner at all times shall keep dusk to dawn lighting in good repair with working light bulbs.

All additional lighting is subject to Architectural Control Committee approval prior to installation.

18. **Playgrounds:** The Architectural Control Committee has the right to approve all requests for playground structures prior to their installation. Generally, requests for playground structures will be approved subject to the following guidelines:
 - A. The Architectural Control Committee has the right to approve the design and location of the structure prior to its installation.
 - B. The structure shall be constructed of quality materials. Generally, requests for the installation of non-commercial metal playgrounds will be denied.
 - C. The playground structure shall not exceed fifteen feet (15') in height.
19. **Bug Zappers:** Generally, requests for "Bug Zappers" will be approved if the homeowner agrees in writing that it will be turned off not later than 10p.m.
20. **Flag Poles:** Generally, requests for flag poles will be denied. Attachment of flagpoles to the rear of the primary residence shall be allowed subject to the Architectural Control Committee approval of location and method of installation. Repair, maintenance and operation of any approved flagpole is the responsibility of the homeowner.
21. **Bird Houses:** Generally, requests for birdhouses will be approved subject to the following criteria:
 - A. All pole-mounted birdhouses shall be located in the rear yard of a residence secured firmly into the ground in a location approved by the Architectural Control Committee prior to installation. The height of the pole-mounted birdhouses is subject to Architectural Control Committee approval prior to installation.
 - B. Quality materials shall be utilized in the construction of the birdhouse.
 - C. The Architectural Control Committee shall approve all colors.
22. **Outside Lighting:** Generally, requests for the installation of outside security lighting will be approved subject to the following condition being met:
 - A. Outside lights shall not exceed two standard double floodlights with light bulbs not to exceed 150 watt and 90 watt Halogen bulbs.
 - B. The following lights are not approved for outside security lighting – High Intensity Discharge (H.I.D.) lighting or Halogen lights in excess of 90 watts.
 - C. No more than two double floodlights will be approved without specific approval from the Architectural Control Committee.
 - D. Landscape lighting shall be low-voltage type lighting and must be directed down. "Up" directed lighting and fixtures must be specifically approved by the Architectural Control Committee. A total landscape lighting design must be presented and approved by the Architectural Control Committee prior to installation.
 - E. All exterior lighting (i.e. landscape, security, etc.) must fall within the property limits. Lighting that is directed offsite shall be prohibited.
23. **Retaining Walls:** Any proposed retaining wall must be materially (i.e. stone, brick, etc.) and architecturally compatible with the exterior finishes of the residence and shall be approved by the Architectural Control Committee prior to installation. Retaining walls, which divert ground water onto adjoining properties or which otherwise substantially, change the existing drainage pattern will not be approved.
24. **Vehicle Parking:** No recreational vehicle, motor home, truck which exceeds $\frac{3}{4}$ ton in weight, trailer, boat or disabled vehicle may be parked or stored overnight or longer on any lot or street in open public view.
25. **Garbage and Refuse Disposal:** No lot shall be used or maintained as a dumping ground for trash. Rubbish, garbage or other waste shall be kept in sanitary containers out of public view. Rubbish and garbage containers shall not be permitted to remain conspicuous except on days of trash collection.
26. **Nuisances:** Noxious or offensive activity shall not be carried on upon any lot nor shall anything be done thereon which may be, or may become, and annoyance or nuisance to the neighborhood. Barking dogs shall constitute a nuisance.
27. **Other:** Any alteration or improvement made to the lot within the Community is subject to Architectural Control Committee approval prior to its commencement. All questions should be directed in writing to the Architectural Control Committee at the previously stated address.