

INSTRUMENT



DEVAUN PARK

DESIGN GUIDELINES

Version 2.1

October 23, 2015

These Design Guidelines void and replace Version 1.0, dated January 1, 2001, as described in Article 4 – Architectural Guidelines: Approvals; 4.3 – Design Guidelines recorded at Inst # 127112 Book 1628 Pages 1147, 1148 in the Brunswick County Registry of Deeds.

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Introduction

We hope that building your home at Devaun Park will be an exciting and pleasurable experience for you. Your residence represents a major investment to you and the quality of design is very important. House designs at Devaun Park provide more architectural interest and detail than found in many neighborhoods. The architectural style of the neighborhood is a building design that is compatible with “Charleston” or “Savannah” style homes. These are characterized by attention to detail, classic proportions with wide porches, raised foundations, distinctive porticos and simple rooflines. Devaun Park has been designed as a Traditional Neighborhood Design (TND) community and has won awards for this design. It is the goal and mission of the Architectural Review Committee (ARC) to ensure that this tradition is continued in the future.

The Design Guidelines have been prepared to aid property owners, architects and builders of a house in Devaun Park to understand the requirements and process in order to assure long-term neighborhood quality, continuity and harmony. It is not the intent of the ARC to make judgments as to what is beautiful but to coordinate architectural diversity while creating a blend of styles. The ultimate result will be to help protect your investment and property values.

Lot owners are urged to meet with the ARC or an ARC member as early as possible following a decision to purchase in Devaun Park in order to help interpret the Guidelines, offering suggestions about house concept, assist in contacting qualified people for design and construction, etc. It is best to understand the design requirements early into the process and to begin including these requirements in your personal residential plan.

A. Formal Design Review Procedure

All plans and materials for every proposed new home in Devaun Park must be reviewed by the ARC before construction can begin. To assist in this review, application forms are included with these guidelines. These application forms provide basic information needed for review and may serve as a checklist for you so that all design elements have been considered in the creation of your home. Any questions in reference to the Guidelines should be submitted to the ARC. The following are the reviews that are required:

1. Conceptual Review:

This review allows the applicant to determine the suitability of their proposed house plans and placement on the property. The applicant is encouraged to include as much information as possible such conceptual drawings of the proposed plan and 4 elevations, proposed placement of house footprint on the property and an informal sketch or photo of the site including an indication as to the trees that will need to be removed. The proposed placement of the house on the lot should adhere to the required setbacks (refer to Appendix B). This review packet should also include a completed “Request for Conceptual Review” (Form A). An opinion as to whether or not the plan is acceptable will be offered in an effort to save the applicant time and expense in pursuing a design that would otherwise be disapproved. (See Appendix D for Forms and address for submission.)

2. Preconstruction Review.

This is a detailed review of the proposed plans including site, house plans and landscape design. The required materials for submission to the ARC are: a Survey* (by a certified surveyor) of the lot (appropriate scale showing property lines/dimensions, building footprint, Built Upon

* Site plan survey should be conducted using the North American Vertical datum 88 (NAVD88) model. Area/BUA/impervious coverage area, driveways, walkways, fences, noting all trees to be removed - ≥ 4 " diameter measured 3' above the ground level); Grading Plan (if requested); Foundation Plan (minimum scale of $\frac{1}{4}$ " = 1'); Floor Plan – 2 blueprint-sized copies (minimum scale of $\frac{1}{4}$ " = 1' showing rooms labeled and dimensioned, all heated spaces and porches, garage, overall square footage, both heated and covered); Elevations of all sides at a minimum scale of $\frac{1}{4}$ " = 1' showing all windows, doors, building height, roof pitches and principle materials to be used; Impervious Coverage Calculations (by the surveyor) which include structures, concrete, brick, pavers and similar impervious materials; Material and Color Samples (manufacturer and model/part number of all exterior elements including windows and garage doors; Proposed Landscape Design including plants' common and/or scientific names, spacing, size of containers (≥ 3 gal), type of mulching, bed construction, yard lighting, etc.; completed "Request for Preconstruction Review" (Form B), and completed "Contractor Application for Residence Construction" (Form C); (See Appendix D for Forms and address for submission.) The Review process would be expedited if a digital copy on a flash drive of the house plans was also submitted in the packet.

The Preconstruction Review material packet has to be approved by the ARC prior to any tree removal, staking, or construction. The packet should be submitted to the ARC along with the Review fees (See Appendix D for deposits/fees) by the 1st of the month for consideration that month. The ARC will meet on the 3rd Tuesday of each month. All submittal packets must be complete for consideration.

The committee with the aid of the ARC consulting architect will make a decision and the design will be approved without exception, not approved, or approved with conditions. If the design is approved with conditions, these conditions need to be addressed and satisfied. ARC decisions will be sent from the Management Company to the applicants. Once an applicant's packet is approved without conditions; two more blueprint-sized copies identical to the ones that received approval need to be submitted to the Management Company. These four copies will be stamped with an approval stamp by the ARC. One copy will be kept by the ARC, one will be for the Contractor, one for the owner and one on site. If the design is not approved a packet will need to be resubmitted with plans, etc. that would adhere to the Guidelines.

Upon request of the applicant, the ARC may alter material usage specifications when they conflict with the manufacturer's published recommendations or when newer materials, which are equal to or better than those specified, are proposed.

The ARC will make 3 formal inspections during the construction process:

1. Prior to site clearing for previewing the trees marked for removal and preservation
2. Inspection of stakeout for building footprint (essential prior to any footings being dug)
3. After completion of construction and prior to return of deposits

Intermediate informal inspections will be made to verify compliance with the approved construction drawings. The Owner or Contractor must request these inspections using FORM "E". Until these inspections are satisfactorily completed the work may not proceed.

3. Changes to Approved Designs..

Any changes prior to or during construction to the plans that were approved by the ARC at the Preconstruction Review process (such as changes in materials, design and/or colors) must be submitted to the ARC and must receive written approval from the ARC prior to execution. The “Request for Change(s)” (Form D) should be submitted accompanied by drawings, etc. of the proposed changes. Any major changes and/or additions that will require an additional review by the consulting ARC architect will require a requisite fee. Any unapproved changes that are made without prior approval by the ARC will need to be removed, revised, or replaced at the applicant’s expense. A fine for violating this requirement may be levied at the discretion of the Board Of Aldermen (BOA). (See Appendix D for Form and address to be used for submission.)

4. Changes to Existing Structures.

If an alteration to an existing structure and/or lot improvement(s) is minor, including but not limited to, change of paint color, fences, modification of landscaping (adding or removal of any plant or tree more than 10’ in height), etc., the applicant should submit the “Request for Change(s)” (Form D) accompanied by information that fully describes the intended improvements to the ARC. If the change request is major, including but not limited to porches, garages, bonus rooms, garden/ storage shed or living space, the design review process is similar to that established for new construction. This would involve the services of the ARC consulting architect and a design fee must accompany the request. The ARC reserves the right to request additional information in order to review the proposed plans. If a contractor is involved in the changes a completed Contractor Application for Residence Construction” (Form C) will also need to be submitted. (See Appendix D for Form and address for submission.)

The following Design Guidelines will help to shape, maintain and enhance the timeless quality of Devaun Park. They will be employed by the ARC and during the review process to determine whether a design meets with its approval.

The Design Guidelines cover the following 3 basic sections:

- A. Lot and Site Improvements– things to look for and to do before deciding on the house location, specific recommendations and requirements relating to the site including landscaping and preserving the natural environment
- B. Home Design– considerations when deciding on house design and plan, including specific requirement for building materials, building details, etc.
- C. Contractor Guidelines – guidelines for contractors to follow prior to and during the new home construction

5. Lot and Site Improvements.

One of the unique qualities of Devaun Park is the diverse character of the site, from tall pines to oak clusters, from natural water features to marsh wetlands. It is the intent of these Design Guidelines to ensure that these natural features be retained. New construction should emphasize these features through building setbacks, retaining existing trees and supplemental landscaping.

6. Site Engineering.

Drainage of the lot must conform to the Devaun Master Drainage Plan/Storm water Plan and be consistent with the Water Management District permits for Devaun Park. Although the master drainage plan can

accommodate the anticipated runoff, we encourage the use of rain gutters and downspouts to assist in exceeding the control of water runoff further complimenting the balance between the land and our neighborhood. When rain gutters and downspouts are used, the downspout should be designed to encourage absorption into the ground and not be directed to the adjacent properties.

The privilege of living adjacent to open waters restricts the use of the impervious surface for our neighborhood. The allowable built-upon area per lot vary and are noted on your Deed in accordance with the requirement of the Department of Environment, Health and Natural Resources (DEHNR).

All drainage and grading must be discussed and, if required, indicated on a Site Analysis Plan/Survey as part of the Preconstruction Review and be designed not to create drainage problems on adjacent property.

7. Landscape Design.

Landscaping is a most essential element of your home and should be carefully utilized to reinforce and extend its livability. The advice of a licensed Landscape Architect and/or approved Landscape Designer is recommended when preparing the landscape plan. The actual level of landscaping and cost depends on the amount of existing plants saved. The landscaping must be commensurate with the scale of the home and consistent with Devaun Park requirements. Each lot is evaluated individually during design review to guarantee adequate plantings have been shown on the drawings and will be installed by the owner to meet the requirements. You are encouraged to contact the ARC for questions concerning the appropriate design and budget considerations for your particular lot.

Devaun Park actively encourages the use of water conservation principles to conserve our water resources. Utilize indigenous plant materials and efficient irrigation design that does not water impervious areas.

Preservation of existing vegetation must be taken into consideration in establishing the landscape design. A site plan showing the house location and schematic landscape plan must be submitted on an overlay of the tree survey as part of the Preconstruction Review approval process. Landscape plans must show existing areas to be left undisturbed, proposed planting areas with designated plant locations, sodded areas and all tree locations. Ornamental plantings may be used closed to the house. **A minimum of 5 shade trees** (12 feet minimum in height) or the equivalent with other tree types is required to be on each lot at the end of construction (existing and/or newly planted). A minimum of 50% native plants must be used in the landscape design. Existing material will be credited for these requirements. Citrus or other fruit trees are acceptable only in rear yard areas. Plans must include a plant list with the common and botanical names, plant sizes and spacing. Shrubs should be 3 gallon or larger plants.

Shrub masses can be used to funnel winds, buffer intruding noises, views and screen private areas. All shrub plantings should be massed in groupings of 3 or more plants. No long hedge lines or box-clipped shrubbery will be allowed as a buffer unless approved by the ARC.

Views from the streets, ponds, parks, open space and the Calabash River toward a landscaped yard should complement the appearance of the existing natural vegetation. All front yards and side yards on corner lots must be landscaped and the landscaping approved by the ARC prior to the return of the deposit. Rear yard areas must be landscaped within 2 growing seasons of final approval by the ARC. Yards adjacent to Conservation Overlay District (COD) as noted on the recorded Plat must be landscaped prior to Final Approval of the ARC and should primarily contain native plants.

Grassed lawn areas should be sodded with a grass that is recommended for this coastal area. North Carolina Agricultural Extension Service can assist you in answering any questions regarding soils and maintenance of your lawn. No gravel or rock shall substitute as a ground cover, lawn or mulch. Yards designated to be lawn that are contiguous to the street are to be sodded.

Pine straw or bark mulch must be placed in natural areas to prevent weed growth. All planting beds and/or mulched areas contiguous to a lawn area should be raised above the sod grade and should be spaded to ensure a clean edge.

The existing native trees and shrubs may be trimmed or shaped to compliment the landscape design. All trees that are to be preserved should be left undisturbed from the trunk outward to drip line of the canopy when possible. All operations involving vegetation removal must be performed by a qualified tree surgeon and/or an approved clearing contractor. Bulldozing of vegetation is prohibited unless approved by the ARC. Vegetation that is to be preserved should be marked with a blue ribbon; vegetation to be removed should be marked with an orange ribbon. No fill should be placed on top of the roots and the bases of pines and other existing trees to help ensure their survival.

All grade separations for residential and/or lot grading purposes shall utilize appropriate retaining materials consistent with the materials, structure and architecture of the primary residential home and must be approved by the ARC. Dead material and weeds must be trimmed out of natural areas. To prevent the further infestation and choking of native plants, all existing exotics and vines shall be removed.

Home sites adjacent to the Calabash River, wetlands and the COD area of Devaun Park may selectively clear trees, upon the ARC approval, to establish and maintain a view from these home sites to the Calabash River and neighborhood water features. Selective clearing must be performed during the home construction process when the first and second floors are established so clearing will be minimized to maximize the view potential from a particular room of the residence. This will ensure maintaining the preservation of the forest understory; prevent unnecessary clearing of understory vegetation and trees. At no time shall more than 40% of the view corridor and/or the COD area be removed on one of these home sites. Removal of trees in the conservation areas without permission from the ARC shall subject the owner to a fine of not less than \$300.00 per tree. These fines will be imposed by the BOA.

As the landscape design is formulated and implemented, consideration by the homeowner should be given as to whether the homeowner or a lawn care company will be maintaining the residential grounds. After completion of installation, all lawns must be maintained in a reasonably healthy, environmentally safe and neat manner.

The Landscaping plan must be submitted as part of the Pre-construction application. All guideline restrictions must be carefully considered. The plan must include at a minimum (i) a layout showing the location and identification of all shrubs and evergreens; (ii) the location of all planting beds in relation to the house; (iii) location of all fencing, if any; (iv) location of any exterior equipment (heat pumps, generators, gas tanks, etc.) and the appropriate screening (fence or evergreens); (v) the irrigation design and it's requirements (See details below.). The plan must include acknowledgements that the all beds for planting or covered with mulch are raised above sod grade.

8. Irrigation Design.

Irrigation is required on every lot and must be installed by each lot owner. Owners are encouraged to promote conservation of potable water consumption. All irrigation systems must be of an underground automatic type with time clocks and other equipment screened from view.

No private well will be permitted for potable water consumption and no water withdrawals from existing water features for irrigation purposes are allowed. If a private well is installed for irrigation purposes, it must be at a depth to avoid any discharge through the irrigation system which may stain Devaun Park streets, sidewalks and neighborhood common facilities.

Pop-up spray or drip irrigation systems are required. If the pipe extensions are above ground level, they are required to be chocolate brown or black. Irrigation heads should be placed to prevent spraying onto paved area or into neighborhood buffer areas. Plumbing at the back-flow preventer (RPZ valve) will be inspected by the building inspector and must adhere to code.

Proper zoning of irrigation systems is required. A rain shut-off switch is recommended to prevent irrigation when rainfall is sufficient for landscape watering. A proper timer is required that will comply with activating your irrigation system on the even or odd days of the month governed by your street address during drought periods. This will provide for watering on an alternating basis to conserve consumption of our water resource.

The irrigation design should be included as part of the landscaping plan. Irrigation piping should be shown as a dotted line. Sprayer head approximate locations should be marked with an "x" and labeled as to type. Zones should be identified and a comment that the irrigation system has a 100% coverage.

9. Structure Orientation.

Location of your home on the lot should consider the existing native vegetation, shape of the lot, adjacent residences, its relationship to the street and the view from and to the structures. The land plan of Devaun Park has been carefully designed to provide adequate lot widths along the Calabash River to ensure the opportunity for views from some of the interior lots of Calabash River. Houses should be placed on the lots such that there is not less than 15' between adjacent residences on standard sized lots and 7.5' for half lots. Proposed homes on standard sized lots should be placed such that there will be at least 7.5' on either side of the buildings from the property line in order to not negatively impact the adjacent properties and their future home sites. On 30' wide lots the minimum side yard setback shall be 3'9". Setbacks shall be measured from the property line to the structure. (Refer to Appendix B for specific zoning setbacks.)

10. Miscellaneous.

All owners must connect to community water, telephone, sewer and electrical utilities that are offered at the lot line.

Location and materials of all animal housing will be subject to approval by the ARC. This includes doghouses, birdbaths and pole-mounted birdhouses if visible from the street. All features such as fountains, statues and topiaries must be approved for materials and locations and may be best suited inside a walled garden or rear yard.

B. Home Design

The exterior of all dwellings should be designed to be compatible with the existing vegetation and the adjacent structures. All buildings within Devaun Park should be in harmony with their surroundings. Consideration of the tropical location is important and covered overhangs will help protect from the sun and driving rains. Interior/exterior relationships are important and made more enjoyable with decks, patios, porches, trellises and lanais.

The landforms, vegetation and views should dictate the building location. The architectural style should be in keeping with the Traditional Neighborhood Design and the "Charleston"/"Savannah" style homes. If the judgment by the ARC concerning the home site location, basic style, roof line, exterior materials or other features of the home are too dissimilar to those in the neighborhood; the design will be requested to be revised and resubmitted.

Equal attention to detail and architectural definition must be given to all sides of the home, including but not limited to, banding, accent materials, and roof character and window treatment. Retaining walls, planter walls and privacy walls will break up the façade of a building and help relate the structure to the ground.

1. Foundations.

All crawl space or elevated slab foundations should result in the structure being at a minimum of 30" above grade as seen from the front elevation. Porch foundations should be piers with screening between piers being horizontal louvered vents, 1 x 3 site-built lattice, $\geq 1/2$ " custom plastic lattice in a horizontal or diagonal pattern or brick lattice pattern, all with screening on the back side, (1/4" thick vinyl lattice is not acceptable). Spacing on lattice should be ≤ 2 ".

2. Porches

Porches are required on the front street elevation of every lot. The front porch should occupy a minimum of 50% of the street front elevation at the first floor and shall be a minimum depth of 8'. Corner lots are required to have the porch follow the street wall and wrap around the corner to occupy a minimum of 30% of the side yard elevation facing the adjoining street. Porches may be screened if not contiguous with the front porch. Second story porches must be of the same design and constructed in a fashion complimentary to the lower one. Screening used must be bronze, charcoal or other color approved by the ARC. Mill-finished aluminum or other light reflective color or material is not allowed. No changes (including adding screening or converting to an enclosure) may be made to approved or existing porches without approval by the ARC.

3. Roof Pitches

Roof pitches and overhangs may vary as necessitated by architectural design. No flat roofs are allowed as a major structural element. Flat roofs shall be permitted only when accessible from an adjacent enclosed space. A minimum of 8-12 slope is required unless approved by the ARC. Porches or other small areas can have slope of less than 6-12 but are subject to approval by the ARC for location. Roof overhangs will protect the house from the sun and will provide passive energy conservation. Roofs shall be symmetrical about their peaks. A sample of your desired roofing material in the desired color (architectural shingle, metal, tile, etc.) should be submitted with the Preconstruction packet.

4. Roof Accessories.

Plumbing stacks and roof vents must match roofing colors and be placed as inconspicuously as possible, preferably located on the rear elevation.

Exposed flashing, gutters and downspouts must be approved.

Any solar installations shall be installed to give the appearance of a skylight and be installed with a finished trim material or curb and located so as not to be visible from the street. Skylights cannot be visible from the front elevation of the street.

5. Exterior Walls.

Wall material may be of cypress, cedar or other hardwoods, Hardie plank (cement board) or brick/brick veneer. Siding pattern may be rough or smooth: 106 drop siding, 6" lap siding, 6" shingle, vertical board and batten. Trim pattern shall be smooth-planed 2 x 4 or 2 x 6 at corners and openings with caulked abutting joints.

Chimneys shall be masonry, brick, stucco or Hardie plank siding (gas fireplace insert) and shall terminate with an identifiable chimney cap unless approved by the ARC. Chimneys for wood burning fireplaces should be totally masonry and constructed according to building and fire codes.

6. Exterior Colors and Finishes.

All exterior colors must be approved by the ARC (Samples must be submitted during the Preconstruction Review). Paint system used must be a minimum of 1 coat primer and 1 coat acrylic latex paint with mildew additive. Caulking is required around all exterior openings and at other necessary places where wood or siding is jointed and shall be 100% acrylic or paintable silicon. When repainting, the original color scheme shall be repeated or a new color scheme should be submitted for approval.

7. Exterior Doors

A paneled front entrance door of wood, metal, vinyl or fiberglass is recommended and should be painted or stained to compliment the exterior design. Sliding glass doors shall be permitted only if located in the rear yard or behind privacy screens. Screen door patterns and material must be approved by the ARC. French doors if used should have true divided lites.

8. Windows,

Casement, awnings or double/single hung windows may be used. Individual windows or porch openings when rectangular should have horizontal to vertical proportion of not less than 1:1.5. Material should be vinyl, wood or wood with aluminum or plastic cladding. No snap-in muntins are permitted. Muntins are to be fixed to the outside of the windows. The inside of the glass may have either fixed muntins or those that are 3 dimensional placed between the layers. Awning type windows of horizontal proportions may be used at clearstories. Radius windows, round windows, stained glass, fixed glass, or other windows must be submitted for approval to the ARC. All windows must be able to receive storm sheathing in case of a storm emergency.

Screens should be integral with the window with bronze, dark grey fiberglass, aluminum or copper screening. Screens should have wood or ESP (Environmentally Safe Product) white aluminum frames. Screens are subject to approval by the ARC if they are not part of the manufactured window unit.

Exterior shutters, when used, should be operable or appear as such and be made of wood or fiberglass. Storm shutters or windows may be installed over openings only as an impending storm approaches.

9. Exterior Stairs and Porch Railings.

Stair stringers shall be notched to receive treads. Railings shall have a top and bottom rail and pickets shall die into the bottom rail. Pickets should be spaced according to building code. Railings should be made of wood or an approved synthetic material (aluminum, plastic/composite or wrought iron). Individual railing patterns shall not replicate that of the houses adjacent to the subject property.

10. Garages and Driveways,

A minimum 2-car garage, attached or detached and with openings sized for cars, is required. There should be 2 uncovered spaces for parking outside the garage. Properties contiguous to a service lane must utilize the service lane alley to access their garage. Turnaround capabilities may be requested to be provided for home sites that only accommodate side-loaded garages. Home sites approved for front loading garages (those not serviced by an alley) will require the garage be set back 20' behind the first floor living space on the front of the residential structure. Garages should be at or near the existing grade of the lot. Single or double overhead door(s) are permissible and must have automatic openers installed. The garage and garage doors should be compatible with the exterior design of the house. It may be desirable that garage doors match the material and/or color of the structure to de-emphasize the garage door(s). No garage door may be more than 8' in height. Doors on front-loading garages must include windows, panels or trim that enhances the appearance from the street.

No pavements shall be closer than 5'0" to the side property line unless specifically approved in writing by the ARC. Front entry driveways shall be no wider than 10' fronting the street. Driveway paving materials (such as patterned concrete, pavers, aggregate, concrete, pressure treated timber) must be approved by the ARC. Mulch, gravel and asphalt are not acceptable materials for driveways. Driveways should accommodate a full-sized single vehicle (including SUV and/or pickup truck) and not extend into the street right of way, alley or sidewalk.

11. Fasteners

All bolts, nails, staples, hinges, etc. exposed to the weather shall be hot-dipped galvanized steel, stainless steel, or brass. The contractor shall provide a complete hurricane tie-down system consisting of anchor bolts, strapping, cabling and clips as required for the particular connections with the structure. Roofs have to be bracketed to walls and/or cabled to floors, foundation, or footings. Walls have to be bracketed to floors. Floors have to be bracketed to foundations and foundations to footings. Footings have to be designed to accommodate structure brackets and wind loads during storm events. All structures must comply with the most recent adopted hurricane build codes.

12. Fences and Walls

All fencing and wall materials, shapes and colors should be compatible with the design and materials of the house and neighborhood. If wood pickets are used, they should be painted white. A gate and entrance from all streets and footpaths shall be provided if fences are installed. Split rail and chain link fences are prohibited. Design and fence installation should consider stress wind loads from storm events. Residential fences cannot exceed 4' in the front (any areas preceding 15' back towards the rear along the sides from the front corners of the dwelling). Taller fencing, not to exceed 6', can be used on the rear and sides of the

house (side fencing to start >15' from the front corner of the house toward the rear). Fencing should be used to screen or buffer private areas, not to enclose an entire lot or major portion thereof unless approved by the ARC. Privacy fences and/or walls are not recommended but will be addressed on a case by case basis. The ARC must approve the general design, location, configuration, materials and color of all fencing and walls.

Pool enclosures must tie in or match the building structure with a matching fascia, roofline and/or slope. If you desire to install your own swimming pool, the pool must be in-ground and the enclosure must be shown on all plans, including roof plans, floor plans and elevations. No pool enclosure is allowed to extend beyond the side of the home, except where well buffered from street side views.

13. Utilities Screening.

All HVAC units, utilities, propane tank (≤ 100 gallon tank), pool equipment, emergency generators, garbage and recyclable containers must not be readily visible from the street of Devaun Park. These may be placed in setback areas and must be screened. Adequate landscaping, fencing or privacy walls must be installed around these utilities. Screening design must be submitted to and approved by the ARC. (Propane tanks > 100 gallon must be buried.) We recommend you explore the new technology available using geothermal air conditioning and water heating systems. These closed systems can provide efficiency while reducing the impact on the environment and providing quiet operation.

14. Exterior Lighting.

Exterior light fixtures should be subtle, with emphasis on function and not a dominant architectural element. Light sources should be concealed where possible, with all light in shades of white, no colored lights are allowed. No spillover of light or corner hung soffit spotlights are allowed that can spill over on neighboring properties or neighborhood common areas. Lighting must be shielded to prevent glare. Wall washes can be achieved through an eave-mounted, wall or ground light. Tree up lights should be concealed underground or in shrub masses.

Garden lights or walkway bollard should direct the light downward with a concealed spotlight. Post lights are discouraged and require approval by the ARC.

Electrical plans must show the location of all exterior lighting as well as an automatic garage door opener. A schedule of exterior lighting fixtures must identify the manufacturer, model and wattage of each fixture. Exterior light fixtures shall use light bulbs of 75 watts or less preferably controlled by a dimmer switch to conserve energy. All exterior fixtures shall be approved by the ARC prior to installation. All entries from streets or footpaths shall have at least one Pathway "mushroom light" placed at the intersection of the path to the street or footpath so that light is cast on both the street or footpath and the entry. This light should be controlled by a photocell. Pathway lighting shall be spaced a minimum of 15' apart.

15. Sidewalks.

All home site sidewalks should be aligned to provide an entry statement from the street to the front door. Entry walkway surface materials should be the same or compatible with the driveway and structure materials. See paragraph 10.above

16. Service Lines.

All electrical, telephone and television service drops shall be underground.

17. House Numbers.

All houses must display street numbers using 4" numbers in a block-letter style (metal that is in keeping with house features and colors). Numbers shall be placed on the entry door, post or header, preferably in a horizontal position so as to be visible from the street.

18. Mailboxes.

Residences are required to use the approved, Devaun Park, Charleston Green mailbox. The Devaun Park Management Company should be contacted 14 days prior to the desired installation date of the box. The cost of the box and post is approximately \$250.00 and is to be paid by the new homeowner. The boxes should be installed according to the U.S. Postal Service Guidelines. Installation of the box can be coordinated with the Management Company at an additional expense if the homeowner chooses not to install the box themselves.

19. Signage.

For sale, contractor, architect, landscape architect and real estate signs will not be allowed on lots with one exception. The exception, a single sign, no larger than 2' x 3' identifying the general contractor and design team only, will be allowed on lots under construction a minimum of 10' behind the street right of way and must be approved by the ARC prior to installation.

20. American Flags, State Flags and Political Signs.

THIS DOCUMENT REGULATES OR PROHIBITS THE DISPLAY OF THE FLAG OF THE UNITED STATES OF AMERICA OR STATE OF NORTH CAROLINA. Political signs are prohibited in Devaun Park except as specifically allowed by "North Carolina Statute Section 47F-3-121". If other sections of North Carolina or federal law also apply they must be honored. The statute reads as follows:

§ 47F-3-121. American and State flags and political sign displays.

Notwithstanding any provision in any declaration of covenants, no restriction on the use of land shall be construed to:

1. (1) Regulate or prohibit the display of the flag of the United States or North Carolina, of a size no greater than four feet by six feet, which is displayed in accordance with or in a manner consistent with the patriotic customs set forth in 4 U.S.C. §§ 5-10, as amended, governing the display and use of the flag of the United States unless:
 1. For restrictions registered prior to October 1, 2005, the restriction specifically uses the following terms:
 1. Flag of the United States of America;
 2. American flag;
 3. United States flag; or
 4. North Carolina flag.
 2. For restrictions registered on or after October 1, 2005, the restriction shall be written on the first page of the instrument or conveyance in print that is in boldface type, capital letters, and no smaller than the largest print used

elsewhere in the instrument or conveyance. The restriction shall be construed to regulate or prohibit the display of the United States or North Carolina flag only if the restriction specifically states: "THIS DOCUMENT REGULATES OR PROHIBITS THE DISPLAY OF THE FLAG OF THE UNITED STATES OF AMERICA OR STATE OF NORTH CAROLINA".

2. This subdivision shall apply to owners of property who display the flag of the United States or North Carolina on property owned exclusively by them and does not apply to common areas, easements, rights-of-way, or other areas owned by others.
3. (2) Regulate or prohibit the indoor or outdoor display of a political sign by an association member on property owned exclusively by the member, unless:
 1. For restrictions registered prior to October 1, 2005, the restriction specifically uses the term "political signs".
 2. For restrictions registered on or after October 1, 2005, the restriction shall be written on the first page of the instrument or conveyance in print that is in boldface type, capital letters, and no smaller than the largest print used elsewhere in the instrument or conveyance. The restriction shall be construed to regulate or prohibit the display of political signs only if the restriction specifically states: "THIS DOCUMENT REGULATES OR PROHIBITS THE DISPLAY OF POLITICAL SIGNS".
4. Even when display of a political sign is permitted under this subdivision, an association (i) may prohibit the display of political signs earlier than 45 days before the day of the election and later than seven days after an election day, and (ii) may regulate the size and number of political signs that may be placed on a member's property if the association's regulation is no more restrictive than any applicable city, town, or county ordinance that regulates the size and number of political signs on residential property. If the local government in which the property is located does not regulate the size and number of political signs on residential property, the association shall permit at least one political sign with the maximum dimensions of 24 inches by 24 inches on a member's property. For the purposes of this subdivision, "political sign" means a sign that attempts to influence the outcome of an election, including supporting or opposing an issue on the election ballot. This subdivision shall apply to owners of property who display political signs on property owned exclusively by them and does not apply to common areas, easements, rights-of-way, or other areas owned by others. (2005-422, s. 8; 2006-226, s. 15(b).)

21. Miscellaneous

No external TV antennas are allowed. Satellite dishes must be located such that they are not visible from the street.

No newspaper tubes or driveway reflectors will be allowed.

Children's playground equipment or other recreational equipment must be restricted to rear yards without visibility from streets, common areas and neighboring property minimized. Wood play sets that blend with the natural surroundings are preferred. Brightly colored or metal play sets are discouraged unless completely screened.

C. Contractor Guidelines

All builders of homes in Devaun Park must be licensed by and in good standing with the State of North Carolina.

- *No construction should be initiated without approval of the Preconstruction Review Packet by the ARC.* All construction must be completed within 12 months of the date the ARC issued approval. Any extensions on the completion period due to extenuating circumstances have to be approved by the ARC. The landscaping in accordance with the approved landscape plan must be completed within 10 days of receiving the Certificate of Occupancy and prior to the new homeowner moving in. A fine for violating these requirements may be levied at the discretion of the BOA. No deposits will be returned without the final inspection by the ARC which will pay special attention to the Guideline requirements such as requirement of 5 shade trees $\geq 14'$ in height and the screening of all utilities including HVAC and propane tank.
- *Tree Marking Inspection* - After approval by the ARC of the Preconstruction Review Packet and prior to clearing the lot, the trees on the lot should be marked as was shown in the survey that was submitted as to which trees will be removed and which trees will stay. Prior to any clearing of the lot, ARC approval shall be obtained. To obtain this approval, vegetation to be removed shall be marked with an orange ribbon and those to be preserved shall be marked with a blue ribbon. (Requirement is that no living tree 4" or more in diameter measured at 3' above the ground shall be marked for removal without the approval of the ARC unless it is in the area of the building site that has been approved for the construction of a structure.) The contractor or lot owner must contact the ARC for this inspection. (See Form "E".) The ARC will verify the markings and notify the contractor to proceed if everything is in compliance. No bulldozing or uncontrolled felling of trees will be permitted.
- *Stakeout Inspection* – No footings should be dug until the ARC has confirmed that the stakeout is according to plans. The contractor must contact the ARC for this inspection. (See Form "E".) The ARC will verify the layout and notify the contractor when this has been done.

1. Silt Fence .

A silt fence, other erosion control devices and protective fences must be installed prior to any grading activities and must be maintained during the entire construction process. It is important that all areas shown on plans to be preserved in the natural state will be left undisturbed during the construction period. The Contractor is responsible for erecting barricades to protect these natural areas. It will be the financial responsibility of the contractor to re-landscape any disturbance of these natural areas.

2. Job Toilet.

Each building site is required to provide a job toilet for the workers. It must be located at a minimum of 10' behind the street right of way in an inconspicuous location. The toilet must be screened on 3 sides and the door is to face away from the street or any existing residences. Workers are required to use the toilets. Any unnatural watering of vegetation is prohibited in Devaun Park.

3. Trash.

Contractors shall be held responsible for trash and debris either at the worksite or falling from construction vehicles during transit. The construction site should be kept neat and orderly at all times. A trash bin is required for each job site and an approved refuse vendor is required to recycle site construction debris on a schedule such that the bins do not become overflowing with trash. Dumpsters are not permitted and burial

of construction debris is prohibited. At the end of each workday, particularly prior to weekends and holidays materials must be stored neatly and all trash placed in the required designated areas. No trash should be strewn about the site or piled openly unless separated for recycling as required by the debris removal contractor.

4. Temporary Utilities.

Arrangements must be made with the utility companies to provide temporary running water and electricity on the building site prior to the start of construction. Contractors found using adjacent property owner or developer owned utilities will be required to cease construction until proper temporary utilities are installed. The contractor is also subject to fines as determined by the BOA.

5. Site Maintenance.

The general contractor and/or builder shall be responsible for ensuring the job site is maintained in a neat and clean manner at all times. Materials must be stored within the property lines whenever possible. Storage and parking on adjacent properties is allowed only when written approval from adjacent property owner(s) has been received and filed with the ARC. A clear street right-of-way is to be maintained.

The following is a description of the standard of neatness to be maintained at every construction site. If additional efforts are required to keep the site clean and neat, they will be added.

Daily:

- All garbage (bottles, cans, wrappers, empty containers, etc.) shall be placed in a barrel or container.
- All exterior cutting areas shall be kept as neat as possible.
- All delivery materials (wrappings, pallets, cardboard, etc.) must be placed in a container.
- All construction materials must be kept as neat as possible on the site of construction
- Materials on site, especially plastic or Tyvek, shall be prevented from blowing around or near the site or flapping around.
- The silt fence around site and tracking pad shall be maintained in good order. (This will help with most of the "dirty site" complaints.)

Weekly:

- All construction debris (cut off materials) must be removed or placed in containers.
- All material stored outside should be maintained as best you can. Over weekends and holidays these materials should be covered.
- Ladders are to be taken down as not to create a safety hazard when workers are not on site.
- The construction debris box is to be emptied regularly as not to have an overflow of garbage/debris.
- A tarp is to be placed over the construction debris box daily. (This is an inexpensive way to help avoid unsightly issues as well as unwanted materials being placed by unwanted visitors using construction boxes.)
- Repair and/or restoration of adjacent property or any other areas damaged as a result of the construction (including deliveries, rain events, etc.) are the Contractor's and Owner's responsibility.

Contractor/Owner must notify an ARC member of the damage immediately. The ARC will determine the needed remediation, which may be required to be done immediately or later during the job.

6. Conduct of Workers.

The conduct of workers is the responsibility of the contractor. Radios, CD players, etc. are not allowed to be played at a volume that can disturb residents. Dogs or other pets on the construction site must be leashed and under the control of the owner at all times and not allowed to roam from the site. The contractor shall remove any animal if requested by the ARC.

7. Working Hours.

The working hours for construction activities shall be:

Monday through Saturday 7 am – 7 pm

Sunday no construction work allowed

New Year's Day, Memorial Day, July 4th, Thanksgiving and Christmas Day – no construction work allowed

8. Signage.

The general contractor may post an ARC approved identification sign on the lot, a minimum of 10' behind the street right-of-way, during the construction phase. Refer to "House Design" section #19 "Signage" for specifics concerning the size and style of the sign that is allowed. All signs and permits must be removed no later than 15 days after the CO is issued.

9. Parking.

Parking of vehicles on the curb, sidewalk and preserved landscape areas of the residential building site, landscape islands within the preserved common areas are prohibited. A fine for violating this requirement may be levied at the discretion of the BOA. Utilize the common vehicular corridors for contractor and sub-contractor parking area. Never block vehicular and pedestrian corridors or park on adjacent properties (unless signed permission has been obtained). Violations during construction may require the ARC to have the damaged area repaired and that amount will be deducted from the required construction deposit of the applicable responsible general contractor. The construction deposit must be immediately replenished to the required construction deposit amount for the building process to continue.

10. Fires.

Fires are not permitted on the construction site under any circumstances.

11. Damages During Construction.

Any tree that was to be preserved and that is damaged due to construction will result in a minimum fine of \$300.00 per tree to the contractor and will be unconditionally deducted from the required construction deposit. Damage to streets, sidewalks, curbs, etc. incurred during construction is required to be repaired by the general contractor and to return the area to the condition it was in prior to construction.

12. After Construction.

When construction of a residence is completed, the landscaping must be installed conforming to the previously approved plans. All building debris must be removed from the site and the surrounding areas; the construction site sign and temporary power pole must be removed. After the Certificate of Occupancy is

received, the contractor or homeowner should notify the ARC that the site is ready for the ARC Final Inspection. (See Form "E".) Any changes to the previously approved plans must be corrected or approved in writing by the ARC before a Final Approval will be issued and the Preconstruction Deposits returned.

D. Variances

If the owner, architect and/or landscape architect feel that certain portions of the Design Guidelines are inappropriate, based on the design elements of his particular residence, then the owner may apply for a variance from a specific requirement of the Guidelines. The burden of establishing the reasons why a specific requirement of the Design Guidelines is not appropriate lies with the owner and their design professionals. The owner's design professional should make reasonable assurance in the variance request submittal how the overall intent of the Design Guidelines will be accomplished with the residence as proposed. The granting of the variance rests solely with the ARC in consultation with the ARC consulting architect and/or Devaun Park Board of Aldermen (BOA) as appropriate. Granting of the variance for one particular situation does not warrant or imply that a variance will be granted for the same situation for another home site. Each variance will be reviewed on a case-by-case, residence-by-residence basis, in keeping with the overall objectives of the Design Guidelines.

E. Appeal Process

If the owner and/or architect is/are in disagreement with a decision by the ARC and the disagreement has not been resolved satisfactorily, then the owner and/or architect can request an appeal of the decision. The appeal should be presented in written form to the Devaun Park Board of Aldermen. The appeal should provide all of the information that would be required for the BOA to make an informed decision. The appeal hearing process will include a presentation by the owner, etc. and the ARC to the BOA.

F. General Provisions

In addition to the provisions of the Devaun Park Design Guidelines and these regulations, all construction is subject to the provisions of the North Carolina Standard Building Code and all applicable state and county building codes. All review and inspection procedures described in these regulations along with the design approval process are intended to ensure compliance with aesthetic considerations. The ARC is not responsible for design or construction defects, structural failure or failure of the building to meet appropriate building codes.

The general contractor and all their subcontractors shall be licensed as required by the Brunswick County Building Department. The general contractor shall warrant all materials and workmanship to be good quality and remain so for a period of one year. All contractors should carry insurance as follows: the general contractor should furnish to the owner and the ARC prior to construction evidence of the coverage and should secure the same from all subcontractors:

Workmen's Compensation as required by law

Public Liability: \$100,000 for one person, \$300,000 for each accident occurrence

Property Damage: \$50,000 for any accident.

G. Fines

The Board of Aldermen, with or without the recommendation of the ARC, has the authority to fine the Owner of any property for violations of the provisions of these Design Guidelines.

DEVAUN PARK COMMUNITY ASSOCIATION, INC.

By: _____ (SEAL)

_____, President

STATE OF NORTH CAROLINA
COUNTY OF BRUNSWICK

I certify that the following person personally appeared before me this day, acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

Date: _____

Signature of Notary Public

_____, Notary Public

Printed or typed name

My commission expires: _____

APPENDICES

APPENDIX A. Reference to Declaration Of Protective Covenants.

Devaun Park

The Design Guidelines and procedures outlined in this document are a requirement for any owner of residential, commercial, or other property within Devaun Park.

The review and approval process is authorized in Article 4 of the “Proclamation of Protective Covenants” for Devaun Park. Other restrictions on the use of your home site are also contained within the proclamation. The proclamation, along with the Guidelines, contains important information that all residents of Devaun Park must comply with and must read prior to beginning the building design process.

The Design Guidelines may be amended from time to time to make them clearer and more useful. Please check the Devaun Park website to assure you are using the latest version.

For any questions relating to the ARC, to establishment of the Design Guidelines and to the review process please refer to the following:

Article 4 - Architectural Guidelines: Approvals

- 4.1 Purpose
- 4.2 Architectural Review Committee
 - a. Right to Assign ARC Functions
 - b. Liability of ARC Members
 - c. Indemnification
- 4.3 Design Guidelines
 - a. Interior Improvements
 - b. Drainage
 - c. Siting and Setbacks
 - d. Other Guidelines
 - e. Guidance: Final Authority of ARC
 - f. Inspection and Permit and Certificate Issuance
 - g. Fees and Charges
- 4.4 ARC Landscaping Approval
- 4.5 Approval Not a Guarantee
- 4.6 Founder’s Right to Create Separate ARC

APPENDIX B. Notes To Be Recorded On Survey Plats.

Devaun Park

1. All lots adjoining an alley are subject to a 10' wide utility easement.
2. All streets are private and subject to public utilities easements.
3. All streets are subject to annexation to the town of Calabash at the sole discretion of the Developer.
4. All lots are to be serviced by county water and sewer system.
5. Zoning: PUD September 14, 1999
6. Minimum Setbacks - Standard sized lot:
 - Front = 15 feet
 - Rear = 10 feet
 - Sides = 7 feet 6 inchesMinimum Setbacks – “Half Lot”:
 - Front = 15 feet
 - Rear = 10 feet
 - Sides = 3 feet 9 inches

APPENDIX C. Architects Websites

Devaun Park

The following websites offer an interesting array of house plans and designs. All of the plans and designs will not fit within a community of Traditional Neighborhood Design (TND)/"Charleston" style homes. However, most are adaptable.

www.allisonramseyarchitect.com

www.moserdesigngroup.com

www.saterdesign.com

www.johntee.com

www.sullivandesigncompany.com

www.mouzon.com

www.nelsondesigngroup.com

www.southernlivinghouseplans.com

www.stephenfuller.com

www.frankbetz.com

www.dongardner.com

www.coolhouseplans.com

www.homeplans.lrk.com

www.lrk.com

www.williampooledesigns.com

APPENDIX D. Submission Information and Forms.

Devaun Park

Deposits and Fees:

Construction Performance Deposit	\$1,000.00
Landscape Performance Deposit	500.00
Review and Road Fees	2,440.00

Two (2) separate checks: one for \$1,500.00 and one for \$2,440.00 made out to: Devaun Park Community Association

Mailing/Shipping Address:

CAS, Inc.
4002 Executive Park Blvd, Suite 100
Southport, NC 28461

Attn: Michelle Massarelli

Drop Off Location:

CAS, Inc.
4002 Executive Park Blvd, Suite 100
Southport, NC 28461

Attn: Michelle Massarelli

Email: michelle@casnc.com

Devaun Park ARC Committee Members:

Chuck Barone
Greg Dicovitsky
Terry Terragna

Communications with the ARC should be through the ARC email account,
arc@devaunpark-dpca.com

Form A **“Request for Conceptual Review”**

Form B **“Request for Preconstruction Review”**

Form C **“Contractor Application for Residence Construction”**

Form D **“Request for Change(s)”**

Form E “ Request for Inspection”

FORM "A". Request For Conceptual Review.

Devaun Park

(DIGITAL COPY (PDFs) REQUIRED)

LOT #: _____ **DP STREET ADDRESS:** _____ **Date:** _____

LOT OWNER _____

PHONE _____ CELL _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____ FAX _____

EMAIL _____

REQUIRED FOR CONCEPTUAL REVIEW:

___ **CONCEPTUAL PLANS (usually available from architect without ordering working plans)**

___ **FLOOR PLAN** ___ **ALL ELEVATIONS OF HOUSE INCLUDING GARAGE**

___ **SKETCH OF PROPOSED PLACEMENT OF HOUSE ON LOT WITH ALL LOT AND FOUNDATION DIMENSIONS (Be sure to take into consideration all required setbacks on front, sides and rear).**

___ **SHOW LOCATION OF EXISTING TREES CURRENTLY ON LOT AND MARK THOSE PROPOSED FOR REMOVAL.**

___ **DIGITAL COPIES**

OPTIONAL ITEMS AND/OR QUESTIONS: (SUCH AS)

___ **PHOTO OF LOT**

___ **MISC. INFO/QUESTIONS (Remember, the purpose of this submission is to save you the work of choosing a house that would otherwise be determined not to meet the acceptable style or building criteria. (BE AS COMPLETE AS YOU CAN HELPING US TO SAVE YOU POTENTIAL TIME AND MONEY).**

SUBMITTED BY: _____

SIGNATURE: _____

=====

=

DP USE ONLY:

DATE RECEIVED: _____

DECISION DATE: _____

FORM "B". Request For Preconstruction Review.

Devaun Park

(DIGITAL COPY (PDFs) REQUIRED)

LOT #: _____ **DP STREET ADDRESS:** _____ **Date:** _____

OWNER _____
PHONE _____ CELL _____
ADDRESS _____
CITY _____ STATE _____ ZIP _____ FAX _____
EMAIL ADDRESS: _____

SURVEYOR _____
PHONE _____ CELL _____
ADDRESS _____
CITY _____ STATE _____ ZIP _____ FAX _____

CONTRACTOR _____
PHONE _____ CELL _____
ADDRESS _____
CITY _____ STATE _____ ZIP _____ FAX _____

REQUIRED:

___ **A. LOT SURVEY (by Certified Surveyor) SHOWING:** ___ Property Lines & Dimensions, ___ Building Footprint, ___ Placement & Dimensions, ___ Proposed Driveways, Walks & Fences, ___ Trees to be removed & retained (Overlay).

___ **B. LANDSCAPE PLAN.** ___ Tree, Shrub, Evergreen Layout ___ Raised Bed Layout ___ Sod Area ___ (Statement on plan citing that all beds are raised)

___ **C. 4 SETS, FULL-SIZED CONSTRUCTION BLUEPRINTS** (Min 1/4"=1') ALL AREAS LABELED & DIMENSIONALIZED: Must include:
___ Impervious Coverage Area Total, ___ Windows, ___ Doors, ___ Heights, ___ Roof Pitches, ___ Porches, ___ Garage, ___ Walkways, ___ Floor Plan, ___ All 4 Elevation Plans.

___ **D. DIGITAL COPY** of all Materials presented.(PDFS)

E. EXTERIOR MATERIALS & COLORS:

___ **Paint:** Mfgr. Brand & Number (Submit ColorSamples) _____
___ Walls _____ Trim _____ Other _____

F. EXTERIOR FINISHES:

Siding - Material Type _____ Size _____ Color _____
Trim - Material Type _____ Size _____ Color _____

Foundation - Material Type _____ Size _____ Color _____
Other (list) - Material Type _____ Size _____ Color _____

___ **G. ROOFING:** (Submit Mfgr. Brand, Color & Sample) _____

___ **H. SCREEN ENCLOSURE:** (Submit Sample).
Location _____ Screen Color _____

___ **I. PAVING:** (Mfgr., Color & Style/Sample) –
Location/Description: _____

___ **J. IRRIGATION PLAN:**
___ Piping layout (marked by dotted line) ___ Sprinkler Head Location (marked by "X's") ___ (Statement on plan citing 100% coverage by sprinklers)___

K. EXTERIOR LIGHTING (submit catalog cuts)

Submitted By: _____ Signature: _____
=====

ARC Use Only: Decision Date: _____ Date Received: _____

FORM "C". Contractor Application Residential Construction

Devaun Park

(DIGITAL COPY (PDFs) REQUIRED)

LOT #: _____ **DP STREET ADDRESS:** _____ **Date:** _____

Construction Type: **New Construction** **Existing Exterior Add-ons or Landscape Renovation**

Owner:

Name _____
Address _____
City _____
State _____ Zip _____
Phone _____ Cell _____
Email _____

Contractor:

Name _____
Address _____
City _____
State _____ Zip _____
Phone _____ Cell _____
Email _____
Contractor License #: _____

DEPOSITS Paid Herewith:

Construction Performance Deposit (\$1,000.) Paid On Date _____ BY _____

Landscape Performance Deposit (\$500) Paid On Date _____ By _____

Review & Road Fees (\$2,440) Paid on Date _____ BY _____

AGREEMENT:

I, _____, as **Contractor** for the Owner of the above described construction project acknowledge and agree that the deposits referenced herein are to be held by the Devaun Park Community Association to ensure that all improvements will be constructed in accordance with the Devaun Park Design Guidelines and plans and specifications as approved by the Devaun Park Architectural Review Committee (ARC).

I further acknowledge and agree that:

1. I have read and understand the Devaun Park Design Guidelines and I agree to abide by the same.
2. I am responsible for completing the project as described by the drawings and specifications once approved by the ARC and any proposed changes will be submitted to the Devaun Park ARC for approval prior to implementation.
3. I will maintain a clean construction site at all times and install a sign that complies, trash bins (no commercial dumpsters) and job toilet in conformance with the Guidelines and adhere to the site organization and parking requirements.
4. I am responsible for the conduct of vendors, subcontractors, employees and other workers performing services on this project at all times while they are in Devaun Park.
5. All Deposits will be held in a non-interest bearing account and shall be returned within four weeks of completion of the successful final inspection by the Devaun Park ARC.
6. Any charges for repair of damages or damaged areas, fines for violations, the correction of changes not approved by the ARC or work contracted to improve the appearance of untidy sites may be deducted from the Deposits.

Special Notes Regarding Signs and Job Toilets:

Signage- You may post a single Devaun Park ARC approved identification sign on the lot, a minimum of 10' behind the street right-of-way during the construction phase. The sign must be approved prior to installation by the Devaun Park ARC and be no larger than 2' x 3' identifying the general contractor and the design team only.

Job Toilet- Each contractor building site is required to provide a job toilet for workers. It must be located a minimum of 10' behind the street right-of-way, screened on three sides and the door facing away from any existing residences or the street. Workers are required to use the job toilet.

This document is not a replacement for the Devaun Park Design Guidelines and should not be relied on as a substitute.

THIS APPLICATION, Deposit and Agreement made _____ day of _____ 20____.

Witness to Contractor

Contractor's Signature

Witness (Printed Name)

Contractor (Printed Name)

Date Signed _____

Application Approved this _____ day of _____ 20____ by: _____

Devaun Park Architectural Review Committee for
Devaun Park Community Association

FORM "D". Request For Changes.

Devaun Park

(DIGITAL COPY (PDFs) REQUIRED)

LOT #: _____ DP STREET ADDRESS: _____ Date: _____

Construction Type: _____ New Construction _____ Existing Exterior Add-ons or Landscape Renovation

Owner: _____ Phone: _____

Address: _____ email address: _____

- A. There are basically two reasons why either the contractor or the homeowner will submit FORM "D".
 - 1. Minor (changes in material, colors, style, additional tree removal, etc.) or major (addition of porches, garages, construction renovations, etc.) changes to plans during new construction or
 - 2. Minor or major construction to an existing home after the new construction is finished.
- B. **NEW CONSTRUCTION** - Changes during new construction are a frequent happening. These will normally be submitted by the contractor. Typically these will be minor changes to already approved plans and can be submitted directly to the Architectural Review Committee. A full explanation must accompany the request.
- C. **EXISTING HOMES** - These changes are usually major. When major reviews are required the services of a Consulting architect is required and an additional design fee will apply. The same submission procedure applies except drawings and/or samples may be required as in new construction .

1. **BRIEF DESCRIPTION OF CHANGES:** _____

2. **DETAILS: (SUBMIT WITH DRAWINGS, SKETCHES OR SAMPLES AS NECESSARY)**

SUBMITTED BY: _____ DATE: _____

SIGNATURE// _____
=====

DATE RECEIVED AT MGT. OFFICE: _____ DATE SENT TO ARC: _____

RECEIPT AT ARC: _____ RECEIVED BY: _____

FORM "E". Request For Inspection(s).

Devaun Park

(DIGITAL COPY (PDFs) REQUIRED)

LOT #: _____ **DP STREET ADDRESS:** _____ **Date:** _____

Owner: _____ **Phone:** _____

Address: _____ **email address:** _____

Contractor: _____ **Phone:** _____

Address: _____ **email address:** _____

Owner and Contractor request an inspection by the ARC for the following purpose:

- ___ Prior to site clearing. to approve the trees marked for removal and preservation.
- ___ Prior to any footings being dug, to approve the stakeout for building footprint.
- ___ After completion of construction to approve the return of deposits

SUBMITTED BY: _____ **DATE:** _____

SIGNATURE// _____
=====

DATE RECEIVED AT MGT. OFFICE: _____ **DATE SENT TO ARC:** _____

RECEIPT AT ARC: _____ **RECEIVED BY:** _____