

# BRENNAN ESTATES HOMEOWNERS MAINTENANCE CORPORATION

## ARCHITECTURAL DESIGN GUIDELINES

JUNE 1, 2004

### I. General Considerations

- ÿ Maintain and be compatible with the overall community design.
- ÿ Colors, construction materials and details consistent with the community scheme.
- ÿ Impact on landscaping and neighboring properties.

### II. Making Additions or Modifications

Requests for architectural changes are to include all specifications for additions or modifications including exterior paint colors, construction materials, lighting fixtures and other construction details. Upon completion of project, committee shall have the right to inspect the finished work.

### III. Removing Existing Structures

Explain in detail proposed removal of any structure that may change the exterior appearance of the property or dwelling, i.e. additions, walls and fences.

### IV. Procedure for Architectural Change Request

Complete the Architectural Change Request Form (see attached form). Attach all specifications, construction detail and project timeline to the form. Send to the Architectural Review Committee, provide clarifications and supplements as requested.

### V. Architectural Design Specifications

The attached guidelines are in place to assist the Architectural Review Committee when considering Architectural Change Requests. The guidelines can be changed in whole or in part. with or without written notice, upon approval of the Board of Directors.

### VI. Variances

A variance may be requested for the location of play structures, storage sheds and swimming pools for those owners with offset lots.

### VII. Private Open Space

Common areas are the property of the Maintenance Corporation and cannot be altered by any one owner by an architectural change or by placing personal property on common areas. This includes planting or removal of trees, shrubs or natural plantings.

### VII. Appeal Process

Request for architectural changes, which have been rejected, may be appealed by the applicant (owner) in writing within 30 days after the committee's decision was announced. Refer to the Declaration of Restrictions, paragraph 3.04. Owner and committee to abide by arbitrators decision.

**Antennas-** Television or radio, solar panels

Prohibited outside any dwelling. See "Satellite Dishes" for design guidelines.

### **Awnings**

No permanent awnings will be allowed. No awnings will be allowed without prior architectural review and approval. All awnings will be of a retractable type of construction, will blend with the exterior colors of the existing siding; will not be

visible from the front of the dwelling, May not extend any further than 1ft. beyond the deck or patio.

### **Basketball Post, Backboard and Hoop**

Permanent basketball hoops may only be located to the side of the driveway away from the dwelling, at least 10 feet from both the curb and dwelling. Backboards or hoops may not be attached to the dwelling or the garage.

Portable basketball hoops are permissible as long as they are stored in an upright position and shall be located at all times at least 15 feet from the edge of the curb.

All basketball hoops must be properly maintained

### **Children's Playhouse**

Playhouses and/or structures, which are specifically for children's use as play equipment, is permitted, subject to below.

- ÿ Structures are not to exceed 30 sq. ft.
- ÿ All designs are to be submitted and to the review committee for consideration.
- ÿ Color must be compatible with color of the dwelling or of natural wood.
- ÿ Location not to extend beyond the side of the dwelling.

### **Decks**

No changes to or new deck construction will be allowed without prior review and approval of the review committee.

Considerations for changing or adding decks:

- ÿ Color - changes are allowed if color matches the dwelling existing trim colors or transparent / semi-transparent stains may be used.
- ÿ Spindles- To be vertical spindles no more than 4 inches apart (or as prescribed by local code).
- ÿ Deck may be enlarged if the deck does not extend past the side of the dwelling.
- ÿ A permit must be obtained and placed on file with the review committee.
- ÿ All NCCO and Local building codes must be followed.

### **Exterior Lighting**

Coach lights and low voltage walkway landscape lights are permitted. Neighboring properties, and the impact of lights, shall be considered when positioning lights.

### **Fences**

No fence, hedges or other bulk landscaping or landscaping screens ( in contrast with isolated trees or shrubbery) shall be erected forward of the front of the dwelling on any lot. Fences in excess of a height of four feet shall not be erected on any lot. No fence shall be constructed on any lot without submitting plans for and receiving approval from the review committee prior to beginning construction. Approvable types of fencing are:

- ÿ Unattached / Single family homes- Post and rail or split rail, wood constructed fences with 3 horizontal rails not exceeding 4 feet in height. Such fences may be used to support wire mesh.
- ÿ Attached / Town homes- Wood constructed shadow box fence not exceeding 4 feet in height.

### **Flag Pole**

Free standing (for the sole purpose of flying the American Flag)

- ÿ Diameter of pole may not exceed 2 inches
- ÿ Must be constructed of aluminum tubing
- ÿ Maximum height of 18 feet

- Y Area must be landscaped
- Y Pole off of house not to exceed 6 feet in length

### **Front Door, Garage Door, Shutters and Windows**

Replacement to follow existing design and color as closely as possible.

### **Paint Colors**

Match existing color combinations originally supplied by the builder.

### **Portable Spas / Hot Tubs**

Permitted to the rear of lot only when placed where it will have minimal public visual impact. Must not be seen from the front of the dwelling.

### **Railings**

Not permitted unless specified by a local code requirement or needed for a physically challenged person.

### **Satellite Dishes**

Should be placed on the rear or side of dwelling. When placed on the side of the dwelling it should be shielded by landscaping. FCC prohibits restricting the installation of satellite dishes that are less than 1-meter (39.37) inches in diameter.

### **Storage Sheds**

#### **Storage Sheds**

Y No unattached storage shed will be allowed. No attached storage shed will be allowed without prior Architectural review and approval. All Storage sheds shall match house in roof and siding color and material. All trim shall be painted to match that of dwelling. All attached storage sheds will be placed on a concrete slab.

#### **Attached Sheds**

Y Shall be placed on rear of home. Shall not extend past the rear of the deck and may not extend into the side yard. Roof shall be of single angled design.

### **Storm Doors**

The type and style is to be full lite or 3/4 lite pane glass (all glass). Door is to match front door or existing door trim.

### **Swimming Pools**

No aboveground pools are permitted. Pools are not permitted on any lot in which the dwelling share one or more walls. In ground pools are not to exceed 30 feet by 40 feet. No elevated diving boards (above 24 inches) or stands.

## **Brennan Estates Architectural Design Guidelines**

### **REVIEW CRITERIA**

The Architectural Review Committee evaluates all submissions on the individual merits of the application. Besides evaluation of the particular design proposal, this includes consideration of the characteristics of the housing type and the individual site.

Design decisions made by the Architectural Review Committee in reviewing applications are not based on personal opinion or taste. Judgments of acceptable design are based on the following criteria which represent in more specific terms the general standards of the Declaration.

***Relation to the Natural Environment*** Fencing in particular can have damaging effects on the open space. Other factors such as removal of trees, disruption of natural topography and changes in rate or direction of storm water run-off also adversely affect the natural environment.

***Conformance with Covenants*** All applications are reviewed to confirm that the project is in conformance with the Declaration of Restrictions.

***Design Compatibility*** The proposed alteration should not adversely interfere with access, view, sunlight, ventilation and drainage. For example, fences may obstruct views, breezes or access to neighboring property; decks or larger additions may cast unwanted shadows on an adjacent patio or infringe on privacy. When a proposed alteration has possible impact on adjacent properties, it is suggested that the applicant discuss the proposal with neighbors prior to making application. It may be appropriate in some cases to submit neighbor comments along with the application.

***Scale*** The size (in three dimensions) of the proposed alteration should be proportionate to adjacent structures and its surroundings. For example, a large addition may not relate in scale or mass to a small dwelling.

***Color*** Parts of the addition that are similar in material or function to the existing house, such as roofs and trim, must be matching in color.

***Materials*** Continuity is established by use of the same or visually identical (insofar as possible) materials as were used in the original dwelling. For instance horizontal vinyl siding on the original dwelling should be reflected in an addition, and the new

roof should match existing roof.

**Workmanship** The quality of work and detail should be equal to or better than that of the surrounding area. Poor workmanship can also create safety hazards. The Corporation assumes no responsibility for the safety of new construction by virtue of design or workmanship.

**Timing** Projects, which remain uncompleted for long periods of time, are visually objectionable and can be a nuisance and safety hazard for neighbors and the community. All applications must include estimated completion dates. If such time period is considered unreasonable, the ARC may disapprove the application. All approvals shall be conditioned upon completion within the estimated completion date provided by the applicant, subject to delays beyond reasonable control.

**Brennan Estates Homeowners Maintenance Corporation  
26 Fox Hunt Drive - #136  
Bear, DE 19701  
302-838-6510  
ARCHITECTURAL CHANGE REQUEST**

TO THE APPLICANT: PLEASE COMPLETE THE FOLLOWING:

1. Name, address and telephone number of lot owner requesting the architectural change:

\_\_\_\_\_  
\_\_\_\_\_

Daytime Phone: \_\_\_\_\_ Evening: \_\_\_\_\_

2. Date Submitted: \_\_\_\_\_

3. Proposed change: \_\_\_\_\_ Include information on the following, as applicable: plans and specifications with illustrations showing the nature, kind, shape, color, height, materials and proposed location of the architectural change. (If more space is needed, please attach additional information to request form.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Proposed start and completion dates: \_\_\_\_\_

NOTE: Return this form or direct questions to the above address.

Date Received by Committee: \_\_\_\_\_

**Approved**       **Approved with conditions** (itemized below)       **Denied**

Necessary revisions or comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signatures:

Corp. President

\_\_\_\_\_

Date: \_\_\_\_\_

Comm. Chair

\_\_\_\_\_

Date: \_\_\_\_\_