



**DUTCH ISLAND
HOMEOWNERS ASSOCIATION, INC.**

**ARCHITECTURAL REVIEW
COMMITTEE**

GUIDELINES

The Architectural Review Committee (ARC) Guidelines, last published on March 20, 2007 are hereby revised and restated per a vote of the Associations' Board of Directors at their Sept 24th, 2020 Board Meeting. The ARC initiated the adjustments to more accurately reflect their role from a primary responsibility of managing the development of Dutch Island to one of maintaining a basically fully developed community and thereby protecting the community's property values. the Architectural Review Committee commits to enforcing these Revised Guidelines to the best of their abilities and within the enforcement capabilities that are available to the Committee and will, more effectively, keep the Island's residents better informed regarding what is and what isn't authorized when modifying or renovating the Dutch Island properties.

Respectfully Submitted ---

For: The Dutch Island Homeowners Association, Inc.
By: The Association's Board of Directors
On: September 24th , 2020

1.0 INTRODUCTION

These Guidelines explain the architectural review procedures and processes, as well as, outline useful information and requirements that will be helpful in the undertaking of additions and/or renovations, as well as design and construction and modification of homes and properties located on the properties known as Dutch Island, Georgia (also referred to as the Dutch Island Development). They are intended to assure that all improvements to an undeveloped lot (construction, construction modifications and initial landscaping) and subsequent modifications or renovations to a developed site/lot (upgrades, additions, renovations and ‘major changes’ to the properties landscaping) to a property on Dutch Island are esthetically compatible with each other; incorporate a unique yet pleasing and discriminating character; and are constructed and maintained to reflect the quality and permanence of the Dutch Island community and thereby protect the property values throughout the Dutch Island Development.

The Board of Directors of the Dutch Island Homeowner’s Association, Inc. (the “Association”) approved these Guidelines pursuant to the Declaration of Covenants and Restrictions, 91.0746 Acres – Dutch Island Subdivision, dated December 6, 1993 and recorded in Record Book 163-X, folio 582, Chatham County, Georgia records, as amended by that First Amended and Restated Declaration of Covenants and Restrictions, dated June 7, 1995, and recorded in Record Book 173-H, folio 649, Chatham County, Georgia records (the “Covenants”) with respect to the real property described therein (the “Property”). The Covenants prohibit any construction or modifications on the Property “until the plans and specifications ... have been submitted to, and approved by the Association” In order to perform these functions in an efficient and expeditious manner, the Association has assigned these duties to an Architectural Review Committee (“ARC”) and empowered the ARC to review and approve plans and specifications as required by the Covenants.

While these Guidelines will assist property owners, architects and builders (hereinafter collectively referred to as “Applicants”) in their selection of concepts for construction, additions and renovations within the development, it does not include all building, use and other deed restrictions associated with Dutch Island. Accordingly, each Applicant should familiarize themselves with the Covenants and other rules and regulations of Dutch Island.

1. **ARCHITECTURAL REVIEW COMMITTEE**

2. Generally. The ARC consists of 3 members. Members of the ARC serve one (1) year terms and may serve consecutive terms if approved by the Association's Board of Directors. The Association's board of directors' time to time can adjust the numbers of members to the ARC. The ARC may use an Architectural Advisor in implementing their responsibilities, which must be licensed through the State of Georgia.

2. Functions of the ARC.

a. The ARC shall distribute these Guidelines to all interested parties and interpret the design standards contained herein at the request of any Applicant. Further, the ARC shall propose amendments to the Association's Guidelines, as appropriate, to the Association's Board of Directors for approval.

b. The ARC shall evaluate all plans and specifications submitted by an Applicant in accordance with the approved Guidelines and specific Covenants governing the property for which the application has been submitted for adherence to the design standards set forth in the Guidelines and specific Covenants. Further, they shall approve or disapprove said plans and specifications.

c. The ARC shall monitor the design, construction and/or renovation process in order to assure conformance with the approved plans, Covenants and Restrictions and ARC Guidelines. The Applicant is responsible, however, for insuring that what is actually built is consistent with the plans approved by the ARC and any local government regulatory requirements as stipulated in their "County Permit(s)" – as required.

d. An Applicant may appeal the rulings of the ARC to the Board of Directors and must do so in writing, in letter format, to the Chairman of the ARC, who will schedule a hearing for the Applicant with the Board of Directors at the next regularly scheduled Board meeting.

e. The ARC is granted by the Covenants and the Association, broad discretionary powers regarding the remedy or removal of any non-complying improvement constructed on Dutch Island. In this regard, if the ARC finds that any improvement was not performed or constructed in substantially compliance with the submittals receiving Final Plan Approval, they may remedy (work with the Applicant to resolve the non-conformance) or remove the non-complying improvement and charge all costs and expenses associated with such action to the Applicant or its builder and, if appropriate, restrict the

vendor from further access to the Dutch Island Development to complete work begun or any future work for property owners.

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1. Application Review Procedures

2. Applicability.

a. New Construction Review Procedures. ARC approval under the New Construction Review Procedures shall be required prior to site disturbance for the construction of any structure or structures and associated improvements on a previously undeveloped site. Proposed improvements subject to said review shall include, but not be limited to, the erection of any building, summer house, cabana, driveway, fence, wall, swimming pool, dock, dock house, guest house, servant's quarters, screening device or other structure and the property's initial landscaping.

b. Modification Review Procedures. ARC approval under the Modification Review Procedures shall be required, subsequent to approval and/or completion of the initial construction of a home site, for the commencement of any major modification, alteration or removal of an existing structure and/or its associated improvements or a structural addition. Proposed modifications subject to review shall include but not be limited to, all additions, exterior changes or modifications to any building, summer house, cabana, guest house, servant's quarters, swimming pool, dock, dock house, or such type other structure.

c. Non-Structural Additions and Renovations. ARC approval under the Non-Structural Additions and Renovations Review Procedures shall be required, subsequent to completion of the initial construction of a home site, for the commencement of any minor-structural modification and non-structural alterations or additions. Proposed actions subject to this type review shall include but not be limited to, major changes to landscaping, tree removal of any tree whose diameter at chest height is 6 inch or larger lighting, painting, and minor structural additions --- fence, driveway, wall, and screening devices.

3. Applications for Review. When an Applicant submits plans to the ARC for Concept Approval or Final Plan Approval, as discussed below, the submission shall include the Application in the form attached in annex A. The Application will be accompanied by a transmittal record for the ARC to manage the timely processing of each Application. Applications for New Construction and Modification Review can be found on the Associations' website (www.dutchisland.net).

All fees must be paid in full or waived in writing by the ARC before any action will be taken by the ARC.

5. Meetings of the ARC. The ARC shall meet at the call of the Chairman when there are matters to be brought before the Committee and will be scheduled as needed with email being the primary communication tool.
6. Inspections by the ARC. A representative of the ARC will use its best efforts to make scheduled inspections within 10 days but no later than 30 days.
- 3.7 Appointments will be scheduled by the ARC contacting the resident at the address, email address, or phone number provided on the Application Form-
8. ARC Response Time. In many cases, the ARC will render a decision at the scheduled ARC meeting, but in all cases the ARC will render and email a written decision no later than ten days following the ARC appointment meeting. For questions or a request for a 'quicker' response time, Applicant should request via email to info@dutchisland.net.
9. Actions Permitted by ARC. The ARC decisions that may be rendered are (a) Approval; (b) Approval with conditions; (c) Disapproval with explanation; or (d) Deferral pending submission of more information

Decisions of the ARC shall be based on a simple majority of those present and shall not be arbitrary or capricious.

Any conditional approval, disapproval or deferral shall be substantiated by the ARC with due reason, and, if possible, by reference to the provisions of the applicable Guidelines and/or relevant Covenants. All decisions will be made in writing but shall in no way relieve the Applicant of his or her responsibility and liability for adherence to any applicable ordinances and codes which govern Dutch Island properties.

10. Resubmission and ARC Appeals. Disapproval or deferred submissions may be revised and resubmitted for review and approval within fourteen (14) days after a decision has been rendered. The Applicant or his or her representative may ask to personally address the ARC at its next scheduled meeting. All such submissions or appeals shall be made in writing.

11. Board Appeals. Any Applicant dissatisfied with a final decision of the ARC may appeal said decision by submitting to the Board of Directors of the Association a written appeal, together with supporting documentation and a copy of the Application. The Board of Directors will consider said appeal not later than the second regularly scheduled meeting of the Board of Directors after receipt of said appeal and may reverse the decision of the ARC by a two-thirds vote of the Directors present at said meeting, a quorum being required. Appeals should be made in writing, in letter format, via email to info@dutchisland.net

4.0 REQUIRED REVIEWS

[[Please review Section 3.1 above to determine the “form” of review that will be applicable (‘govern’) your particular Application.]]

NEW CONSTRUCTION ---- The review procedure for new construction is divided into four (4) steps, the first of which is optional, but recommended. The Applicant is responsible for initiating each step.

1. **Step One: Concept Approval (Optional)**. Concept Approval is recommended but not required. This process is provided for convenience of Applicants in processing their Final Plan Approval Application of their construction without modification. An Applicant may submit preliminary or conceptual drawings and specifications and other information to the ARC for Concept Approval prior to preparing and submitting detailed plans and specifications for Final Plan Approval. A Concept Approval is not to obtain approval for commencement of construction and must contain the following:
 1. Application (See Enclosure One to this Section) **and** Review Fee.
 2. Concept Site Plan: (2 sets at minimum 1/8” = 1.0’ scale) showing the location of the house, driveway, walks, property lines, easements, setbacks, and all trees over twenty (20) inches in diameter at chest height. [While optional at this stage, distances from the house foundation to the property lines and a survey, by a licensed surveyor, of the property will be a requirement for the final review as outlined in Step Two below.]
 3. Concept Floor Plan: (2 sets at minimum 1/8” = 1.0’ scale) showing the layout of spaces for all levels of the proposed building.
 4. Concept Exterior Elevations: (2 sets at minimum 1/8” = 1.0’ scale) showing design, including the front, rear and side elevations of all structures (including accessory structures), together with the complete description of materials and colors.
 5. Such additional information as requested by the ARC.
2. **Step Two: Final Plan Approval**. A request for Final Plan Approval must contain the following:
 1. Application **and** Review Fee (If not paid at Concept Approval)
 2. Site Plan (2 sets at minimum 1/8” = 1.0’ scale) showing the location of the house, driveway, walks, property lines, easements, setbacks, and all trees over twenty (20) inches in diameter at chest height. Distances from the house foundation to the property lines and a survey, by a licensed surveyor, of the property are required.

3. Landscape Plan (2 sets at minimum 1/8" = 1.0' scale) showing all planting material, identified as to size, common name, and variety. Plans must also show the location of walks, fences, pools, decks, patios, play structures and mailboxes.

4. Building Plans (2 sets at minimum 1/8" = 1.0' scale) shall include floor plans, elevations, building sections, and details of entrances, eaves, dormers, shutters, and other similar details.

5. Exterior Material, Finish and Color Samples:

- a. Stucco: 8" x 8" square
- b. Brick and grout: 14" x 25" size from manufacturer
- c. Roofing: No smaller than 5" x 7" piece
- d. Paint swatches – 3" x 2 ½ " size of trim and fascia board, siding, shutters, front door, garage door.

6. Such additional information as requested by ARC.

Construction must commence within one (1) year of Final Plan Approval or Final Plan Approval is void. A conditional approval is not deemed to be Final Plan Approval until said conditions have been satisfied and confirmed by ARC or an ARC representative in the manner required by the conditional approval.

4.3 Step Three: Staking Approval and Building Permit. Before site disturbance for construction can commence on any lot, the Applicant must obtain Staking Approval on site from a representative of the ARC. In order to be eligible for Staking Approval, the Applicant must:

1. Stake and String Stake and String unit in its proposed location and establish the proposed elevation of the first floor.

2 Flag Flag property pins and string nearest property
. corners line.

3
. Flag trees Flag all trees to be saved or trees to be cut.

4
. Site Inspection Arrange for a site inspection with the ARC

representative to verify that the stake is in conformance with the approved site plan. If after staking, the Applicant or ARC representative wishes to alter the foundation location as presented in the Final Plan Approval, the Applicant shall indicate on the site plan all changes in the foundation location approved by the ARC representative and submit said modified plan to the ARC for its files. Special effort should be made to field adjust, if necessary, the building location to preserve desirable trees.

5. Building Permit Upon completion of Staking Approval, Applicant, Applicant's builder or contractor, and the ARC representative conducting the Staking Approval will **sign a Dutch Island Building Permit that shall be posted on the lot during construction** in the vicinity of the Chatham County Building Permit. Issuance by the ARC of a Dutch Island Building Permit constitutes a binding agreement between the Applicant and the Association that the improvements will be constructed as approved.

4. **Step Four: Final Site Inspection.** Upon completion of construction, Applicant shall schedule a final site inspection with the ARC representative to verify compliance with the Dutch Island Building Permit. The ARC shall have the right and duty to enter upon and inspect any lot at any time before, during or after the completion of work for which a Dutch Island Building Permit has been issued.
5. **Plan Changes During Construction.** All changes to the approved plans, elevations, and schedules after issuance of a Dutch Island Building Permit must be submitted to the ARC for review in accordance with the procedures specified in Step 2 above, including the payment of an additional fee. Applicant shall submit sufficient written information to allow the ARC to fully understand a proposed alteration/addition. Such information could be as simple as a letter with a material sample or picture, or as complex as the submittals required in Step 2 above. The Applicant is encouraged to submit changes at the earliest possible time to avoid project delays.
6. **Preliminary Clearing Approval.** Generally, no site disturbance activities shall be performed on any lot until a Dutch Island Building Permit is issued pursuant to the New Construction Review or Modification Review procedures, except for careful under brushing to facilitate laying out the improvements and flagging trees. Notwithstanding the foregoing, it may become desirable under certain circumstances to commence site disturbance prior to submission of plans in order to achieve the economies of clearing multiple lots or to facilitate the sale of a lot. Such approval may be granted on a case by case basis subject to conditions imposed by the ARC.

MODIFICATION ---- Modification Review is a streamlined review procedure for modifications to existing property improvements not requiring multiple inspections. Substantial modifications may, in the reasonable discretion of the ARC, require compliance with the New Construction Review procedures. Therefore, Applicants should contact the ARC via email to info@dutchisland.net

This section shall not apply to plan changes during new construction or to structural additions to existing construction, both of which are governed by the New Construction Review procedures.

4.7 Step One: Final Plan Approval Prior to modifying existing improvements, the Applicant must obtain Final Plan Approval from the ARC. The request for Final Plan Approval must contain the following for ARC review:

1. Application (See Enclosure One – Section 4) ***and*** Review Fee.
2. Information Required. Any of the following reasonably necessary to indicate extent of proposed improvement in sufficient detail to allow review:
 - a. Written Description of Modification
 - b. Site Plan, for modifications other than exterior material, finish and color changes
 - c. Landscaping Plan if modifications involve substantial modification to landscaping
 - d. Building Plans, if applicable
 - e. Exterior Material, Finish and Color schedule, if applicable
 - f. Written Description of Modification
 - g. Site Plan, for modifications other than exterior material, finish and color changes
 - h. Landscaping Plan, if modifications involve substantial modification to landscaping
 - i. Building Plans, if applicable
 - j. Exterior Material, Finish and Color schedule, if applicable
8. **Step Two: Dutch Island Building Permit.** Upon completion of Final Plan Approval, Applicant, Applicant's builder or contractor, and an ARC representative will sign a Dutch Island Building Permit, which shall be posted on the lot during construction in the vicinity of the Chatham County Building Permit, preferably on a builder sign erected on the lot. The issuance by the ARC of a Dutch Island Building Permit constitutes a binding agreement between the Applicant and the Association that the improvements will be constructed as approved.
9. **Plan Changes During Construction.** All changes to the approved plans, elevations, and schedules after issuance of a Dutch Island Building Permit must be submitted to the ARC for review in accordance with the procedures specified in Step 1 above, including the payment of an additional fee.

The Applicant shall submit sufficient written information to allow the ARC to fully understand the proposed alteration or addition. Such information could be as simple as a letter with a material sample or picture, or as complex as the submittals required in Step 1 above. The Applicant is encouraged to submit changes at the earliest possible time to avoid project delays.

NON-STRUCTURAL ADDITIONS / RENOVATIONS

Non-Structural Additions/Renovations Review is review request process for non-structural modifications, additions or renovations that does not include the formality of the two previous type applications. The application may be made through a simple letter format written request with the applicable details as outlined below made as an integral part of the request or as an attachment (drawings should be provided as an attachment). A substantial modification may, in the reasonable discretion of the ARC, require compliance with the Modification Review procedures. If the ARC determines that a more stringent procedure should be followed, the ARC Contact Member will notify the applicant within ten days of receipt of their request. If Applicants do not receive a response in the time allotted, they should contact the ARC Contact Member (see Section 3.3b above).

Essential Information Requirements:

A written description of modification, addition or renovation
A Landscaping Plan, if modifications involve substantial changes, addition or renovations to existing landscaping

For fences, walls, screening devices or driveways the design details must also include a 'map/drawing' that reflects measurements of the item being added and its location with accurate dimensions from all setbacks

Exterior Material, Finish and Color schedule, if applicable

The ARC Contact Member will contact the Applicant upon receipt and inform them of receipt and if necessary any additional materials that may be needed before the request is reviewed by the 'full committee' at a scheduled Committee Meeting as outlined in Section 3.5 above. Contractors/Workers should not begin work until the Applicant has a signed approval for the addition, renovation or modification considered under this process.

1. **BUILDING DESIGN GUIDELINES**

2. **Design Theme.** The design theme for each home shall be consistent with the overall theme of the Dutch Island community. All residences shall be traditional and enduring designs, such as Low Country, Colonial, Georgian, Federal, Greek Revival or Country European. Tudor, Spanish and Modern Architectural styles are specifically excluded.
3. **Repetitive Designs.** Some house designs may be unacceptable for a particular lot because similarity to homes in the immediate neighborhood. If the judgment of the Architectural Review Committee, basic style, roof line, exterior materials, colors, or other features of a home are too similar to its neighbors, the design will not be approved.
4. **Site Placement.** All buildings and other improvements shall be placed as approved by the ARC. The existing topography and landscape shall be disturbed as little as possible, such that the maximum number of desirable trees and other natural features will be preserved.
5. **Building Setbacks.** The following minimum building setback lines are required:
- A. Front – 35 feet
 - B. Side – 20 feet, provided that if improvements include a garage that opens to the side of the lot the improvements are setback more than 20 feet from that side, the setback line on the side away from the garage shall be not less than 10 feet, so long as the sum of the side setbacks on both sides is not less than 40 feet.
 - C. Rear Property Line – 25 feet
 - D. A home situated on more than one street (such as a corner home site) shall require minimum “front setback” on both streets, effectively making one side a front for “building setback” requirements. The direction in which any dwelling unit’s front elevation shall face on a home site shall be approved by the ARC. A garage may not be placed on a side of a home site that faces a street.

The ARC may grant an exception for the above minimum setbacks in a case where a home could not be built due to its size, shape or topography ***and*** to save existing trees.

5.5 Building Size. The following minimum square footage of air conditioned living area, exclusive of screened or unscreened porches, patios, terraces and garages is required for main residential dwelling structures:

- A. One story --- 2,400 square feet minimum
- B. Two story --- 2,400 square feet minimum with the first floor minimum of 1,400 square feet.

No building may contain more than two (2) stories of living space or have a garage for more than three (3) cars, without the prior written consent of the ARC.

- 6. Exterior Materials. Finish building materials shall be applied consistently to all sides of the exteriors of buildings. Recommended materials shall be brick, stone, stucco, finished exterior decorative wood (not plywood or similar material), or other approved natural material. No simulated brick or stone shall be permitted.
- 7. Exterior Colors. Finish colors shall be applied consistently to all sides of the building. Acceptable colors shall include, but not be limited to neutral colors with traditional trim colors and muted pastels common to the southeastern coastal region. All exterior wood must be painted or stained, except for decks, docks, fences and other structures constructed out of treated or decorative lumber and not visible from the street.
- 8. Exterior Trim and Decoration. Exterior window and door trim and similar decorations shall all be the same color and material, unless otherwise approved, and shall be either of the same material as exterior walls or directly compatible. Fascia, gutters and downspouts shall blend in and be compatible with the architectural detail of the exterior walls.
- 9. Roof. Roof pitches and overhangs may vary as necessary by architectural design; however, no flat roofs are allowed as a major structural element and no other unusually steep roof or other unusual roof lines are allowed. A minimum of three (3) feet high to twelve (12) feet horizontal slope is a standard, but steeper slopes are recommended. All roof stacks, flashings, metal chimney caps and gutters shall be painted to match approved roof colors or trim. Roof stacks and plumbing vents shall be placed on rear slope where possible.
- 10. Roof Colors and Materials. Roof colors/textures shall be an integral part of the exterior color scheme of the building. Approved roofing materials include, but are not limited to fiberglass, asphalt, Masonite®, or cedar wood shingles or shakes; concrete tiles with natural color and texture; natural clay tiles and copper simulated or standing seam tin.

11. Windows. Wood, vinyl clad wood, vinyl and metal windows are allowed, provided that metal windows must be anodized bronze or factory finished colors compatible with the primary and trim colors. Reflective glass is prohibited.
12. Chimneys. Any exposed portion of a chimney outside of the building shall be constructed solely of brick, stone, stucco, or wood. If the fireplace is a metal (self-insulated) type with a metal spark arrestor at the top of the chimney, this arrestor must have a shroud or surround.
13. Garages. All residential dwellings shall include a garage adequate to house two (2), but not more than four (4) large sized American automobiles and shall include adequate space for storage. All garages shall include garage doors (which shall be minimum width of eight (8) feet for each automobile) and a service door. Any garage attached to a residence shall not open so that it is exposed to a main street. Notwithstanding the foregoing, in the event that a lot is a corner lot, the garage may open so that it is exposed to the less traveled of the streets contiguous to said lot as determined in the sole discretion of the ARC. Garage doors shall be constructed of a material that is similar in appearance to the exterior materials of the building, and the color of the garage door shall be compatible with the color of other materials in the building, and the color of the garage door shall be compatible with the color of other exterior finishes of the building. No carports will be permitted.
14. Driveways. Parking spaces, garages, curb cuts, and the driveway to a garage shall be planned and executed in an attractive and functional manner and shall consider the location of existing trees, topography, streetscape and compatibility with surrounding improvements. All home sites shall have a paved driveway of stable and permanent construction of at least twelve (12) feet in width.

Unless prior approval is obtained from the ARC, all driveways must be constructed of asphalt, brick, concrete or stone. All driveway approaches must be concrete. When curbs are required to be broken for driveway entrances, the curb shall be repaired in an orderly fashion in such a way as to be acceptable to the ARC.

5.15 Service Court. A service court, or drying yard area, hidden from view from the marshes, from any adjacent street, and from the adjoining lots, must be constructed so as to provide space for garbage and trash cans, wood piles, clothes drying area and other similar usage.

- 16.** Fences and Walls. All fences and walls must be approved by the ARC. Side and rear yard fences are permitted to entirely enclose or define property lines of individual home sites, and to enclose service areas, patios, gardens, pet enclosures, swimming pools or other areas requiring privacy. Fences and walls in the front yard or visible from the road are discouraged, and all fences and walls must be attractive from both sides. Painted or treated wood, brick, wrought iron, stucco or combinations thereof, as well as plant materials are considered suitable fence and screen material. Wire and chain link fences are not allowed. Notwithstanding the foregoing, a retaining wall shall be constructed along each side of the driveway crossing the culvert to said lot of such design and material as is acceptable to the ARC.
- 17.** Mailboxes. All mailboxes shall be of an approved design determined by the ARC and shall include only the surname and house number.
- 18.** Accessory Structures. No more than one (1) detached single family residential dwelling shall be erected on a home site. The ARC may approve accessory structures (such as garages, gazebos, guest houses, servants' quarters, and the like) that are detached from a main residential dwelling so long as they are not erected prior to construction of the main residential dwelling and are not intended to be held for lease. The addition of accessory structures shall be subject to the applicable building setback lines.
- 19.** Window Air Conditioning Units. No window air conditioning units shall be permitted, except for the limited use of through wall units for bonus rooms and accessory buildings as approved by the ARC. Where possible, all exterior air conditioning units shall be screened from view from the street.
- 20.** Utility Service. No lines, wires or other devices for communications purposes, including telephone, television, data and radio signals, or for transmission of electric current or energy, shall be constructed or placed on any home site unless the same shall be in or by conduits or cables constructed, placed and maintained underground or concealed in, under or on buildings, or other approved improvement. In addition, all gas, water, sewer, oil and other pipes for gas or liquid transmission shall also be placed underground or within or under buildings. Nothing herein shall be deemed to forbid the erection and use of temporary power or telephone services incident to the construction of approved improvements.

21. Interior Design. The ARC will not normally comment on or reject a home because of its interior elements, except in cases where those features affect the exterior appearance.

- 22.** Games and Play Structures. All basketball backboards and any other fixed games and play structures are subject to approval by the ARC and shall be located at the side or rear of the building, or on the inside portion of the corner home sites within setback lines. All play structures, swing sets and tree houses must be approved by the ARC. Wooden play structures are preferred. However, metal swing sets are allowed provided they are painted to blend in with the landscaping. Forest green, walnut brown and black are acceptable colors.
- 23.** Swimming Pools and Tennis Courts. Any swimming pool or tennis court to be constructed upon any home site shall be subject to review by the ARC. The design must incorporate, at a minimum, the following:
- A.** The composition of the material must be thoroughly tested and accepted by the industry for such construction.
 - B.** Screening of pools is discouraged but may be allowed by the ARC. Pool cages and screens must be of a color and material approved by the ARC.
 - C.** Fencing of tennis courts shall be chain link; green, black, or brown vinyl clad; and limited to ten (10) feet in height.
 - D.** Pool screening and tennis court fencing shall not be visible from the street in front of the dwelling unit.
 - E.** Location of pools and tennis courts are subject to recorded building setback lines.
- 24.** Signs. No advertising sign or advertising matter of any kind shall be erected upon or displayed, or otherwise exposed to view on any lot, except for a standard size real estate sales signs and builder signs during construction in a form approved by the ARC.
- 25.** Lighting. All exterior lighting shall be consistent and complimentary in design to the style and character of the home and be limited to the minimum necessary for safety, identification, and decoration. Exterior lighting of buildings for security and/or decoration shall be limited to concealed up-lighting or down-lighting and the style and type of lighting shall not be visible from streets and other common areas and no color lens or lamps are permitted. No lighting of tennis courts is permitted unless approved by the ARC.
- 26.** Lawn Furnishing. No bird baths, frog ponds, flag poles, lawn sculptures, artificial plants, bird houses, rock gardens, or similar types of accessories and lawn furnishings are permitted on any home site without prior approval of the ARC.

27. Antennas. No antenna for transmission or reception of radio or television signals or any other form of electromagnetic radiation shall be erected, used or maintained, except that antennas less than 20” by 20” may be installed if screened from view of the road and adjacent properties. ARC approval is needed if a deviation is required for line of sight to the satellite.
28. Docks. No pier, wharf, dock, or other structure of any kind shall be erected, placed, or allowed on, in, or over any portion of any lagoon, lake, canal, ditch, or stream, artificial or natural, adjacent to any lot or area, without approval of the ARC.
29. Drainage and Grading. No drainage ditches, swales, streams, impoundments, ponds, lakes, no mounds, knolls, dams or hills and no other physical improvements or elements of the landscape or terrain which control or determine the location or flow of surface water or drainage patterns may be created, destroyed, altered or modified without the prior consent of the ARC.
30. Dual Facing. All buildings on lots or areas abutting marsh areas or waterfront shall be so designed and oriented on their sites as to present an attractive appearance from the roads, from the marsh and from the rivers.
31. **Pod and Dumpster Control.** (Effective Jan. 1, 2021) All Pods, and dumpsters will require notification to info@dutchisland.net . In general, these containers will be allowed for 30 days for moving purposes and 6 months for renovation purposes. For moving purposes the resident will email info@dutchisland.net with the specific days requested. Renovation / new construction requests will be on the application forms required. Extensions request can be made to info@dutchisland.net

1. LANDSCAPE DESIGN GUIDELINES

2. General. Considerable effort has been expended on careful land planning, conservation and the continuing enhancement of the natural environment at Dutch Island. Suitable landscaping for the new home site is an essential part of this effort to create a quality development sensitive to its existing surroundings, as well as major upgrades to a properties' landscaping. Therefore, as mandated by the Covenants, the ARC requires that a landscaping plan be submitted as part of the New Construction Review procedures for its approval and major modifications will be handled under the Modification Review procedures.

3. Completion of Landscaping. Landscaping completed under the New Construction Review in accordance with the approved Landscaping Plan must be substantially completed with ninety (90) days after completion of construction and that under the Modification Review procedures within 90 days of the Landscaping Plan Approval. Landscaping Plans must reflect the landscaping throughout the property, not just the front and side yards of the property.

4. Landscaping Review Criteria. The ARC will review the landscaping plan with two major concerns in mind:

a. Landscaping must be adequate to properly complement the house and site as well as the surrounding properties. Experience indicates that a landscaping expenditure of approximately three (3) percent of house construction cost is common depending on the cost of the house.

b. Landscaping must be harmonious with the natural environment of Dutch Island. Proposed plant materials and their configuration must be suitable to local climate and wildlife conditions. While it is difficult to recreate the natural landscape, new planting must appear comfortable with the old. In addition to the above, the following proposals will be denied:

1. Unwarranted removal of specimen trees and shrubs.
2. Intensive use of plants with forms or colors not native to the

area.

3. Earth fill that threatens existing trees.
4. Large, unplanted windowless areas.
5. Use of crushed stone, bricks or gravel as mulch.
6. Use of concrete or wooden animals or statues where they may

be seen from the street.

4. Restricted Plant Materials. There is no plant that is specifically prohibited at Dutch Island, however, there are some that should be used with great discretion. Generally, they include plants that are very unlike coastal vegetation (e.g. dense, round ball-shaped shrubs) or those plants associated with exotic effects (like a contrived attempt to achieve a Florida tropical or Arizona desert effect). Variegated foliage creates a stark contrast with the surrounding foliage and background and the use of ornamental statuary will not be permitted.
5. Wooded and Natural Areas. Wooded and natural areas utilized as rear buffers shall be encouraged, especially when contiguous to conservation easements or wetland areas. Any area of a home site that is altered from its natural state, however, shall be landscaped according to plans approved by the ARC.
6. Trees. In order that the natural beauty of the home site may be preserved, no living tree having a diameter of six (6) inches or more, as measured four (4) feet from the natural grade, shall be destroyed or removed from the property unless approved by the ARC in connection with its approval of the plans and specifications for the construction of improvements on the property or subsequent to the completion of the initial "New Construction Approval". Shade trees shall not be planted in locations that would immediately or in the future create a nuisance, seriously shade a pool or screen the view of an adjoining lot.

While the Chatham County, Georgia Land-Disturbing Activities Ordinance does not apply to Phase XII, Dutch Island, it will be applicable to all other phases. Therefore, the ARC shall give special consideration to landscape plans that preserve and protect existing trees in compliance with said ordinance.

7. Sod. All front yards within each home site not covered with pavement, buildings, shrubs or groundcover shall be completely sodded. Centipede and St. Augustine grass are preferred.
8. Mulch. All areas within each home site not covered with pavement, buildings, shrubs or groundcover or grass shall be covered with pine, cypress or other acceptable mulch.
9. Irrigation. ARC recommends but does not require that all landscaped areas be provided with an underground irrigation system. No hook-ups or use of lagoons for irrigation will be permitted.

7.0 REGULATORY COMPLIANCE Plans submitted for ARC review must comply with all applicable building codes, zoning regulations and the requirements of all agencies having jurisdiction over the project. It is the responsibility of the Applicant to obtain all necessary permits. Regulatory approvals do not preclude the authority and responsibility of the ARC for design review and vice versa.

8.0 ENFORCEMENT The provisions for enforcement of the Covenants, Article VIII, paragraph 3, shall apply to the enforcement of these Guidelines in addition to any other available remedies.

9.0 WAIVER, AMENDMENT AND THIRD PARTY BENEFIT The Association and ARC maintain the right from time to time, at their discretion, to waive, amend or modify these procedures and guidelines. The Association, including its Board of Directors and ARC or their agents, representatives or employees shall not be liable for failure to follow these Guidelines as herein defined. These Guidelines confer no third-party benefit or rights upon an entity, person or Applicant.

10.0 NON-LIABILITY OF THE ASSOCIATION AND ARC The Association, ARC and Developer, their respective members, successors, assigns, agents, representatives or employees shall not be liable for damages or otherwise to anyone submitting plans to the ARC for approval, or to any Applicant by reason of mistake in judgment, negligence or malfeasance, arising out of any action of the Association, ARC or Developer with respect to any submission, or for failure to follow these Guidelines. The role of the Association and ARC is directed toward review and approval of site planning, appearance, architectural vocabulary and aesthetics. The Association, ARC and Developer assume no responsibility with regard to design or construction, including, without limitation, the civil, structural, mechanical, plumbing or electrical design, methods of construction, or technical suitability of materials.

11.0 APPLICANT REPRESENTATION The Applicant represents by the act of entering into the review process with the ARC that all representatives of Applicant, including, but not limited to, Applicant's architect, engineer, contractors, subcontractors, and their agents and employees, shall be made aware by the Applicant of all applicable requirements of the ARC and shall abide by these Guidelines and the Covenants with respect to approval of development plans and specifications.

12.0 ACCURACY OF INFORMATION Any Applicant submitting plans to the ARC shall be responsible for verification and accuracy of all components of such submissions, including, without limitation, all site dimensions, grades, elevations, utility locations and other pertinent features of the site or plans.

13.0 CONFLICTS WITH THE COVENANTS In the event of a direct conflict between these Guidelines and the terms of the Covenants, the latter shall prevail. Notwithstanding the forgoing, in the event that these Guidelines propose more detailed or restrictive requirements than those contained in the Covenants, these Guidelines shall control with respect to said requirements.

