



DEVAUN PARK ARCHITECTURAL REVIEW COMMITTEE DESIGN GUIDELINES

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PART 1 – DISCUSSION and OVERVIEW

****NOTICE****

SUBMISSION OF PLANS FOR CONSTRUCTION ON A LOT IN DEVAUN PARK CONSTITUTES ACCEPTANCE OF, AND AGREEMENT TO ADHERE TO, DEVAUN PARK'S DESIGN GUIDELINES.

OWNER AND BUILDER, ADDITIONALLY, ACKNOWLEDGE THAT DEVAUN PARK BOARD OF ALDERMEN (BOA) AND ARCHITECTURAL REVIEW COMMITTEE (ARC) MEMBERS MAY, AND WILL, ENTER ONTO THE CONSTRUCTION SITE FOR INSPECTION PURPOSES AND SUCH ENTRY, DESPITE PRESENCE OF "NO TRESPASSING" SIGNAGE, SHALL NOT CONSTITUTE TRESPASS.

A. Introduction to Architectural Review

Throughout this guide, the Devaun Park Architectural Review Committee may be referred to as "ARC;" the Devaun Park Community Association as "DPCA;" and the Board of Aldermen as "BOA." The terms "home" and "house" are used interchangeably herein, with both terms having the same meaning. As well, the terms "Contractor" and "Builder" are used interchangeably, with both terms having the same meaning.

This is a guide for the Property Owner, Architect and Contractor planning and building a home in Devaun Park and details specific materials, configurations and construction techniques to be used. It is a document designed to ensure continuity with the originally-conceived Traditional Neighborhood Design (TND) by controlling certain design and construction elements. The further intent is to aid the reader in understanding those elements the ARC sees as important to the way the proposed home will complement the overall harmony of the neighborhood where the house would be built

Houses in Devaun Park exhibit architectural interest and detail not found in many neighborhoods. The over-arching architectural style of houses in Devaun Park is Historic Southern Architecture reminiscent of Historic Charleston, South Carolina, i.e. "Charlestonian." These homes are characterized by attention to detail, classic proportions with wide porches, raised foundations, distinctive porticos and simple rooflines. Devaun Park was designed to be a Traditional Neighborhood Design community and won awards for its design. It is the goal and mission of the ARC to ensure that these traditions continue into the future.

In order to maintain a cohesive & well-planned community, the design of each house should respond to the character of the street, park, square or water feature it faces or adjoins. This calls for a coordinated approach to the design of the houses so they are harmonious with each other and create streetscapes consistent with the vision of Devaun Park.

The review process was established to facilitate the design of sensitive, harmonious and timeless architecture and to protect the visual integrity and architectural spirit of Devaun Park. In addition to the requirements described in this Guideline, all Property Owners are also bound by the provisions in the Proclamation of Protective Covenants, which require that no structure on a residential lot within Devaun Park shall be erected or altered until the proposed site plan, building plans, construction materials and colors have been approved in writing by the ARC.

The ARC has authority to grant variances to these Guidelines based on specific lot constraints or architectural merit if deemed appropriate.

The ARC has sole responsibility to review the plans, specifications, materials and samples submitted to them by the Property Owner/Applicant, to verify that the proposed structures and/or alterations to existing structures conform to these Design Guidelines, and to approve the aesthetics of the proposed structure and its appropriateness to its surroundings, neighborhood and the configuration of the individual lot.

Article 4 of the Proclamation of Protective Covenants establishes and authorizes the Architectural Review Committee and the Design Guidelines.

The Design Guidelines shall not be the exclusive basis for ARC decisions. The ARC may consider any factor it deems relevant, including harmony of external design with surrounding structures and consistency with the visual themes established for Devaun Park. Its decisions may be based purely on aesthetic considerations.

The Design Guidelines have been prepared to aid Property Owners, Architects and Contractors to understand the requirements and the process 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 provide unity of theme while coordinating architectural diversity and maintaining the vision of Devaun Park. This goal will help protect your investment and property values.

If you wish to discuss any questions about these Guidelines or the process, Property Owners are urged to meet with the ARC as early as possible following your decision to start building in Devaun Park. It is best to understand the design requirements early in the process and to begin including these requirements in your planning.

While the ARC will work closely with your Contractor, it must be understood that the Property Owner is responsible for the conduct of the Contractor and Sub-Contractors.

These guidelines may also be found on the Devaun Park Community Association website - www.devaunpark-dpca.com

B. Architectural and Site Review Process and Requirements

All submittals for Conceptual or Construction Review must be complete and received at the location specified in the Submission Instructions (included at Part 3). Incomplete applications will not be eligible for review and may be returned.

After the ARC approves a Construction Review Application, an ARC representative will be assigned to the project for the duration of construction.

Following is the general sequence of the process with some explanatory information included:

1. Conceptual Review Application – Form A (Required)

The ARC requires submission of a “conceptual” application. A Construction Application may not be submitted until after the Conceptual is approved. Its purpose is to give the applicant guidance as to whether the proposed house plan fits the ARC’s interpretation of Historic Southern Architecture - reminiscent of Historic Charleston, SC, and would appropriately blend into the vision of Devaun Park. An informal sketch or photo of the proposed plan, house siting on the lot, and elevation views of the four sides is the minimum required. However, to receive the most benefit of the Conceptual Review the applicant is encouraged to include as much information as possible. If the submittal is not sufficiently clear, additional details will be requested.

The Conceptual Review packet must include a completed "Conceptual Review Application" (see Part 3 for Form A and Submission Instructions) and a thumb-drive with PDF files of the complete submittal set.

2. Construction Review Application – Form B, Form C and Related Requirements.

This is a detailed review of the applicant’s complete set of plans and proposed construction materials. The required submittals for a Construction Review are:

- a) Completed "Construction Review Application" (Form B)
- b) Completed "Contractor Application" (Form C).
- c) Homeowners that combine adjacent lots must submit a recorded copy of the Instrument of Combination (or the deed combining the lots) as found in the Brunswick County Register of Deeds. Also required to be submitted is an application for an amended Storm Water Permit for the combined lots. These are required prior to issuance of an approval to begin construction.
- d) A site survey plan prepared by a North Carolina-licensed Surveyor, showing the entire Property with appropriately-sufficient area of adjacent properties (as at item i. below,) street(s) and alley-way(s), setbacks and easement lines and all proposed impermeable areas. Typical property setbacks are: Front – **15** feet, Back - **10'** feet and Sides - **7.5** feet. These may vary by lot. Owners are required to check property deed for actual required setbacks.

- e) Computation of the Built Upon Area (BUA) must specifically account for:
 - i. the footprint of the house, out-building, garage and any covered interconnection,
 - ii. the driveway,
 - iii. all walkways,
 - iv. all pads, whether for HVAC, propane, generator, exit door landing, etc.,
 - v. and any other hardscape areas.
- f) Finished Floor Elevation (FFE) of the front porch and the main house.
- g) Proposed finished grade of the landscaping at each corner at the front porch and house.
- h) The survey should show the impervious square footage of each component and summarize the impervious square feet on-property and, separately, off-property.
- i) The maximum allowable on-property BUA is to be indicated along with the remainder balance of the lot's BUA.
- j) For purposes of context, outlines of the front-to-back side of next door houses (to left and right) are to be included.
- k) Because Devaun Park's Proclamation of Protective Covenants refers to side yard setbacks with minimum house-to-house distances, the distance between property line and adjacent house is to be shown.
- l) The site survey plan should show all trees to be removed and those to remain.
- m) The survey must be dated, signed and sealed by the surveyor. Any subsequent revision must include the revision date.
- n) One (1) set of paper plans (size 24" X 36") must be supplied at this time. Construction plans are to be at 1/4" = 1' scale. Site, landscape and irrigation plans are to be at no less than 1" = 10 ft.
- o) If review of the two plan sets initially submitted requires no further adjustments, two more copies will need to be submitted to complete the application. If changes are necessary following Construction Review two (2) of each changed sheet are required followed, upon approval, by two more to create four (4) complete sets of plans reflecting all of the changes.
- p) At a minimum the plan set must include the survey plan, foundation plan, floor plan of all heated and unheated spaces, porches, garage, overall square footage, and elevations of all sides showing dimensions, windows, doors, building height and roof pitches.

- q) The submission must include wall and porch sections showing construction details and materials proposed.
- r) Two (2) complete sets of material samples and two (2) lists of all exterior materials to be used. The submission will include samples of actual material and color samples where practicable. Where not practical, manufacturer, model and part number of all exterior elements including windows, hardware, garage doors, siding, roofing and lighting. Where unable to submit samples because of size or type of item then brochures or web-page reference may be considered.
- s) Landscape Plan. The ARC considers landscaping an essential element of the overall design of the home. The ARC's review of the Landscape Plan during the Construction Review is to ensure the applicant's landscape design is in compliance with the established standards and park-like nature of Devaun Park.
- t) All landscape plans must be designed to incorporate and preserve natural lot features and have at least 50% native North Carolina plants and trees.
- u) Landscape plans must be designed to integrate the house with the natural characteristics of the lot and neighboring lots in a pleasing visual composition. Property Owners are encouraged to consult with a landscape architect to assist them in the preparation of professionally designed landscape. Hand-drawn plans will not be accepted.
- v) Irrigation system plans are required for all landscape elements.
- w) The Construction application shall also include:
 - i. A completed "Construction Review Application." (See section 3 Submission Instructions for submittal address.)
 - ii. Fee and Deposit checks as described at Part 3 Submission Instructions
 - iii. A thumb-drive with PDF copies of application forms and PDF files of the complete set of plans.

3. Approval Process - Submission Instructions

All submittal packages must be complete for the application to be considered and must include:

- Signed and fully-completed Application Forms B and C,
- the Review Fee indicated on the Submission Instructions,
- the Road Fee indicated on the Submission Instructions,
- the Deposit indicated on the Submission Instructions

- Contractor's Current Insurance Certificate(s) and
- Contractor's current-year License.

The ARC, with the aid of its' architect, will make a decision and the design will either be:

a) Approved

When the design is Approved, with no further changes required, the applicant must then submit three (3) more complete, full-size plan sets so that the ARC will be in possession of four (4) complete plan sets – representing the plans that have been approved by the ARC.

b) Conditionally Approved

If the design is Conditionally Approved, the conditional requirements need to be satisfied. For those plan sheets that require adjustment, one (1) full-size copies of the revised page(s) will need to be submitted along with a thumb-drive with PDF files of the revised page(s.)

If the resubmitted details are then found satisfactory, the applicant will be notified and required to submit four (4) complete plan sets reflecting the overall project application.

c) Not Approved

In either of the approval situations ("Approved" or "Conditionally Approved",) after the ARC has four (4) sets of the approved plans and the PDF copies the ARC will issue its formal approval in the form of a "POA/HOA Approval Form" which will be on Town of Calabash letterhead and will be signed by an ARC representative.

The signed POA/HOA Approval Form must be submitted to the Town of Calabash Building Department along with all other Building Permit application requirements. The construction plans which accompany the Building Permit Application must be the same plans as were approved by the ARC.

The four (4) sets of final plans that were presented to, and approved by, the ARC will then be date-stamped "Architectural Review – Approved – Devaun Park" and-distributed as follows, one for each of:

- a) The ARC's reference file.
- b) The Contractor, to be retained on-site at all times throughout the project. These

will be the plans referred to by the ARC's Representative as construction progresses and at formal ARC inspections.

- c) The Property Owner.
- d) The ARC's Consulting Architect.

The POA/HOA Approval Form will "start the clock." Once the Owner/Contractor receives the POA/HOA APPROVAL FORM, he/she must start construction within six (6) months.

If construction has not begun within the allotted six-month timeframe, the approval will expire and become void unless an extension is approved by the ARC, in writing. If the ARC's approval expires, the Owner must start the process over by submitting a new "Construction Review Application" (Form B) with all accompanying requirements. This is to ensure that the plans are current and ensure the ARC has the most recent data.

NOTE: As required at Proclamation of Protective Covenants Paragraph 3.1(b) – revised through Article 17 - Construction of an Owner's house and related improvements must be completed not later than the expiration of twelve (12) months from the date construction starts. Construction will be deemed to have started the earlier of:

- a) 1st tree is removed or
- b) Materials are delivered or
- c) Foundation excavation is started.

When the POA/HOA Approval Form is released, the ARC's representative will contact the Contractor and determine a mutually-convenient time to hold an initial, on-site meeting with the contractor (and Owner, if available) to go over pertinent information and to provide guidance on truck access routing and other requirements.

No tree removal or other construction steps may begin before the Construction Application is approved and the initial contractor meeting has been held.

4. ARC Inspections.

Before, during and after the construction process, the ARC's Representative will make four (4) formal inspection and approval steps; Tree Marking Inspection, Foundation Survey Approval, Dry-In Inspection, and Final Inspection.

- a) Tree Marking (and Existing Damage) Inspection – Form D1

Trees for removal are to be marked with an orange or red ribbon and those for retention are to be marked with a white or blue ribbon. This marking must match the removal/retention details marked on the Survey.

No living tree, in good health and 4 inches or more in diameter (measured at 4' above the ground) shall be removed without the ARC's written approval. Tree removal will be approved for the following conditions:

- i. the tree is in the building footprint or
- ii. the tree is close enough to the proposed foundation, sidewalk, or driveway so that the tree is likely to be compromised.

After placing string lines along the property's boundaries, the Contractor or Property Owner shall contact the ARC Representative for this inspection, submitting Form D1 (see Part 3.) The ARC Representative will walk the lot with the Contractor and provide approval to proceed if everything complies.

No trees may be removed prior to this inspection.

During this inspection, it will be the Contractor or Owner's responsibility to identify any pre-existing damage (street, curbing, sidewalk, neighboring trees or vegetation, etc.) so that the Property Owner will not later be held liable under the assumption that "the Contractor did it." Such pre-existing damage should be recorded in writing and with photographs and given to the ARC Representative for retention.

b) Foundation Survey Approval – Form D2

A Foundation Survey performed by a NC licensed surveyor is required verifying that the installed foundation is in compliance with approved plans, including all required setbacks. Form D2 and the signed and stamped survey shall be delivered to the ARC project representative for review and approval. No further work can proceed on the project until the contractor receives approval of the survey from the ARC.

c) Dry-In Inspection – Form D3

An inspection is required when all walls, including windows, entries and roof are framed, to determine that the exterior was built according to the approved plan. When the structure is ready for this inspection, the Contractor or Property Owner shall contact the ARC Representative, submitting Form D3 (see Part 3.) The ARC Representative will walk the project with the Contractor and provide approval to proceed if installed components are in compliance with approved plans.

d) Final Inspection – Form E

This is the third formal, and the final, ARC inspection.

All landscaping, irrigation and outdoor accent lighting must be completed no later

than 10 days of receiving the Certificate of Occupancy. If not completed within the allotted time, a fine may be levied in accordance with the schedule in the Appendix.

After completion of construction, all landscaping, irrigation and outdoor accent lighting, and receipt of the Certificate of Occupancy (CO) the Contractor or Property Owner must contact the ARC Representative, by e-mail, for this inspection – providing an As-Built Survey with BUA details and a copy of the CO with Form E (see Part 3.) The ARC Representative will walk the lot without accompaniment.

During the final inspection, the ARC's Representative will verify that the exterior of the house was built in full compliance with the approved design and that the landscape and irrigation installations have been completed as submitted and approved by the ARC.

No deposit will be returned until after the Final Inspection has been approved by the ARC and Devaun Park's Property Management Co. has been notified (by the ARC) that the house has a CO and has passed Final Inspection.

Following Final Approval, the Construction and Landscape Deposit will be returned (without interest) less any fine(s) that may have been assessed.

e) **Informal Inspections.**

Intermediate, informal, inspections will be made at frequent intervals to verify compliance with these Guidelines. Items focused on include contractor parking, site cleanliness, maintenance of silt fence, trash pickup, toilet conditions, adjacent (including across-the-street) landscape & property damage, drainage and adherence to the approved plans.

5. Changes to Approved Plans

Any changes to the ARC-approved plans – whether prior to or during construction – must receive written approval from the ARC prior to execution. The applicant must submit the Change Request Form (Form F) and appropriate drawings, if necessary, describing the proposed change.

A major change and/or addition not approved during the Construction Review, will require an additional review by the ARC's Consulting Architect and an additional Design Review Fee.

If changes are made without prior written approval, the ARC has the right to require the applicant remove, revise or replace the unauthorized change at the applicant's expense. The applicant will also be levied a fine as indicated at Part 2, Exhibit 6.

The Change Request form should be submitted to your ARC Representative. The Representative will advise if full size plans (with PDF copy) or product samples will be necessary and if a Design Review Fee will be required.

6. Changes to Improved Property

a) Minor Changes

If an alteration to an existing structure or lot improvement(s) is minor, including but not limited to change of paint color, fences, decks, substantial modification of landscaping (including adding or removal of any plant or tree more than 10' in height), etc., the Home Owner must submit Form G (see Part 3) to Devaun Park's Property Manager, fully describing the intended improvements. In most cases a written description, photograph or hand-drawn illustration will suffice. An ARC Representative will advise if product sample(s) or additional details are required.

A nominal "Completion Deposit" is to accompany a Minor Change application. Upon approval of the project work, following the ARC's Completion Inspection, the Deposit will be refunded. The Deposit amount is as noted on Form G.

Changes or additions to doors, windows, fences, walls, etc. must comply with the "House Design Guidelines" (Part 3, below.)

No changes (including adding screening or converting to an enclosure) may be made to existing porches without ARC approval.

When repainting an existing house, the original colors shall be used. If different colors are preferred, the new color scheme must be submitted for ARC approval as a Change Request and must conform to the adjacency requirement discussed below at Part B.3 h) "Exterior Colors and Finishes."

Note: Whenever a tree is removed, the stump must be removed as well.

b) Major Changes

If the proposed alteration is major, including but not limited to porches, garages, bonus rooms, garden or storage sheds or living space, the same Form G is to be used. The information required and the design review process will be similar to that established for new house construction (described above.)

A Design Review Fee will be necessary for a major alteration. See Part 3 "Submission Instructions" for the amount.

A Contractor Application (Form "C") also needs to be submitted as does a refundable Construction Deposit.

The Construction Deposit is to be five percent (5%) of the project cost as determined by the project's total proposal(s.) This requirement is capped at \$5,000.

c) Trees

Whenever a fallen, dead or dangerous tree is removed at a vacant lot, the stump may remain but must be trimmed to no greater than 6" above ground.

Other than tree removal, branch trimming and placement of a For Sale sign, no other change or improvement is permitted at a vacant lot without approval by the Architectural Review Committee.

See DPCA Proclamation 3.2 as amended.

C. CONSTRUCTION GUIDELINES

1. IMPORTANT INFORMATION FOR THE OWNER & CONTRACTOR

These Guidelines are to help shape, maintain and enhance the Traditional Neighborhood attributes and Historic Southern Architecture - reminiscent of Historic Charleston, SC - envisioned at the conception of Devaun Park. They will be employed by the ARC during the review process to determine whether a design warrants approval.

These Guidelines cover the following 3 basic sections and should be read by both the Property Owner and the Contractor as they each share many of the same responsibilities during construction:

- Lot and Site Improvements - Concerns to look for and to do before deciding on the house location. Includes specific recommendations and requirements relating to the site; including landscaping and preserving the natural environment.
- House Design-Guidelines - Considerations regarding house design, including specific requirement for building materials, building details, etc.
- Contractor Requirements - for Contractors to follow prior to and during the house's construction.

One of the unique qualities of Devaun Park is the site's diverse character; from tall pines to oak clusters, from water features to marsh wetlands. It is the intent of these Guidelines to ensure that these environmental features are retained where possible and protected according to applicable laws and regulations.

2. LOT AND SITE IMPROVEMENTS

a) Site Drainage -

Drainage of the lot must conform to the Devaun Park Master Drainage Plan/Stormwater Plan and be consistent with the Storm Water Management Permit that has been issued for Devaun Park.

Rain gutters and downspouts are encouraged to assist in control of water runoff. When rain gutters and downspouts are used, the downspout outfall should be oriented to facilitate absorption into the ground and not be directed to the adjacent property. Drains connected to downspouts (whether under or above ground) shall terminate upon the owner's lot a minimum of 5 feet from the property line.

Drainage and grading must be designed so as not to create drainage problems on adjacent property. Drainage elements and grading are to be indicated on the Site Plan/Survey submitted for Construction Review.

b) Built Upon Area (BUA) -

Living adjacent to open waters restricts the use of the impermeable surfaces in our neighborhood. Allowable BUA varies per lot and is identified for each Devaun Park Lot on an attachment to Devaun Park's Stormwater Management Permit # SW8 010828 issued by the NC Department of Environmental Quality (DEQ). The combined square footage of all impermeable surfaces, as defined by the DEQ, within the Owner's property boundary lines must not exceed the lot's BUA allowance.

If the proposed on-property combined total impermeable surface area will exceed the lot's BUA allowance and the proposed solution is to use permeable materials a permit must, first, be issued by the NCDEQ in accordance with North Carolina's Stormwater Regulations. See item d) below.

In addition to the on-property BUA lot maximum allowance that Devaun Park's Storm Water permit allocates to each lot, each lot is also allocated an additional 750 sq. ft. of BUA within the adjacent right-of-way. This off-property allowance is usable for impervious driveway and sidewalk connections between the property line and the common sidewalk, front street or rear alley.

Each proposed-construction Site Plan and after-construction As-Built Plan must indicate both the on-property BUA and the off-property BUA.

If the Owner wishes to install permeable (aka pervious) pavers or cement be aware

of some of the requirements-to consider if the installation is to address exceeding lot BUA, otherwise this section's information does not purport to be complete as to all the DEQ requirements but is intended only as an overview of important considerations:

- i. Approval to install any permeable surface in Devaun Park requires a Stormwater Management Permit from the Department of Environmental Quality, Division of Energy, Mineral and Land Resources.
- ii. There are expenses involved as there is a permit fee and it may be necessary to hire an NC Professional Engineer to do the soil tests, make the computations, design the required subsurface drainage system & monitoring wells (if required) and to manage the application process.
- iii. It is a lengthy process to get a NCDEQ approved following application submittal.
- iv. The Property Owner is required to present a copy of the approved Permit to the ARC as part of their Construction Review or Change Request application. The ARC is not authorized to approve installation of permeable surfaces (whether for new house construction or an existing home's renovation) unless accompanied by the DEQ's approval.

c) Landscape Design -

Landscaping is an essential element of a home and should be carefully considered so as to enhance the home's livability. A licensed Landscape Architect is highly recommended when preparing the landscape plan.

Each Lot is evaluated individually during design review to ensure adequate plantings will be installed. Landscape Plans may not be hand drawn and are to be 24" X 36" in size.

Devaun Park encourages the use of water conservation principles through use of plant materials and efficient irrigation design.

- i. As part of the Construction Review Application a landscape plan must be submitted identifying all trees on the Property and noting which are to be retained and which are proposed for removal. Landscape plans must show existing vegetation areas to be left undisturbed, proposed planting areas with designated plant locations, sod areas and all new, to-be-planted, trees. All Guideline restrictions must be carefully considered. The plan must include at a minimum:
 - Location and identification of all shrubs and evergreens;
 - Location of all planting beds in relation to the house;

- Location of all fencing, if any;
 - Location of any exterior utility or equipment (heat pumps, generators, gas tanks, back flow preventers, trash cans etc.) and the appropriate screening or fencing.
- ii. Each Lot, at completion of landscaping, must have a minimum number of trees. Two categories of Lot size are recognized for this purpose:
 - Lots over 30 feet wide require a minimum of five (5) deciduous trees with a minimum ground to crown height of fourteen foot (14').
 - Lots 30 feet wide or less require a minimum of three (3) deciduous trees with a minimum ground to crown height of fourteen foot (14').
 - These minimum counts may be met through existing and/or newly-planted trees.
 - The 14' minimum tree height measurement is to be taken after the tree is planted, from ground to the top of canopy and shall not include the root ball.
 - Citrus or other fruit trees are acceptable only in rear yard areas and are not acceptable as part of the tree minimum count.
 - iii. Be aware that Devaun Park's Proclamation of Protective Covenants (at Sections 3.21 and 3.22) assigns Property Owners responsibility for maintaining landscape between their property line and adjacent road, sidewalk, lake or pond bordering owner's unit.
 - iv. Compatible Zone 8A plants must be used for a minimum of 50% of the landscape design. Existing material may be credited for these requirements. Useful web sites are the North Carolina Native Plant Society's at <https://www.ncwildflower.org> and NC State University's at <https://plants.ces.ncsu.edu/plants/search/?q=native.org>
 - v. Plans must include a plant list with the common and botanical names, plant sizes and spacing. Plants are to be 5 gallon or larger plants.
 - vi. The planting legend is also to indicate which proposed materials are native to NC.
 - vii. Invasive plants (e.g., bamboo, wisteria) are not permitted to be planted in Devaun Park.
 - viii. If a propane gas tank is to be buried under ground, the access cover should not create an eyesore or tripping hazard. Include the location of the access cover on the landscape plan

- ix. Lawn areas are to be planted with a grass that is recommended for this coastal area. The North Carolina Agricultural Extension Service can assist you in answering any questions regarding sod types, soils and maintenance of your lawn. The phone # is (910) 253-2610. The website is <https://www.ces.ncsu.edu/categories/lawn-garden/>
 - x. Yard areas designated to be lawn that are contiguous to the street or sidewalk must be planted with sod.
 - xi. All planting beds and/or mulched areas contiguous to a lawn area should be raised above the sod grade by minimum of six inches (6") and should be spaded to ensure a clean edge. Bark mulch or pine straw must be placed in natural areas.
 - xii. Gravel, rock or shell will not be used as lawn or mulch bed.
 - xiii. Existing 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. No fill should be placed on top of the roots and the bases of existing trees to help ensure their survival. Vines, weeds and dead material should be trimmed from natural areas.
 - xiv. All grade separations for residential and/or lot grading purposes shall utilize appropriate retaining wall materials consistent with the materials, structure and architecture of the primary residential home and must be approved by the ARC.
 - xv. Owners of home sites adjacent to the Calabash River, its marshes or a neighborhood lake may selectively clear trees on their property with prior written ARC approval, to establish an improved view from these home sites to the Calabash River or to other neighborhood water features. At no time shall more than 40% of the trees in the view corridor be removed.
 - xvi. Any tree that was to be preserved (including any off-Property tree) and is removed or damaged due to construction will result in a per-tree fine as per the Fine Schedule at Part 2 Exhibit 9 which will be unconditionally deducted from the Construction Deposit. The ARC may also require that the tree be replaced with a minimum 14' high tree of similar species or Native to NC.
- d) Irrigation Design -
- i. Irrigation is required on every Lot. Owners are encouraged to promote conservation of water. All irrigation systems must be of an in ground popup or drip automatic type with time clock and Rain (Bypass) Sensor. Also, a system timer is required that will provide for watering on an alternate-day basis.

- ii. Irrigation Plans may not be hand drawn and are to be submitted on a 24" X 36" sheet with all zones indicated.
 - iii. Include the location of the county required above-ground irrigation back-flow preventer on the plan - which shall not be placed in front lawns where they are visible from the street (whether with or without enclosure covers.)
 - iv. No water withdrawals from existing water features for irrigation purposes are allowed.
 - v. Private wells are not permitted.
- e) 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 these other elements.
- f) Miscellaneous -
- i. Animal housing is subject to approval. This includes doghouses, and pole-mounted birdhouses if visible from the street.
 - ii. Features such as fountains, statues, topiaries, figurines and anything else that can be considered "Yard Art" must be approved for materials and locations.

3. HOUSE DESIGN GUIDELINES

The exterior of all dwellings should be designed to be compatible with the existing topography, adjacent homes and streetscape. All structures within Devaun Park shall be in harmony with their surroundings. Consideration of the semi-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.

Landforms, vegetation and views should dictate the building location when possible. The style should be in keeping with the Traditional Neighborhood attributes and Historic Southern Architecture - reminiscent of Historic Charleston, SC.

If the ARC's judgment is that the location, basic style, roof line, exterior materials or other features are too dissimilar to those in the neighborhood, the design will be requested to be revised and resubmitted. Equal attention to detail and definition must be given to all sides of the home, including but not limited to, banding, accent materials, roof character and window treatment.

Effective with applications submitted on or after May 1, 2025, any house constructed in Devaun Park, excluding any house to be located on Lots 75 – 79 or 83 – 98, shall contain a minimum of two thousand, two hundred (2,200) square feet of heated / cooled floor area devoted to living purposes.

This minimum area shall be exclusive of roofed or unroofed porches, terraces, decks, and/or garages.

Retaining walls, planter walls and privacy walls will break up the facade and help relate the structure to the ground.

a) Porches -

- i. The front porch deck elevation shall be a minimum of **30** inches as measured from the front walk surface where it meets the bottom edge of the first riser in the front steps and must be maintained around the entire front porch perimeter.
- ii. Porch foundations shall include, or simulate, piers with lattice between piers being horizontal louvered vents, 1" x 3" site-built lattice (1/2" (minimum thickness) or custom composite lattice in a horizontal or diagonal pattern, or brick lattice (with spacing of lattice <2".) Porch step handrails are required.
- iii. Porches are required on the front street elevation of every home. The front porch shall be a minimum depth of eight feet (8') and have a minimum width of 50% of the home's street front elevation width. The porch width shall also include 50% of the width of the front street garage whether or not the garage is set back from the facade of house.
- iv. Porch railings with spindles and balusters are required on the front street elevation of every home.
- v. Homes on corner lots shall have the front porch wrap around the street corner side of the home, be a minimum depth of eight feet (8') and span a minimum of 30% of the width of the street corner side elevation (excluding the garage width,) and shall also have railings with spindles and balusters.
- vi. Second story porches must be of the same design and be complimentary to first story porches having a minimum depth of eight feet (8').
- vii. A first story front porch may not be screened. Second story front porches - though matching the first floor in design - may be screened. Screening used shall be bronze, charcoal or other color approved by the ARC. Mill-finished aluminum or other light reflective color or material is not allowed. Screening will also be permitted for a porch which is not contiguous with the front porch.
- viii. No changes (including adding screening or converting to an enclosure) may be made to approved or existing porches without approval by the ARC.
- ix. Porch ceilings, fascia and soffits must be of plywood, cypress, cedar or other hardwoods, "Hardie Plank," or other composite materials. Ceiling finishes are to be composed of smooth board or with battened seams, bead board, or tongue and groove. All other materials or styles are subject to approval of the ARC.

b) Columns –

Columns can be either square or round. They are to be equally spaced and serve as “frames” for windows or doors centered behind. Columns may be made of wood or an approved synthetic material.

c) Handrail Spindles –

- i. A spindle or baluster is the vertical element of a porch’s rail and must be spaced no greater than code apart (or less if required by code). These should be made of wood or an approved synthetic material. Other materials may be used with the approval of ARC.
- ii. Balusters should not be attached to the face of either horizontal rail (top or bottom.)
- iii. Synthetic handrail installations should not include visible mounting collars at the posts. They must have concealed fasteners and a traditional look and feel. A sample may be required.

d) Roof -

- i. Roof pitches and overhangs may vary as necessitated by design to match the style of the house.
 - Principle roofs shall be a symmetrical gable or hip with a pitch of 8:12 to 12:12 unless otherwise approved by ARC.
 - Ancillary roofs (porch and other smaller areas) are required to have a pitch of no less than 2:12, unless approved.
 - Flat roofs (slopes of less than 2:12) shall be permitted only when enclosed by a balustrade and must be accessible from an interior room.
- ii. Roof overhang is determined by practical and aesthetic considerations. An overhang offers more protection from sun and rain and is to be a minimum of 12”.
- iii. The eave and frieze trim board at all overhangs must be returned, “Dog Ear” overhang ends are not approved.
- iv. The following roofing materials are approved subject to color.
 - Dimensioned “Architectural Grade” asphalt or fiberglass shingles of high quality.
 - Metal Standing Seam, 5v or 8v crimp. Color must be approved by ARC.
 - Slate or “Artificial Slate” is acceptable.

e) Roof Accessories -

- i. Roof penetrations should not be visible from the front street.
- ii. Gutters and downspouts shall be galvanized steel, aluminum or copper.
- iii. Flashing shall be copper or anodized aluminum. Exposed aluminum flashing should be factory-painted to blend with surrounding materials.
- iv. Solar panels shall be aesthetically integrated into the structure and not visible from the front street. Roof mounted solar panels shall be parallel to the roof surface, be 8" or less above the roof, and shall not extend beyond the roof ridgeline or edge. The ARC is required to approve solar plans, designs, color, material, and placement prior to installation.
 - The roof must be constructed of black shingles (no other color shingle will be approved,)
 - The panels must be framed in black-colored material (not gray, silver or other color,)
 - Grid lines defining each panel's individual cells must be substantially invisible (as, for example, SunPower's "A-Series," SunPower's "X-Series," LG's NeON 2 "Full Black" Solar Panels or ARC-approved equal.)
 - The ARC shall be required to review and approve the panel layout and installation plan before any materials may be ordered.
- v. Skylights may not be visible from the front street.
- vi. External TV Antenna and Satellite Dishes are to be located such that they are not visible from the front street. A Dish Antenna or Television Antenna must be one meter or less in diameter and screened per ARC instructions.

g) Exterior Walls -

- i. This is the largest exterior feature of the home and its finish should blend into and enhance the natural setting and the surrounding structures. The ARC will not allow materials or colors which it deems inappropriate.
- ii. Wall material may be of cypress, cedar or other hardwoods, Hardie plank or equivalent-brand cement board or brick replicating brick colors and sizes that would have been used in historic Charlestonian construction. The siding pattern may be rough or smooth: 106 drop siding, 6" lap siding, 6" shingle, vertical board and batten. The trim pattern shall be smooth-planed 2 x 4 or 2 x 6 at corners and openings with caulked abutting joints.

- iii. Chimneys shall be masonry, brick, stucco or Hardie plank siding (for gas fireplace insert) and shall extend from the ground and terminate with an identifiable chimney cap unless otherwise approved by the ARC. Chimneys for wood burning fireplaces must be constructed according to building and fire codes. Wood chases or enclosures will only be allowed if they match the main exterior walls.

h) Exterior Colors and Finishes -

- i. All exterior colors must be approved by the ARC. Color card samples must be submitted with the Construction Review application package.
- ii. 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.
- iii. Adjacent houses shall not have a similar color scheme. With the exception of white, principal exterior colors shall not be repeated or closely repeated within three (3) houses in either direction nor directly across the street.
- iv. Recognizing that Historic Charleston houses employed a colorful palette, Devaun Park encourages the Charlestonian Color Palette. Contractors seeking approval to build a house speculatively in Devaun Park without a signed purchase contract (i.e., a "Spec House") will not be approved if the principal house color is white or off-white.

i) Exterior Doors -

- i. A paneled front entrance door of wood, metal, vinyl-clad metal or fiberglass shall be installed and must be finished to compliment the exterior design. If multi-pane glass is included, the panes shall have true or simulated divided lites as described below - at j) iv - under Windows.
- ii. Sliding glass doors shall be permitted if located in the rear or side yard.
- iii. Screen door patterns and material must be complimentary as determined by the ARC.
- iv. French doors shall have divided lites as described below, under Windows, at j) iv.

j) Windows -

- i. Trim around the windows should be a minimum of 6" wide. Windows and glass panes should be vertically oriented with a ratio, height to width, of at least 1.5:1.
- ii. All windows should be either single hung, double hung, or casement.
- iii. Windows will not be approved without, at least, one muntin. Muntins are those dividers that make up individual panes of a window. Flat, non-dimensional muntins will not be allowed nor will snap-in muntins of any kind. Muntins are to be fixed to the outside of the windows (SDL).
- iv. Transom-type windows may be used. Details of radius windows, round windows, stained glass, or other decorative window styles must be submitted for approval to the ARC.

k) Screens -

Screens are integral to the window and shall be dark grey or black in color. Screens are subject to approval by the ARC if they are not part of the manufactured window unit. Screens are not required.

l) Shutters -

- i. Shutters are to be made of wood or fiberglass, either operable or inoperable, designed so that they have the appearance of a functional shutter and be sized to fully cover the adjacent window. To create the look of functional authenticity, shutters must be mounted on the window's trim and include, at minimum, "shutter dog" hardware on the outside lower or upper corners of the shutter.
- ii. Acceptable design would be either traditional louvered or paneled shutters.

m) Exterior Stairs -

- i. Stair stringers shall be notched to receive treads. Railings shall have a top and bottom rail and balusters shall die into the bottom rail. Pickets must be spaced according to building code. Railings should be made of wood or an approved synthetic material (aluminum, plastic/composite or wrought iron). A sample is required.
- ii. Intricate railing patterns shall not replicate that of the houses adjacent or across the street.
- iii. In the appropriate condition, and with an approved ARC variance, front steps may be included within the front setback area.

n) Garages and Driveways -

- i. A minimum 2-car garage, attached or detached, is required - with openings sized for cars and materials and design should complement that of the primary structure.
- ii. Garage doors may be twinned single doors or double doors no less than 18'-wide.
- iii. A minimum of 2 uncovered spaces for parking outside the garage is required a minimum 20' wide and 20' deep.
- iv. Properties with a rear alley must utilize the alley to access their garage.
- v. Drip-through driveways compliant with NC DEQ requirements will be approved, but only for the purpose of conserving BUA when a standard concrete driveway would cause the project to exceed the property's maximum BUA allowance and extraneous hardscape elements are not also included in the project plan.
- vi. The drip-through driveway's dimensions must comply with Design Guidelines' requirement that "parking outside the garage is required [to be] a minimum 20' wide and 20' deep" and the driveway area outside the property line (if any) must also comply with the solid concrete requirement at Guidelines page 26, item n) viii.
- vii. For the purpose of conserving BUA when a standard concrete driveway would cause the project to exceed the property's maximum BUA allowance and extraneous hardscape elements are not also included, a concrete "ribbon-strip" driveway will be approved, with the following requirements:
 - a. The installation must be of 4-strip design.

- b. For houses with rear alleys, stone must be installed between the concrete strips from start to end, incorporating #57 Granite Stone, no less than four inches thick, and laid over a geotextile fabric.
 - The stone & fabric installation details must be noted on the project's site and construction plans.
 - As a variance from the Guidelines' standard requirement of 20'-wide outside parking, for this condition the overall width of the ribbon & stone installation is to be no less than eighteen-feet wide (18'.)
 - c. The above-described ribbon & stone installation is not applicable to houses without rear alleys (front loaded) which will require more careful consideration, including lawn instead of stone.
 - viii. Home sites approved for front/side loading garages (those not serviced by an alley) will require the garage be set back 20' behind the front façade of the main house's first floor, which measurement may include the depth of the front porch.
 - ix. Front and side entry driveways shall be no wider than 10' at the street (excepting appropriate flares at the intersection.)
 - x. Street entry driveways shall not be closer than 5'0" to the side Property line unless specifically approved in writing by the ARC.
 - xi. Concrete is acceptable (including concrete bordered or curbed with brick) as paving material. Atypical paving materials (such as impressed or patterned concrete, permeable concrete, brick pavers, pressure-treated or marine-grade timber, etc.) must be approved by the ARC. Asphalt or gravel are not acceptable driveway materials.
 - xii. Where the garage will be accessed from a "common alley," the driveway access constructed on common area between the alley and the rear property line shall be of solid concrete or other material as approved by the ARC with a thickness of 6".
- o) Garages Doors -
 - i. The garage and garage doors should complement the exterior design of the house. Their color should blend with or match the main structure as to de-emphasize the garage door(s).
 - ii. No garage door may be more than 8' in height unless ARC approval is granted.
- p) Sidewalks -
 - i. Street access walkways should be aligned to provide an entry statement from the street to the front door and should be sized appropriately to the staircase they lead to. Walkways – side or front - will not be approved less than three feet (36") wide.
- q) Pads & Patios -
 - i. Concrete is typical for miscellaneous pads. All pads and surfaces, regardless of their function or location, must be accounted for as part of the BUA calculations.
 - ii. All materials must be approved by the ARC.
- r) Fences and Walls

THE ARC SHALL APPROVE THE GENERAL DESIGN, LOCATION, MATERIALS AND COLOR OF ALL FENCING, WALLS, AND SCREENS ON A CASE-BY-CASE BASIS.

Fences and walls serve several useful purposes. They delineate property lines between neighbors and between the public and private realm. They are a barrier enclosing a specified area.

Screens are used to shield private areas, utilities, etc.

FENCES - General guidance:

- Fencing may not enclose an entire lot or major portion thereof unless approved by the ARC.
- Solid privacy fences are not allowed, but may be addressed as needed on a case by case basis, for example, to provide separation between a Devaun Park lot and an adjacent community.
- All fence materials and shapes shall be compatible with the design and material of the house and surroundings.
- Fences shall be a vertical design.
- Fencing cannot impede the visual access of emergency responders.
- Fencing cannot impede the visual access to alleys or streets for cars or pedestrians.
- Fencing cannot block access from doors or windows.
- The finish side of the fence is to face offsite.

Materials:

- For fencing, wood, black or bronze factory painted aluminum, and composite material is approved.
- If the fence is to be wood, construction design and a sample (4" x 12" minimum) of the proposed wood treated with the proposed color of paint or stain is required.
- As materials and manufacturing change and improve, materials other than those mentioned will be considered on a case-by-case basis.
- Split rail fence, chain link fence, and solid wall privacy fences are prohibited.

Location fence guidance:

- Front yard is defined as the area street side from fifteen feet (15') behind the front of the dwelling, including the front porch.
- Front yard fencing shall be traditional open picket style, traditional height (ranging from 32" to 40").
- Front yard fencing materials shall be:
 - white wood or composite.
 - black factory painted aluminum or black wrought iron placed between brick columns.
 - Solid landscape hedging (ex. Boxwoods) between brick columns.
 - At a minimum, brick columns shall be placed at each front corner of the lot. Typically, the column should be 22"x22" square by 40" height. A brick sample shall accompany Form G submittal.
 - Decorative wrought iron will be considered on a case-by-case basis.
- Front yard street fences are intended to define the property edge and create continuity between properties. Consideration will be given to existing neighboring fence designs to address commonality.
- Rear and Side yard is defined as the area originating fifteen feet (15') beyond the front of the dwelling, continuing back to the rear property line.
- Required height of Rear or Side yard fencing is five foot (5') or less.

- Fence design should be open or semi-private.
- Gates and other features should be of compatible design and color.

WALLS - General guidance:

- Common wall materials are wood, brick, stucco or tabby (cement incorporating oyster shells).
- Solid walls between columns are prohibited.
- Open design such as lattice will be considered on a case by case basis.
- Walls are not to be used as fences or privacy screens.

SCREENS - General guidance:

- Screens may be used to shield private areas, utilities, trash containers, etc.
- Screens cannot enclose an entire lot or a major portion thereof.
- Screens can be freestanding or married to a fence of compatible design.
- Screens will utilize the same materials as fencing.
- For utilities see Utilities Screening, Part C.3.t.

Additional considerations:

- Street view may require additional landscape buffer. If required, submittals for fence, wall or screen approval shall include a landscape plan. See Landscape Design, pages 17,18 and 19.
- The property owner shall provide a plat of survey by a licensed NC Surveyor to the ARC for ARC approval prior to proposed fence installation. The plat at minimum shall denote the lot number, street address, owner, property lines, property corners, utility box and pedestal locations within 5 feet of property lines. Property corners and fence corners must be staked and flagged.
- The ARC recommends the property owner use a professional installer.
- If a common fence line is to be shared by neighbors, a Form G application shall include a written agreement by both parties.
- The ARC shall conduct an on-site meeting to discuss a proposed installation as part of the approval process.

s) Pools, Spas & Hot Tubs –

- i. Pools are allowed but require special consideration regarding the lot's BUA allowance. The NC Department of Environmental Quality (DEQ) should be consulted as to permeable and impermeable considerations.
- ii. All pools, spas or hot tubs enclosures must be shielded from view with landscaping of neighboring property and/or street. The enclosure must be shown on all plans, including site plans, floor plans, and elevations.
- iii. All pools must be in-ground.
- iv. Spas or hot tubs may be installed on or in side or rear decks, patios, enclosed rooms or screened porches. Otherwise, spas or hot tubs may not be installed above-ground, as stand-alone units.
- v. Pool accessory structures (cabana, etc.) must blend or match the main house

with a matching fascia, roofline, and roof material, unless otherwise approved.

t) Utilities Screening -

- i. Fencing or privacy wall must be installed around all utilities. Screening design must be submitted to and approved by the ARC. All HVAC units, irrigation back-flow & manifold, propane tanks, utilities, pool equipment, emergency generators, trash and recyclable containers, etc. must be screened so that, from first installation, they are not readily visible from the street, common areas or neighboring properties.
- ii. Propane tanks greater than 100 gallons must be buried underground.
- iii. Access covers should be beneath a mulch bed so the access cover will blend into the mulch, painted to match the mulch.
- iv. External TV Antenna or Satellite Dish(es) should not be located such that they are readily visible from the street and if such is necessary for proper functioning, screening is required for all other utility equipment.
- v. Electric car or golf cart charging equipment must be installed within the garage.

u) Exterior Lighting -

- i. Exterior light fixtures should be subtle and not a dominant element.
- ii. No spillover of light, floodlights or otherwise, is allowed. All exterior lighting shall be shielded to prevent direct exposure from the light to neighbors and passers-by.
- iii. Cut sheets and specifications for landscape lighting, including pathway lighting, shall be submitted to and approved by the ARC.
- iv. All exterior light sources shall be concealed where possible. All shall be in shades of white. No colored lights are allowed.
- v. Garden lights or walkway lights should direct the light downward.
- vi. Lamp post lights and all above ground lights for walkways and otherwise require approval by the ARC, and must be indicated on the landscaping or exterior elevation plans.
- vii. All exterior fixtures shall be approved by the ARC prior to installation. See Proclamation Article 3.16.

v) Service Lines -

All service lines shall be underground. Overhead wires, as from a house to a gazebo or to an exterior device, are not permitted.

w) House Numbers -

- i. All houses must display street numbers using 4" to 6" numbers, in a block-letter style, fabricated of rust-proof metal and painted in keeping with house features and colors. Numbers shall be placed on the entry door post or header so as to be visible from the street.
- ii. As required by Brunswick County ordinance, sec. 1-4-87, "The color of the numerals shall be in sharp contrast to any background color and/or texture, so as to be plainly visible and legible from the center line of the designated street during daylight hours."

x) Mailboxes -

- i. Mailboxes color, design, and installation guidelines are determined by the association and published on the association's website (Link below). No variance is permitted.

[Mailbox - Home - Devaun Park - Sign It Quick.pdf](#)

- ii. All mailboxes must be installed according to the U.S. Postal Service Guidelines and placed in coordination with the requirements of the local mail carrier.
- iii. A newspaper delivery sleeve is incorporated with the mailbox post and no additions or revisions to the structure are allowed.
- iv. As required by Brunswick County ordinance, sec. 1-4-87, the address number will be on both sides of the mailbox. The Times New Roman Bold font, white color and height must be replicated if the address number ever needs to be replaced on the mailbox.

y) Signage -

Sign color, designs, and installation guidelines are determined by the association and published on the association's website. No variance is permitted.

z) Flags, Banners and Political Signs –

The display of Flags, Banners and Political signs is governed by the Proclamation of Covenants, Article 18, "Flags and Political Signs," which adopts restrictions permitted in NC Statute 47F-3-121, "American And State Flags And Political Sign Displays.

aa) Playground Equipment -

- i. Children's playground equipment or other recreational equipment is restricted to rear yards. Screening must be included to minimize visibility from streets, common areas and neighboring property.

- ii. Wood play sets that blend with the natural surroundings are preferred. Brightly colored or metal play sets are discouraged.

bb) **Reflective Devices -**

Driveway reflectors or reflectors of any kind are prohibited.

D. ADDITIONAL CONSIDERATIONS

1. Variances –

- a) If the Owner feels that a certain requirement(s) of these Design Guidelines can't be complied with the Owner may apply for a variance from a specific requirement of the Guidelines.
- b) The burden of establishing the reason why a specific requirement of the Design Guidelines is not appropriate lies with the Owner and their design professionals. A written request must be submitted with the Construction application or Request for Change(s) form; clearly describing and illustrating the relief being requested and why.
- c) Granting of a variance rests solely with the ARC who may review the request with the ARC's Consulting Architect and/or with the Board of Aldermen, as the ARC may feel appropriate.
- d) A variance granted for any particular situation does not warrant or imply that a variance will be granted for a similar situation at another home site. Each variance will be reviewed on a case-by-case basis, considering the overall objectives of the Design Guidelines and the interests of the Devaun Park community.

2. Appeal Process –

If the Owner and/or Architect is in disagreement with an ARC decision, the Owner may request an appeal of the decision. The appeal must be presented in written form to the Devaun Park BOA. The appeal hearing may include a presentation by the Owner and the ARC to the BOA, though not necessarily at the same time.

3. Fines and Remedies for failure to comply -

- i. If an Owner or Contractor fails to comply with any provision of these Design &

Architectural Guidelines, enforcement action may be taken, up to and including a stop work order. See Part 2 Exhibit 6 for a schedule of typical fines (which is not all-inclusive and which may be levied for different amounts, depending on the situation.)

- ii. In the event of an observed or alleged violation, the ARC may recommend the BOA issue a notice of violation to the Owner. Such notice would describe the violation and the fine.
- iii. If a violation of these Guidelines is excessive, requires immediate corrective action, will become impractical to reverse if allowed to proceed or appears to be an unsafe condition, the BOA has authority to issue a Stop Work Order.
- iv. Fines will be assessed against the refundable deposit. If fines exceed the refundable deposit, the excess shall be assessed against the Owner and a lien on the Property
- v. If an Owner refuses to correct or remove unapproved or nonconforming improvements or landscaping, or to pay a fine assessment that exceeds the refundable deposit, the BOA may take legal action to compel compliance in accordance with the proclamation.
- vi. In the event of repeated or frequent violations by any Contractor, the BOA reserves the right to take any other action permitted by law.

4. New Technologies –

New products and technology are continually introduced by the home building industry. The substitution and use of products for those described herein will be considered and may be approved by the ARC on a case-by-case basis, based on merit and suitability for use within Devaun Park.

5. Certificate of Occupancy Requirement -

A copy of the Certificate of Occupancy (CO) is to be provided to the ARC on or before the ARC final inspection.

E. CONTRACTOR REQUIREMENTS

In the interests of safety of all and for the comfort of residents and visitors, as well as, protection of the environment, these construction requirements are applicable for all Devaun Park construction activities, including renovation of existing homes and existing landscaping.

1. License, Insurance and Conduct Requirements –

- a) Contractor License - General Contractors in Devaun Park must be licensed by the State of North Carolina. This requirement does not apply to Property Owners acting as a Contractor. Regardless, the project must conform to Code requirements. The General Contractor and each Sub-Contractor shall also be licensed as required by the Town of Calabash. A copy of the General Contractor's current-year License must be submitted with the Construction application package. The application will be considered incomplete without a copy of the current License.
- b) Insurance Requirements - The Contractor shall furnish the Owner and ARC with current insurance coverages. Insurance Certificates are required from the Contractor and the application will be considered incomplete without proof of the following minimum coverage amounts and Additional Named Insured:
 - Workmen's Compensation as required by law
 - Contractors are required to provide proof of Trade-Specific business insurance with minimum coverage limits of 1 million dollars (\$1,000,000) per occurrence and a policy period aggregate of 2 million dollars (\$2,000,000) and with no less Property Damage coverage than fifty thousand dollars (\$50,000) for any accident
 - The Certificate of Insurance must show the following as an Additional Named Insured:

Devaun Park Community Association
9220 Rivendell Place
Calabash, NC 28467
- c) The Contractor is responsible to insure that each sub-contractor provide Proof of Insurance establishing they carry the same minimum insurance coverages.
- d) Conduct of Workers – Conduct of all workers is the responsibility of the builder. Radios, music players, etc. are not allowed to be played at volume that may disturb neighbors. Pets are not permitted on the construction site. The Contractor shall remove any animal upon request.

2. General Requirements –

- a) Working Hours – Construction activities are not permitted outside these hours:
 - i. Monday through Saturday – 7:00 am to 7:00 pm
 - ii. Sunday – No construction work allowed except for interior work that emits no noise to the outside, including music/radio/podcast/etc.
 - iii. Holidays – No construction work allowed on New Year’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving and Christmas Day.
- b) Adjacent Properties – Builders may wish to use adjacent property to gain access, store materials, park vehicles, etc. when the subject lot presents tight working conditions. Before a Contractor begins construction, if entry on another’s property is desired, the Owner’s permission must be secured in writing. A copy of the Owner’s consent to use the adjacent Property - citing the lot number - must be provided to the ARC Representative prior to any use of adjacent or other property.
- c) Use of common areas (streets, parking, alleys, sidewalks, open spaces, etc.) for loading or off-loading, parking or materials lay-down requires approval from the Board of Aldermen.
- d) No construction shall be initiated without approval of the Construction Review Application by the ARC. Once the Owner/Contractor receives the POA/HOA APPROVAL form, he/she must start construction within six (6) months. As required at Proclamation of Protective Covenants Paragraph 3.1(b) – revised with addition of Article 17.
- e) Construction shall not begin without the express written consent of the ARC. Construction must be completed not later than the expiration of twelve (12) months from the date actual construction starts per the Proclamation Article 3, paragraph 3.1(b), as amended).
- f) Contractors are responsible for knowledge of and adherence to the established Design Guidelines and are expected to build according to the approved construction plans. Any changes a contractor makes to approved construction plans must receive prior approval from the ARC. Unapproved construction changes may result in a Stop-Work order and/or fine to the contractor.
- f) Construction will be considered complete when the final inspection is complete and approved.
- g) Landscaping must be completed at the time of, or promptly following, the

Certificate of Occupancy.

- h) Any extension beyond the 12-month completion period has to be approved by the ARC. See Part 3 "Submission Instructions" for the requirements.
- i) No deposits will be returned without ARC final inspection.
- j) Signs –
 - i. The Builder may post one "Builder's Sign" on the lot during construction which is not to be installed before ARC issues the POA/HOA Approval Form. The Builder's Sign must comply with the sign illustrated at Part 2 Exhibit 7. The sign must be placed on the lot a minimum of five feet (5') from either side property line and within the property boundary.
 - ii. If a Builder's Sign is erected, the Permit Box is to be placed on the same post as the Builders Sign, opposite the front of the Builder's Sign.
 - iii. In addition to the no trespassing message integrated into most Permit Boxes, the Builder may attach one (1) additional "No Trespassing" sign to the house.
 - iv. All signs - including the permit box and any off-property way-finding signs - must be removed no later than ten (10) days after the CO is issued. As exception, if the house is being built on speculation and a contract of sale has not been executed, the Builder's Sign may remain until there is a signed sales contract, at which time the ARC must be notified AND – within 10 days of the contract signing – the sign must be removed.
- k) Silt Fence –
 - i. A perimeter silt fence - buried 4 to 6 inches in the ground - and all other necessary erosion control devices and protective fences must be installed prior to any grading activities and must be maintained during the entire construction process. Excepting the width of the stoned vehicle entrance area, all four sides of the Property are to be silt-fenced.
 - ii. It is important that trees and natural areas to be preserved remain 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.
 - iii. Perimeter silt fence must remain buried and in good condition until the start of landscape installation.
 - iv. "Silk snake" filter socks, and other alternatives to standard silt fence are not approved for erosion control.
- l) Job Toilet–

Each building site is required to provide a job toilet prior to commencing any construction work, including foundation work. It must be located a minimum of 10' inside a property line in an inconspicuous location.

The entrance is to face away from the street or any existing residences. Job toilets must be emptied and sanitized on a regular basis so as to not become foul to passers-by.

m) Trash Bin –

- i. Contractors are responsible for trash and debris at the worksite and for any which falls from construction vehicles during transit to/from their work site. The construction site should always be kept neat and orderly. The Contractor is also responsible to clean adjoining lots whenever debris has fallen or blown there.
- ii. A trash bin is required for each job site before any work commences on the lot. Construction debris must be removed on a schedule such that the bins do not overflow.
- iii. Metal dumpsters are permitted where pick-up vehicles can readily negotiate access without driving on adjacent properties only if they are "half-container" size (not larger than 16 yard capacity) and are well-situated off the road and sidewalk. The Contractor will be responsible to repair and restore the prior condition at any alley median or other area where rutting results from the weight of the dumpster transfer vehicle.
- iv. Burial of construction debris is strictly prohibited.

n) Site Maintenance –

- i. No trash, including lumber scraps, is to be strewn about the site or piled openly unless separated for recycling, as required by the debris removal contractor, with such recyclable material removed weekly.
- ii. At the end of each workday, materials must be stored neatly, and all trash placed in the trash bin. The General Contractor is responsible, at a minimum, for ensuring the job site is always maintained in a neat and clean manner. Materials must be stored within the property lines. Storage (and parking) on adjacent properties is allowed only with written approval from adjacent Property Owner(s.)
- iii. Unobstructed vehicle passage on the adjacent street(s) must be maintained.
- iv. Before tree removal or soil excavation starts, a temporary gravel construction entrance/exit (tracking pad) is to be installed in accordance with NC DEQ Erosion and Soil Control Best Practices. The stoned vehicle entry tracking pad is to be kept structurally sound and not allowed to rut or become muddy.
- v. Promptly after a spillage, whether dirt, sand or other debris, the Contractor is required to remove the debris and clean.

vi. The following is a description of what is expected at every construction site.

- DAILY:

- All garbage (bottles, cans, wrappers, empty containers) shall be placed in dedicated container.
- Exterior areas shall be kept neat.
- All delivery wrapping materials (including, straps, pallets, cardboard, etc.) must be placed in a bin.
- All construction materials must be stored neatly and not allowed to slide or be turned askew.
- Materials on site, especially plastic or Tyvek, shall be prevented from flapping around or blowing off the site.
- Street "droppings," including dirt track-out, is to be swept up and removed promptly.
- Ladders are to be taken down as not to create a safety hazard when workers are not on site.
- The stoned vehicle entry tracking pad is to be returned to good structural condition.
- Repair and/or restoration of adjacent Property or any other areas damaged as a result of the construction (including deliveries, rain washouts, etc.) are the Owner's and Contractor's responsibility. The Contractor must notify the ARC representative of off-Property damage immediately. The ARC will determine the needed remediation, which may be required to be done immediately or later during the job.

vii. No fire is allowed at any time, for any purpose.

o) Temporary Utilities –

- i. 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 utilities will be ordered to cease construction until temporary utilities are properly installed.
- ii. Temporary utility components must be fully removed within ten days of C.O. issuance.

p) Parking – Vehicles are not to park on the curb, sidewalk or landscaped areas including landscaped islands. Blocking vehicular traffic or pedestrian corridors, or parking on adjacent properties (unless written permission has been obtained) is prohibited. If on-site area is insufficient, only designated parking areas may be utilized.

- q) Truck Access Route – Streets in Devaun Park can be difficult for large trucks to navigate without breaking overhanging tree limbs, riding over curbs or rutting landscaped areas. Before site clearing, grading or foundation work begins, the Builder is required to meet with the ARC Representative and agree on the best truck access route that will be used for all material and supply delivery trucks. The Builder will be responsible to notify sub-contractors to use only that route.
- r) Speed Limit - A responsibility associated with the privilege of building for your customer in Devaun Park is the responsibility to instruct your company's subcontractors and suppliers and ensure that they know and observe the speed limit and, as well, that they respect all stop signs. While operating as your agent, their vehicles are your concern.

Should a Builder's subs or suppliers be observed violating the speed limit or traffic directional signs on Devaun Park's private streets - the ARC will recommend that a fine be assessed.

s) Damage During Construction –

- i. Any tree that was to be preserved (including any off-property tree) and is damaged due to construction will result in a per tree fine as per the Fine Schedule at Part 2 Exhibit 9 and will be unconditionally deducted from the Construction Deposit.
- ii. Damage to streets, sidewalks, curbs, alley median strips, etc. incurred during construction is required to be repaired and restored according to Devaun Park standards or the cost of having repairs done will be deducted from the Construction Deposit (in addition to any fines that may be imposed.)
- iii. Adverse construction impact on the rear alley median shall be remediated upon completion of the project. Installation of number 57 stone installed 4" below the top of concrete grade is acceptable for remediation:

The minimum length of the remediation shall be twenty-two feet (22') or the width of the applicant's driveway apron, including the flared-ends, whichever is greater.

The proposed method of remediation, including all dimensions, shall clearly be described and detailed on the applicant's site plan.

t) Hurricane Preparation –

In the event of a Hurricane Watch or Hurricane Warning, contractors are required to follow construction industry best practices to prepare and protect their work site.

For reference, a "Builders Hurricane Preparation Plan" is available at:

https://www.homeinnovation.com/trends_and_reports/featured_reports/builder_hurricane_checklist.

If a hurricane warning is issued, construction sites are required, at minimum, to:

- i. Remove all loose material.
- ii. Remove the job toilet.
- iii. Remove the dumpster or site-built trash box.

DESIGN GUIDELINES

PART 2 – Authorizing and Reference Materials

CONTENTS

Exhibit

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2	Site Plan Requirements	Page 42
3	(Purposely Left Blank)	Page 43
4	Full Build-Out Map	Page 44
5	Builder’s Sign Specifications	Page 45
6	Schedule of Typical Fines	Page 47

Devaun Park

Exhibit 1

Home Design Web Sites

Houses in Devaun Park exhibit Architectural Interest and Detail not found in many neighborhoods. The over-arching architectural style of houses in Devaun Park is Historic Southern Architecture reminiscent of Historic Charleston, South Carolina, i.e. "Charlestonian."

The following websites offer an array of house plans and designs. (Many of the plans and designs, however, will not fit within a community of Charleston-style homes.)

www.ourtownplans.com

www.allisonramseyarchitect.com

www.moserdesigngroup.com

www.saterdesign.com

www.johntee.com

www.sullivananddesigncompany.com

www.mouzon.com

www.nelsondesigngroup.com

www.southernlivinghouseplans.com

www.stephenfuller.com

www.frankbetz.com

www.dongardner.com

www.coolhouseplans.com

www.williampooledesigns.com

NOTE: The above list does not represent a recommendation or endorsement. Rather, these sites are offered as possible resources to start the home design process.

Devaun Park

Exhibit 2

Site Plan Requirements

- A. Site plans must be prepared, signed and sealed by a North Carolina-licensed Surveyor. Subsequent revisions must include the revision date. The plans must include or indicate the following:
1. A scale of no less than 1 inch = 10 feet.
 2. The entire property, including appropriately-sufficient area of adjacent properties, street(s) and alley-way(s)
 3. The locations of all servicing utilities (water, sanitary sewer, electricity, phone/cable.)
 4. The off-property maintenance area the Property Owner is Responsible for per Covenants Sections 3.21 and 3.22.
 5. Any setback lines and easement areas, including dimensions
 6. Existing and proposed site grading.
 7. Any site drainage elements to be modified or constructed.
 8. The finished Floor Elevation (FFE) at the front porch and at the main house.
 9. The proposed finished grade for the landscaping at each corner of the front porch and house.
 10. The front porch elevation is to be a minimum of 30" above finished grade as measured from the grade adjacent to the front porch steps.
 11. The distance between property line and any existing adjacent house.
 12. Outlines of the front-to-back side of next-door houses (to left and right)
 13. Trees with a caliper 4 inches or more in diameter measured at 4 feet above the ground that are to be removed and those that are to remain, indicating diameter and variety.
 14. A chart referencing the property's NCDEQ-approved Maximum BUA (Built Upon Area) and including, separately:
 - a) The total proposed impervious square footage on-property.
 - b) The total proposed impervious square footage off-property.
 - c) The square footage of each proposed impermeable component for each category.
 - d) The remaining, unused, balance of the lot's BUA.
 - e) The computation of the two Built Upon Areas must specifically indicate:
 - i. The footprint of the house, any out-building, garage and any covered interconnection.
 - ii. The driveway and all uncovered walkways.
 - iii. Pads and other hardscape areas, whether for HVAC, propane, generator, exit door landing, etc. regardless of function or location.
- B. Additional Requirements Regarding Development of Site Plans:
1. Home sites approved for front/side loading garages (those not serviced by an alley) require a garage set 20' behind the front façade of the main house's first floor. This setback may include the depth of the front porch.
 2. Two uncovered spaces for parking outside the garage must be included, dimensioned approximately 20' wide and 20' deep.
 3. Front or side entry driveways shall be no wider than 10' entering from the street (not including appropriate flares at the street intersection.)
 4. Garage floors should be at or near the existing grade of the Lot. In no event, should the garage be set such that the grade results in an overly-steep driveway.
 5. No pavements or driveways shall be closer than 5' to the side Property line unless specifically approved in writing by the ARC.

Devaun Park

Exhibit 3

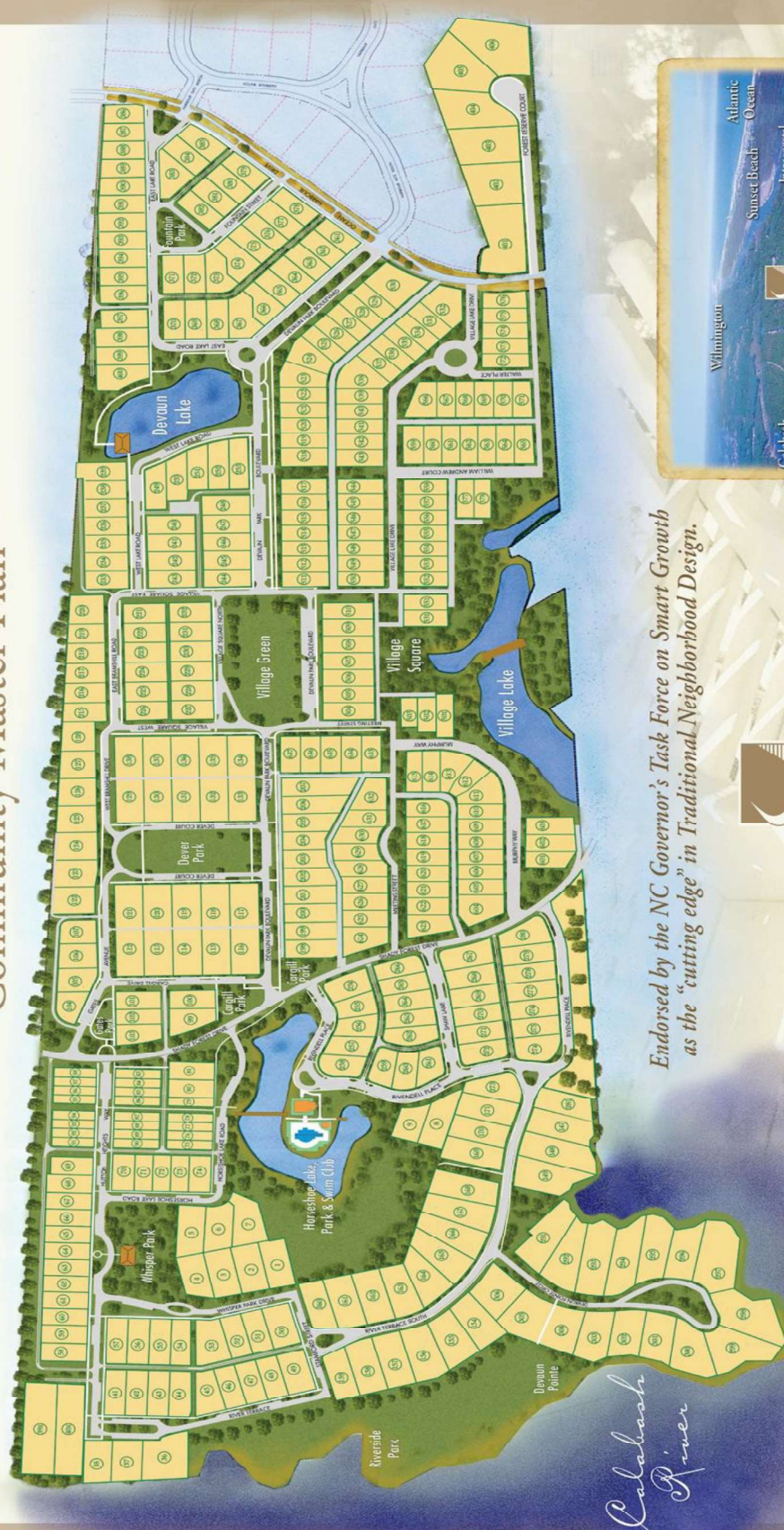
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Devaun Park

Exhibit 4

Full Build-Out Map

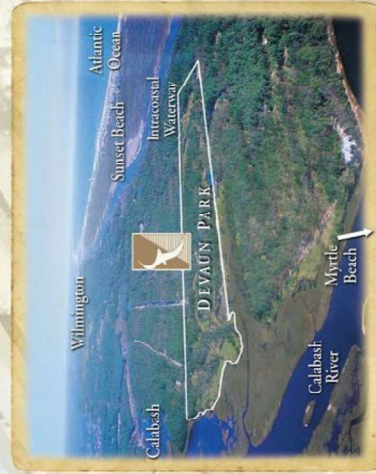
Community Master Plan



Endorsed by the NC Governor's Task Force on Smart Growth
as the "cutting edge" in Traditional Neighborhood Design.



DEVAUN PARK
Calabash, North Carolina



This is a conceptual rendering, should not be relied upon, and is subject to change without notice. Items presented here merely approximate scale, texture, space, and a general relationship between natural and improved environments. Improvements, if any, will be in accordance with Plans of Survey (this is not a survey) and design approved by applicable governmental authorities. The name "Devaun Park" and its logo are registered trademarks of Stantec Stewart Company. All rights reserved.

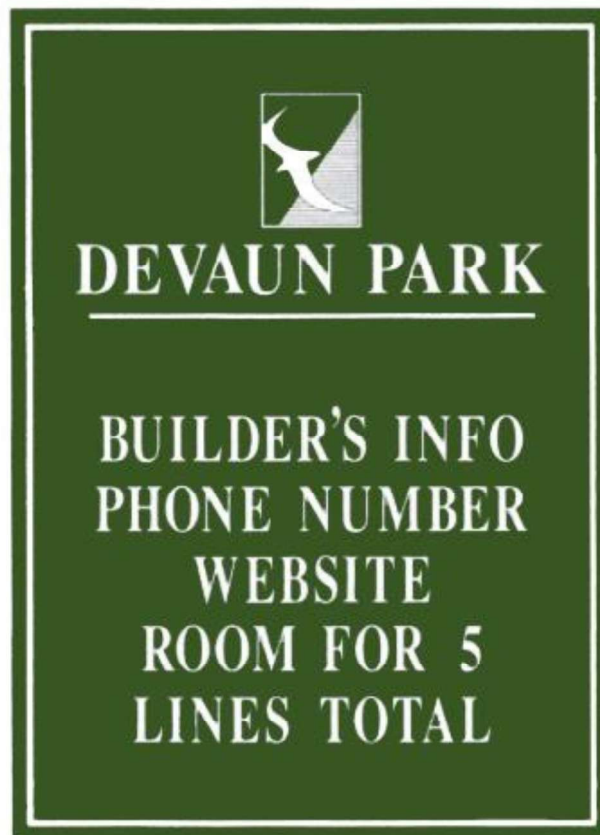
Devaun Park

Exhibit 5

Builder's Sign Specifications

If the contractor wishes to install a job sign, these specifications must be followed.

SIZE 30" Wide X 40" High
MATERIAL:.....Wood or Aluminum
MOUNTING Mount to 4" X 4" Pressure-Treated Wood Post
LETTERING: Times New Roman, Bold (White)
BACKGROUND COLOR: ... RGB = R-48, G-66, B-45 / CMYK = C-73, M-50, Y-80, K-53 (Dark Green)
LOGO:.....Only as per Copyrighted Art Work (available from ARC Representative)
Top of Logo to be 4-1/2" Below Top of Sign
LOGO PRIMARY COLOR: Same CMYK or RGB Formula as Sign Background Color
INSTALLED HEIGHT: ... Top of Sign = 60" to 66" Above Grade
BORDERS:.....1/2" Wide Green, Outer Border AND 1/4" Wide White Inner Border



NOTES:

1. For houses being built "on Speculation" (without a Contracted Buyer) the sign may include one of the following text options within the 5-Line allowance:
 - "Available" (Which must be promptly covered over by Builder when Contract of Sale is Signed.)
 - "For Sale" (Which must be promptly covered over when Contract of Sale is Signed.)
 - "Call For Info"
2. The sign may not include reference to other properties or opportunities beyond the subject Lot.
3. The Permit Box is to be mounted on the same post, behind the Builder's Sign.

Devaun Park

Exhibit 6

Schedule of Typical Fines

Start of Construction Without, Or Prior To, ARC Approval	\$ 100.00/Day
Unauthorized Utilities	\$ 500.00 <u>And</u> Stop Work Order
Removal of Unauthorized Trees	\$ 300.00 / Tree
	\$ 500.00 per Oak Tree
Failure to Stop Construction When Notified	\$ 500.00/Day
Unauthorized Changes Made to Approved Plans	\$ 500.00/Incident <u>And / Or</u> Loss Of Deposit
Noncompliance with Setback or Impervious Restrictions	Loss Of Deposit
Placement of Non-Approved Sign(s)	\$ 50.00/Day
Failure to Remove Signs 14 days after C.O. is Issued	\$ 25.00/Day
Failure to Properly Install or to Maintain Silt Fencing Around Property	\$ 50.00/Day
Failure to Install Temporary Job Toilet and Screening	\$ 50.00/Day
Failure to Maintain Trash Bin (Overflowing)	\$ 50.00/Day
Burning of Any Kind on The Job Site	\$ 500.00/Incident
Damage to Any Adjacent Structure, Vegetation or Lot	Cost To Repair
Failure to Repair Damage Upon Completion	Cost To Repair <u>And/Or</u> Loss Of Deposit
Failure to Remove all Debris Within 14 Days of C.O.....	\$ 50.00/Day
Failure to keep area neat and orderly at all times	\$ 50.00/Day
Improper And / Or Unauthorized Storage of Building Materials	\$ 250.00/Incident
Unauthorized Parking on Neighboring Lots or Common Areas	\$ 250.00/Incident
Working Outside of Allowed Hours.....	\$ 100.00 First Occurrence \$ 500.00 / Occurrence Thereafter
Failure To Complete Within 12 month Requirement.....	\$ 100.00/Day
Conduct Of Workers.....	\$ 25.00/Incident

Conduct Violations May Include:

- Loud Music, Radios, Boom Boxes, etc.
- No Pets are permitted
- Employees Without Shirts
- Vulgar and / or Inappropriate Language
- Speeding or Failing to HEED Stop or Other Traffic Signs

DESIGN GUIDELINES

PART 3 – Forms and Submission Instructions

Form

A	Conceptual Review Application	Page 49
B	Construction Review Application	Page 50
C	Contractor Application	Page 53
D1	Request for Tree Inspection (Tree Marking or Site Damage)	Page 55
D2	Request Foundation Survey Approval	Page 56
D3	Request for Dry-In Inspection	Page 57
E	Request for Final Inspection	Page 58
F	Change Request – New Construction	Page 59
G	Change Request – Existing Home	Page 61
G2	Fence Location Confirmation	Page 63
- -	Submission Instructions	Page 64

DEVAUN PARK - CONCEPTUAL REVIEW APPLICATION - FORM A

LOT #: _____ D.P. STREET ADDRESS: _____

Owner: _____ Cell #: _____

Current Address: _____
_____ email: _____

HAS AN ARCHITECT OR BUILDER BEEN ENGAGED? _____ HAVE THEY VISITED SITE? _____

Architect or Builder: _____ Contact: _____
email: _____ Cell #: _____

REQUIRED FOR CONCEPTUAL REVIEW:

_____ 2 COPIES OF THIS APPLICATION (Signed & Dated)

_____ 2 COPIES, EXTERIOR VIEWS (Elevations) INCLUDING GARAGE OR OUT BLDG. (if separate structure)

Note: Drawings, illustrations or photos will all be acceptable for the "Views" requirement

_____ 2 COPIES, PLAN OF PROPOSED PLACEMENT OF HOUSE ON LOT

_____ PDF COPIES OF ALL SUBMITTALS, including This Form A, Completed & Signed, ON THUMB DRIVE.

OPTIONAL:

ADDITIONAL, HELPFUL INFORMATION AND YOUR QUESTIONS CAN BE ENTERED BELOW.

(Remember, the purpose of the Conceptual Review is to help you design a house that will meet Devaun Park's style and building criteria. Be as complete as you can be.

SEE SUBMISSION INSTRUCTIONS FOR MAILING / SHIPPING ADDRESS

SUBMITTED BY: _____ DATE: ____/____/____

SIGNATURE: _____

DATE R'CD AT MGMT. OFFICE: ____/____/____ EXPRESSED TO ARC, ARCHITECT BY: _____

DATE RECEIVED BY ARC REPRESENTATIVE: ____/____/____ RECEIVED BY: _____

Devaun Park - Construction Review Application - Form Bpage 1 of 3

LOT #: _____ D.P. STREET ADDRESS: _____

Owner: _____ Cell #: _____

Current Address: _____
_____ email: _____

CONTRACTOR: _____ Cell #: _____

Address: _____ Contractor License #: _____
_____ email: _____**REQUIREMENTS:**

SITE PLAN by NC-Licensed Surveyor – 1 Copy (24" x 36" @ minimum scale 1" = 10') – Must include Impervious Coverage Area & Maximum Allowed BUA; Property Lines & Dimensions; Building Footprint, Placement & Dimensions; Proposed Driveways, Walks & Fences; Trees to be Removed & Retained and other details as per Guidelines Part 2 "Site Plan Requirements."

CONSTRUCTION PLANS – 1 Set (24" x 36" @ minimum scale 1/4" = 1') –
With All Elements Dimensioned, Including Windows, Doors, Wall & Porch Heights, Roof Pitches, Porches, Garage, Driveway, Walkways & Pads, Floor Plan, and All 4 Elevations.

LANDSCAPE PLAN – 1 Copy (24" x 36" @ minimum scale 1" = 10') –
Must Include Tree, Shrub, Evergreen Layout; Raised Bed Layout; Sod Area, Propane Tank Access Cover location, HVAC & other Equipment and Statement on Plan Citing that All Beds Are Raised.

IRRIGATION PLAN – 1 Copy (24" x 36" @ minimum scale 1" = 10') –
Must Include Piping layout (marked by dotted line), Sprinkler Head Locations (marked by "X's"), Backflow Equipment and Statement on plan assuring 100% coverage by sprinklers.

NOTE: It will be acceptable if the Landscape and Irrigation Plans are on a combined sheet.

PDF COPIES of all above submittals and this form "B" (completed & signed) on thumb drive.

NOTE: For Final Approval, 4 copies will ultimately be required of all plan sets.

EXTERIOR MATERIALS & COLORS – Provide the Following Details:

FOUNDATION MATERIAL –

Type	Color
If Brick, Mfgr.	Type Size

LOT #: _____ D.P. STREET ADDRESS: _____

SIDING MATERIAL –

Mfgr. _____ Style _____

Dimensional Size _____ Color _____

TRIM MATERIAL -

Mfgr. _____ Style _____

Dimensional Size _____ Color _____

PORCH CEILING MATERIAL –

Description. _____ Color: _____

SOFFIT MATERIAL –

Description. _____ Color: _____

ROOFING (Submit Sample) –

Mfgr. _____ Style _____ Color: _____

DOORS –

Front Door (Submit Cut Sheet / Illustration) –

Mfgr. _____ Model _____

Color _____ Sidelights ? (Yes) _____ (No) _____

Garage Door (Submit Cut Sheet / Illustration) –

Mfgr. _____ Model _____

Color _____

Other Doors (Submit Cut Sheet / Illustration) –

Mfgr. _____ Model _____

Color _____ Location(s) _____

Screen Door Proposed? _____ Screen Door Color _____

WINDOWS –

Mfgr. _____ Model _____

Color _____

Grid Pattern _____ SDL Grids ? _____ (Required)

WINDOW SHUTTERS – (Yes) _____ (No) _____

Color. _____ Style _____ Accessories _____

LOT #: _____ D.P. STREET ADDRESS: _____

GUTTERS & DOWNSPOUTS – (Yes) _____ (No) _____

Color. _____ (NOTE, Black is Not Approved)

DOWNSPOUT DRAIN POP-UPS – (Yes) _____ (No) _____

SCREENING –

Window Screen Fabric Color _____

Porch Screening? (Yes) _____ (No) _____ Fabric Color _____

OTHER MATERIALS, ITEMS (e.g. Fencing, Walls, Emergency Generator, Yard Art) -

Description _____ Where Used _____ Color _____

Mfgr. _____ Model. _____ Size _____

PAINT (Submit Color Chip Samples) –

Mfgr. _____ Paint Line _____

Wall Color and Number: _____ / _____

Trim Color and Number: _____ / _____

Other Color, Number & Where Used: _____ / _____ / _____

Other Color, Number & Where Used: _____ / _____ / _____

PAVING MATERIAL –

At Driveway _____ At Sidewalks _____

EXTERIOR LIGHTING (submit Catalog Cut Sheets)

Where Used _____

Owner and Contractor acknowledge that Devaun Park Board Of Aldermen (BOA) members and Architectural Review Committee (ARC) members may, and will, enter onto the construction site for inspection purposes and such entry, despite presence of any “no trespassing” signage, shall not constitute trespass.

SEE SUBMISSION INSTRUCTIONS FOR MAILING / SHIPPING ADDRESS

SUBMITTED BY: _____ DATE: ____/____/____

SIGNATURE: _____

OFFICE USE

DATE R'CD AT MGMT. OFFICE: ____/____/____

DATE EXPRESSED TO ARC & ARCHITECT: ____/____/____

DATE RECEIVED BY ARC REPRESENTATIVE: ____/____/____ RECEIVED BY: _____

Devaun Park - Contractor Application - Form C

page 1 of 2

LOT #: _____ D.P. STREET ADDRESS: _____ Date: _____

OWNER: _____ Cell #: _____

Current Address: _____

email: _____

CONTRACTOR: _____ Cell #: _____

Address: _____

Contractor License #: _____

email: _____

FEES & DEPOSITS Submitted Herewith:

Review Fee (\$500.00) Check # _____ Paid By: _____

Road Impact Fee (\$ 2,500.00) Check # _____ Paid By: _____

Construction & Landscape Deposit (\$ 5,000.00) Check # _____ Paid By: _____

The Contractor's Current Insurance Certificates are required with this application, meeting Devaun Park's minimum requirements (listed in the Guidelines.) Additionally, a copy of the Contractor's current-year License must be included with this submittal. The application package will be considered incomplete without either.

CONTRACTOR'S AGREEMENT:

I, _____, as Contractor for the Owner of the above described property, acknowledge and agree that the Deposit referenced herein is to be held by the Devaun Park Community Association to ensure that all improvements will be constructed in accordance with Devaun Park's Design And Construction Guidelines and with the plans and specifications approved by Devaun Park's Architectural Review Committee (ARC).

I further acknowledge and agree that:

1. I have read and understand the current 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 Devaun Park's ARC for approval prior to Implementation.
3. I will maintain a clean construction site at all times and install signage, trash bins 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 Deposit funds will be held in a non-interest-bearing account and shall only be returned following completion of the successful final inspection by Devaun Park's ARC.

6. Any charges for repair of damages or damaged areas, fines for violations, the correction of changes not approved by the ARC or for work contracted by Devaun Park to improve the appearance of untidy sites may be deducted from the Performance Deposit.

THIS APPLICATION, THE DEPOSITS and AGREEMENT are made this _____ day of _____, 20____.

Contractor's Signature _____
(Printed Name) _____

Witness to Contractor _____
(Printed Name) _____

NOTE: This Form Requires Signatures of, both, the Owner and the Contractor

LOT #: _____ D.P. STREET ADDRESS: _____ Date: _____

PROPERTY OWNER'S AGREEMENT:

I, _____, Owner of the above-described Property, acknowledge and agree that the Contractor is my Invitee and will be acting as my Agent during this construction project. Accordingly, the Contractor's actions, or inactions, are my responsibility. I acknowledge and agree to be responsible should the Contractor fail to satisfy the obligations of the above Contractor Agreement.

Owner's Signature _____ Date: _____

SPECIAL NOTES:

The Contractor may post a single ARC-approved identification sign on the lot, a minimum of 10' behind the street right-of-way during construction. The sign must comply with the ARC's "Builder Sign" specifications and be reviewed and approved by the ARC prior to installation.

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

SEE SUBMISSION INSTRUCTIONS FOR MAILING / SHIPPING ADDRESS

SUBMITTED BY: _____ DATE: ____/____/____

SIGNATURE: _____

=====

DATE R'CD AT MGMT. OFFICE: ____/____/____

DATE EXPRESSED TO ARC & ARCHITECT: ____/____/____

DATE RECEIVED BY ARC REPRESENTATIVE: ____/____/____ RECEIVED BY: _____

Devaun Park

Request for Tree Marking Inspection - Form D1

LOT #: _____ D.P. STREET ADDRESS: _____

OWNER: _____ Cell #: _____

Current Address: _____
_____ email: _____

CONTRACTOR: _____ Cell #: _____

Address: _____
_____ email: _____

Circle whether this Request is being made by: OWNER or CONTRACTOR

The site has been prepared, as described below, and I am requesting an on-site appointment with the ARC's Representative for the purpose inspecting the Tree Marking (and Existing Damage) Inspection

Prior to start of any site clearing, all on-site trees are to be marked as per the Design Guidelines. Trees for removal are to be marked with an orange or red ribbon and those for retention are to be marked with a blue or white ribbon. This marking must match the removal/retention details indicated on the Survey.

During this inspection review with the ARC's Representative any existing conditions or damage which you do not want to be held liable for at the Final Inspection (e.g., cracked curb or sidewalk, damaged trees or rutting at neighboring property or other "problem.")

Submit this form, signed and dated, to the project's ARC Representative.

SUBMITTED BY: _____ DATE: ____/____/____

SIGNATURE: _____

DATE RECEIVED BY ARC REPRESENTATIVE: ____/____/____ RECEIVED BY _____

Inspection: Approved [] Not Approved []

Date: ____/____/____ ARC Representative Signature _____

Devaun Park

Request for Foundation Survey Approval - Form D2

LOT #: _____ D.P. STREET ADDRESS: _____

OWNER: _____ Cell #: _____

Current Address: _____
_____ email: _____

CONTRACTOR: _____ Cell #: _____

Address: _____
_____ email: _____

Circle whether this Request is being made by: OWNER or CONTRACTOR

Attached is a signed and stamped Foundation Survey performed by a NC licensed surveyor verifying that the installed foundation is in compliance with approved plans, including all required setbacks.

Note that no further work can proceed on the project until the contractor receives approval of this Survey from the ARC.

Submit this form, signed and dated, to the project's ARC Representative.

SUBMITTED BY: _____ DATE: ____/____/____

SIGNATURE: _____

DATE RECEIVED BY ARC REPRESENTATIVE: ____/____/____ RECEIVED BY _____

Survey: Approved [] Not Approved []

Date: ____/____/____ ARC Representative Signature _____

Comments:

Devaun Park
Request for Dry-In Inspection - Form D3

LOT #: _____ D.P. STREET ADDRESS: _____

OWNER: _____ Cell #: _____

Current Address: _____
_____ email: _____

CONTRACTOR: _____ Cell #: _____

Address: _____
_____ email: _____

Circle whether this Request is being made by: OWNER or CONTRACTOR

Construction on-site has been completed as described below, and I am requesting an on-site appointment with the ARC's Representative for the purpose of performing the Dry-In Inspection.

An inspection is required when all walls, including windows, entries and roof are framed, to determine that the exterior was built in accordance with approved plan.

Submit this form, signed and dated, to the project's ARC Representative.

SUBMITTED BY: _____ DATE: ____/____/____

SIGNATURE: _____

DATE RECEIVED BY ARC REPRESENTATIVE: ____/____/____ RECEIVED BY _____

Inspection: Approved [] Not Approved []

Date: ____/____/____ ARC Representative Signature _____

Comments:

Devaun Park - Request for Final Inspection - Form E

LOT #: _____ D.P. STREET ADDRESS: _____ Date: _____

OWNER: _____ Cell #: _____

Current Address: _____

_____ email: _____

CONTRACTOR: _____ Cell #: _____

Address: _____

_____ email: _____

IS THE HOUSE OCCUPIED ? _____ WHEN WILL IT BE OCCUPIED ? _____

Circle whether this Request is being made by OWNER or CONTRACTOR

This is to confirm that the above house is substantially complete, and the Town of Calabash has issued a Certificate of Occupancy. Accordingly, I am requesting that the Architectural Review Committee inspect the house exterior, landscape and irrigation installations to confirm that the house and landscaping have been constructed per the ARC-approved plans and that a refund of the Construction and Landscape Deposit is appropriate.

I understand that the ARC's Representative(s) will inspect on their own without my accompaniment and will notify me afterwards of any questions or concerns.

I am including an As-Built Survey with BUA details (24" X 36",) a thumb drive with a PDF file of the same As-Built and a copy of the C.O.

Submit this form, signed and dated – along with the C.O. and As-Built Survey (in PDF format and 24" X 36" print) – to the project's ARC Representative.

SUBMITTED BY: _____ DATE: ____/____/____

SIGNATURE: _____

DATE RECEIVED BY ARC REPRESENTATIVE: ____/____/____ RECEIVED BY: _____

Inspection: Approved [] Not Approved []

Date: ____/____/____ ARC Representative Signature _____

LOT #: _____ D.P. STREET ADDRESS: _____ Date: _____

OWNER: _____ Cell #: _____

Current Address: _____
_____ email: _____

CONTRACTOR: _____ Cell #: _____

Address: _____
_____ email: _____

Changes during new construction often happen. These will normally be submitted by the contractor. There are two reasons why the Contractor or Owner will submit this FORM F;

1. Minor changes in material, colors, landscaping, etc.
2. Substantial changes to structural details (addition of porch, second floor added over garage, dimensional changes, re-siting, etc.)

Minor changes to approved plans can be submitted directly to the ARC Representative. A full explanation is required, below, with product cut sheet or sketch included, as may be helpful.

When a major change is requested, new plan sheets are required, and the review will involve the services of the ARC's Consulting architect. An additional design review fee may be required. The same submission procedures apply as with the initial application, with one copy of full-size plan sheets required and a thumb drive with this form and PDFs of all attachments.

Provide details of changes below. Use 2nd sheet if necessary.

Submit plans, sketches or samples as will be helpful and list the attachments being provided.

THE FIRST THREE (3) CHANGE REQUESTS WILL INCUR NO CHARGE.

THEREAFTER, ALL OTHER CHANGE REQUESTS MUST BE ACCOMPANIED BY A \$150 REVIEW FEE.

Submit this request to the project's ARC Representative or, for a major change, to Devaun Park's Property Mgr. as per the Submission Instructions at Guidelines Part 3.

SUBMITTED BY: _____ DATE: ____/____/____

SIGNATURE: _____

Devaun Park - CHANGE REQUEST - NEW CONSTRUCTION - Form F Page 2 of 2

DATE RECEIVED BY ARC: ____/____/____

RECEIVED BY: _____

Request: Approved []

Not Approved []

Date: ____/____/____

ARC Representative Signature _____

Comments:

LOT #: _____ D.P. ADDRESS: _____ Date: ____/____/____

OWNER: _____ CELL #: _____

Email: _____

Builder / Installer: _____ CELL #: _____

Address: _____

Email: _____

1. **"MINOR"** changes include but are not limited to: all exterior painting/staining, replacement of existing house elements, addition to or removal of landscaping, screening an open porch, installation of front yard art, emergency generators, fencing, etc.

NOTE: Landscaping changes and tree planting or removal requests are to be submitted to the ARC prior to any work being contracted or started.

Tall columnar palm tree (varieties such as Sabal/Cabbage, Mexican Fan, Queen, Date, etc.) may not be planted in front yards.

Whenever a tree is removed, the stump must be removed as well.

One deciduous tree is required in the front/street side of the home lot.

Only trees suffering a substantial disease condition or that are likely to fall in a dangerous manner will be approved for removal and only if the condition is verified, in writing, by a Certified Arborist.

FOR FENCE / SCREEN INSTALLATION REQUESTS:

*Provide a plat survey marked to show the location of proposed fences/screens, patios and landscaping.

*Property lines and fence/screen locations must be marked. The ARC will perform an inspection to confirm proper installation prior to approval.

2. **"MAJOR"** changes include but are not limited to: addition of a porch, second floor added over garage, out-building, addition or elimination of windows, increased parking area or sidewalk, etc.

Most, but not all, major change requests will require Construction and Site Plan sheets, and the review will involve the services of the ARC's Consulting Architect. A \$500 Design Review Fee may be required, as is a refundable Construction Deposit which will be five percent (5%) of the project cost as determined by the project's combined proposal(s.) This Construction Deposit is capped at \$5,000.

NOTE: Copies of the Contractor & Material Proposals must be included.

The same submission procedures apply for a Major as with construction of a new house, with one copy of full-size plan sheets required and a thumb drive with this form and PDFs of all attachments.

If impermeable area is added, the Site Plan must include the Lot's proposed and maximum allowed BUA. Applicants with houses located in D.P.'s Village Square section may submit the "House Location Plot Plan" that the Pulte Group submitted to Calabash with the Building Permit application.

Remember to obtain all applicable building permits from the Town of Calabash prior to starting your project. https://www.townofcalabash.net/departments/building_inspections.php

If additional information is needed go to: www.devaunpark-dpca.com, scroll down to ARC Change Request-Process for Existing Home Improvements. Should you have any questions preparing your Change Request, feel free to contact the ARC at arcdevaunpark@gmail.com.

Whether the change is Minor or Major, a full explanation of the change is required, with product cut sheets or photos of exact product - with dimensions, color chips, proper plant names, etc. included. Submit plans, sketches and any samples deemed helpful. If a dumpster is required, indicate where it will be located. Use additional sheets if necessary.

Send this Request, with all attachments, to: arcdevaunpark@gmail.com **AND** hand a copy to any ARC Member along with the check made payable to: Devaun Park Community Association

***Allow minimum of 2 weeks for Change Requests to be processed.**

ESTIMATED PROJECT START DATE: ____/____/____ EST. COMPLETION DATE: ____/____/____

SUBMITTED BY (printed): _____ DATE: ____/____/____

SIGNATURE: _____

DATE RECEIVED BY ARC: ____/____/____ RECEIVED BY: _____

REQUEST: APPROVED [☐] DENIED [☐]

ARC REPRESENTATIVE SIGNATURE: DATE: ____/____/____

***NOTE: all Change Requests expire 6 months from the approval date shown above.**

D.P. STREET ADDRESS: _____ DATE: ____/____/____

OWNER: _____ CELL #: _____

EMAIL ADDRESS: _____

Complete and sign this form BEFORE installation of your fence. Return to a member of the ARC. Schedule an inspection by an ARC member to get final approval of your fence installation. Property corners must be located by a licensed NC surveyor.

The property owner shall provide a plat of survey by a licensed NC Surveyor to the ARC for ARC approval prior to proposed fence installation. The plat at minimum shall denote the lot number, street address, owner, property lines, property corners, utility box and pedestal locations within 5 feet of property lines. Property corners and fence corners must be staked and flagged.

A permit is also required from the Town of Calabash. The property owner must provide an approval email from Devaun Park's ARC along with the property owner's survey to the Town of Calabash. A Permit Fee will also be required by the Town. A copy of the Permit is to be provided to the ARC upon receipt from the Town of Calabash.

Inform the ARC when the property is staked, flagged, and ready for the inspection.

1. I have had the property lines of my lot staked and flagged to identify the corners of my property.
2. I have had the location of the fence within my property borders staked and flagged to identify the approved location of the fence.

Signed _____ **Date:** ____/____/____

Please indicate any variation in the location originally submitted with your Change Request – Form G.

SUBMITTED BY (printed): _____ **DATE:** ____/____/____

SIGNATURE: _____

DATE RECEIVED BY ARC: ____/____/____ RECEIVED BY: _____

Date ARC received Permit copy from Property Owner: ____/____/____

FENCE LOCATION INSPECTED BY _____ DATE: ____/____/____

FENCE LOCATION: APPROVED [] NOT APPROVED [] DATE: ____/____/____

ARC Representative Signature _____

Comments: _____

DEPOSITS AND FEES:

1. New Construction

- a) Review Fee (non-refundable) \$ 500.00
- b) Construction and Landscape Performance Deposit \$ 5,000.00
(refundable)
- c) Road Fee (non-refundable) \$ 2,500.00 (per house)

2. Change Requests

a) During New House Construction

- First Three (3) Requests for Change ... No Charge
- Each Additional Change Request \$ 150

b) Existing Home

- Minor Change(s) No Charge
- Major Change(s) 5% Construction Deposit (Refundable)
plus, a \$ 500.00 Review Fee may be required.

3. Extension of 12 Month New House Completion Time Limit

- a) In the event of unforeseen or unavoidable circumstances a 90-day
(maximum) extension may be requested \$150.00 (1-time only)
- b) Thereafter, unless hardship condition is approved by
the ARC, No further extension will be permitted... Daily fines will apply.

APPLICATION PROCEDURE

for New House Construction and for Existing House Major Change

1. PROVIDE

- Two (2) Full Applications (with samples)
- Two (2) Full Sets of Plans – distributed as at following page 2
- Two Copies of all Color & Material Selection Materials, Chips & Cut Sheets
- Two (2) Thumb Drives, each with all Application Pages, Plans, Cut Sheets,
and photo images of all chips & color chart(s) as PDF files:

NOTICE: ALL PLANS ARE TO BE FOLDED. DO NOT SUBMIT ROLLED PLAN SETS.

- 2. Distribution of above to be as at following Page 2
- 3. INCLUDE 3 separate checks for each Fee or Deposit amount; **each made payable to Devaun Park Community Association.**

CONCEPTUAL AND CONSTRUCTION APPLICATION INSTRUCTIONS

Conceptual Application (REQUIRED)

Distribution Of Application Materials Is As Below



SEND - by OVERNIGHT DELIVERY - TO:

Mark Saulnier
DPCA Consulting Architect
20 Maddaket Ct.
Scotch Plains, NJ 07076
1 copy, Front, Rear and Side Elevations
1 copy, Site Plan
1 copy, Application "Form A"
Thumb Drive with all above, as PDFs

See NOTE at lower left and SEND TO:

Devaun Park A.R.C.
9220 Rivendell Place, Calabash, NC 28467
1 copy, Front, Rear and Side Elevations
1 copy, Site Plan
1 copy, Original Application "Form A"
Thumb Drive with all above, as PDFs
Applicant's Confirmation (page 3)
With PDF copies of each, Emailed TO:
arcdevaunpark@gmail.com

Construction Application

Distribution Of Application Materials Is As Below



SEND - by OVERNIGHT DELIVERY - TO:

Mark Saulnier
DPCA Consulting Architect (ADDRESS ABOVE)
1 copy, Site Plan
1 set, Construction Plans
1 copy, Landscape/Irrigation Plans
1 set, Color Board and Samples
1 copy, Application Forms B and C
Thumb Drive with all above, as PDFs

See NOTE at lower left and SEND TO:

Devaun Park A.R.C. (ADDRESS ABOVE)
Application Forms B and C (Originals)
NC Contractor's License
Certificates of Insurance
Applicant's Confirmation (Page 3)
1 copy, each, of: Site Plan, Construction Plans, Landscape & Irrigation Plans
1 set, Color Board and Samples
Thumb Drive with all above, as PDFs
With PDF copies of each, Emailed TO:
arcdevaunpark@gmail.com

With 3 Checks, as follows:

Check 1 - Review Fee	-	\$ 500
Check 2 - Road Impact Fee	-	\$ 2,500
Check 3 - Construction Deposit	-	\$ 5,000

NOTE:

Send Applications and other materials to the ARC's Address **ONLY by U.S. Mail – Priority or Standard –** and NOT by UPS or FedEx

APPLICANT'S CONFIRMATION

This will confirm that the plans, application forms, samples, and thumb drive – as described at page 2 of these Application Submission Instructions – have been sent:

- by Overnight Delivery to the ARC's Consulting Architect
- at the address shown on page 2.

This Confirmation Applies to my:

- ☐ Conceptual Application
- ☐ Construction Application

The Overnight Delivery Service is:

- ☐ United Parcel Service (UPS)
- ☐ Federal Express (FedEx)
- ☐ U.S. Postal Service (USPS)
- ☐ Other: _____

The Tracking # is: _____

The package was given to the Overnight Delivery Service on ____/____/____

D.P. LOT # _____ / Address: _____

PROPERTY
OWNER's NAME: _____

YOUR
SIGNATURE: _____