

## **ARCHITECTURAL REVIEW BOARD**

**06/28/2022 Edits are in blue**

In accordance with the Declaration of Restrictions and Protective Covenants for Ocean Harbour Estates (the Declaration), an Architectural Review Board will review all plans for residences to be built in Ocean Harbour Estates.

The purpose of the Board is not to restrict design freedom or to make design decisions, but to review all plans to ensure that individual residences reflect the overall design objectives of the entire community and that the unique natural setting of the community is preserved and enhanced.

The Board is charged by Ocean Harbour Estates Association to administer the concept and intent of the Architectural Guidelines.

Precedent may not be used as justification by property owners for new design and construction.

The authority of decisions made by the Architectural Review Board may be based purely upon aesthetic considerations.

These guidelines have been written, edited, and published at the direction of Ocean Harbour Estates Association.

### **ARCHITECTURAL GUIDELINES**

#### **SIZE:**

All single family dwelling units shall have a minimum square footage (2,200) as defined in the Declaration.

#### **HEIGHT:**

No dwelling unit or other structure on a lot is to have an overall height more than 45 feet above the finished surface of the first floor.

The finished surface of the first floor shall be no higher than five feet above the highest natural elevation on the remainder of the property.

Finished grade may have no higher elevation than eighteen inches above the highest natural elevation found on the property, provided, however, that the drainage plan for the subdivision shall not be compromised by any grading.

#### **BUILDING SETBACKS:**

The building envelope area of every lot is determined by the setbacks and incorporated into the Declaration, provided however, that if an owner builds at a setback greater than the minimum, the adjacent owners must build on a line set by the two adjoining lots as directed by the Architectural Review Board.

### **SIGHT LINES:**

Slight variances may be permitted by the Architectural Review Board to preserve the natural amenities or to enhance the overall design of Ocean Harbour Estates, Inc.

### **FOUNDATIONS:**

A raised foundation may be necessary.

- The enclosure of this raised foundation must receive the same careful attention to detail and finishes as the main portion of the house.
- Any concrete block foundations are to be veneered with stucco or brick.
- Wooden pilings are to be cased in wood.
- Exposed round pilings are not acceptable.
- The raised foundation must be fully enclosed with foundation wall, lattice, louvers, or siding.
- The exterior wall of the raised foundation should match the remainder of the house, match other house trim, or otherwise compliment the house as approved by the Architectural Review Board.

### **WINDOWS:**

Areas with major fenestration should be oriented to afford privacy while taking advantage of special views such as water, marsh, or fairways.

Windows should be carefully proportioned and located to enhance both the exterior appearance and interior light quality and views.

Glazed windows and doors are encouraged to be designed (or give the appearance of) divided light rather than large areas of glazing.

Windows and door frames with sashes should be wood or vinyl clad.

It is recommended that residences have openings limited to 35% of the exterior wall area.

## **CHIMNEYS:**

In order to maintain the traditional character desired at Ocean Harbour Estates, all fireplaces and chimneys are to be of masonry.

Chimneys must conform to the overall building height limitations stated in these guidelines.

Metal flues are not permitted to be exposed in any fashion.

## **ROOFS:**

Roofs for every house and building should have a form, material, and color which will contribute to the desired homogenous character of Ocean Harbour Estates.

- Gable and hip roofs with slopes of at least 7/12 are recommended.
- Slate, composition shingles, or standing seam metal are recommended roofing materials.
- Flat ceramic roofing tiles similar to slate and wood shingles with a bleaching oil stain are allowed.
- Roof overhangs should be minimal, to maintain the refined character of Ocean Harbour Estates.
- Covered porches and other structures on the lot should have the same roofing material and roof color as the house.
- Some flat roofs for porches, dormers and other architectural features will be considered on a limited basis.

## **ROOF STRUCTURES:**

~~The architectural styles used as a design basis for OHE frequently had ornamental or functional elements such as balustrades, widow's walks, lantern towers, weather vanes, and lightning rods attached to the roofs. These elements are discouraged.~~

All roof accessories, such as vent stacks and roof vents, shall be painted to match the roof and located away from the front elevation.

All flashing is to be cooper, except in the case of a metal roof, where flashing is to be of roof material.

## **EXTERIOR COLOR:**

Color used on houses is a dominant visual element and a major expression of an owner's preference.

Sensitive, imaginative color selection will contribute to Ocean Harbour Estates' harmonious and aesthetically pleasing ambience.

The brightness of some of the colors would be out of character in Ocean Harbour Estates.

Each house should not use more than three exterior finish colors.

Colors for all buildings, outbuildings, trim, roof materials, screens, fences and decorative trim including pool tile, brick and stone are to be shown on samples of actual materials to be used and submitted to the Architectural Review Board for approval.

Color and material samples for the main body of the house must be submitted in samples not smaller than 6" x 6".

Trim and other materials/colors submitted should accurately illustrate the finished color of the materials to be used.

#### **EXTERIOR WALL FINISHES:**

At Ocean Harbour estates, it is recommended that exterior wall surfaces be stucco, horizontal wood siding, or traditional brick.

Other materials, [such as cement fiberboard](#), may be appropriate, upon review of the Architectural Review Board.

Plywood, other wood composite or metal composite siding is not acceptable.

#### **MAILBOXES:**

#### **HOUSE NUMBERS:**

#### **GARAGES:**

A garage for at least two cars is mandatory for each lot.

No garage doors facing the street will be permitted unless the Architectural Review Board determines it as necessary.

[Angled garages will be considered.](#)

To be approved, garage structure doors must be at an angle between 90 and 112.5 degrees from the front of the main house.

The placement, size and green-scaping complementing the garage area will receive particular attention from the Architectural Review Board.

### **PARKING:**

For each house, a minimum of two off-street parking spaces, in addition to garage space, must be provided.

It is recommended that parked vehicles be screened from view from the street.

Off street turn-around or backup areas must be provided.

Driveways and parking areas must be paved with concrete or brick.

The use of asphalt for driveways is prohibited.

Drives must be five feet from the property lines to allow for landscape planting.

Garages and off-street parking must be screened with planting or fencing or be located away from the front of the house.

If landscaping elements are used as screening, the effect should be achieved at completion, prior to occupancy.

### **OUTBUILDINGS:**

Any permitted outbuildings such as pool houses, detached garages, greenhouses, or gazebos must be compatible with the main house.

It is recommended that outbuildings be of the same material and colors as the house.

Detached garages should be connected to the house by a covered passageway.

The Architectural Review Board requires a detailed drawing of any outbuilding.

### **SERVICE ENCLOSURES:**

Every house should have a service enclosure for garbage receptacles, utility meters, HVAC equipment, lawn care equipment and any other vehicles, materials, supplier, and equipment to be stored outside.

Appropriate paving materials shall be used in service enclosures.

The service enclosures are to be screened in view from roads and adjacent properties by an adequate visual barrier appropriate to the equipment being screened.

The enclosure for any mechanical equipment should be designed to minimize all potential mechanical noise.

Fencing material should be consistent with materials used on the house.

Chain link fencing is not allowed.

All fencing, walls, and decks must be approved in writing prior to construction

### **DOCKS, PIERS , EARTH RETAINING STRUCTURES:**

The Architectural Review Board requires a green belt with a minimum depth of five feet from any earth retaining structure (e.g. bulkhead, seawall, retaining wall).

The plant material may consist of sod along with shrubbery low enough so as not to obstruct the view from an adjacent lot.

No in-ground or aboveground structure may be attached to an earth retaining structure.

It is recognized, however, that such attachment may be necessary in the case of piers or docks and approval will not be unreasonably withheld.

Regardless of riparian or other rights all docks, piers, or earth retaining structures must be approved by the Architectural Review Board prior to [any construction or modification](#).

### **LANDSCAPING :**

Plans for any landscaping, grading, excavation or filling of lots must be approved by the Architectural Review Board before site work is begun.

These plans must show the ratio of the areas to be covered by grass lawns, patios, and other structures versus the areas to be left in a natural state.

A significant area of lawn must be maintained on the street and the amenities side of the property.

[Specific to fencing, landscaping must be placed on the side of the fence that is facing a neighbor's property or visible from the street.](#)

- The type of new landscape accent must also be consistent with the existing or original landscape.
- Mature, well established plant material is defined as 5 gallons in size or comparable.

It is the intent of these guidelines and specifications to maintain continuous landscape features for Ocean Harbour Estates in these areas.

All grass is to be installed as sod as opposed to seed, sprig, or plug.

The Architectural Review Board reserves the right to disapprove any type of grass it feels is unsuitable for planting in a certain location.

Property owners are responsible for landscaping and maintenance of landscaping from property lines to the curbside.

For purposes of calculating the ratios as required above, however, such areas of landscaping should not to be considered in the calculation.

Landscaping plans must show topography and all trees 5" and larger in diameter (measured 5'- 0" above grade at tree base).

- These trees may not be cut without prior approval of the Architectural Review Board.

All landscaping including plant materials showing species, number, spread, height, spacing at installation, terraces, walks, paths, outdoor lighting fixtures , fences, walls and screens are to be shown on the plans.

- The Architectural Review Board strongly encourages mature, well-established plant materials natural to this environment all of which are subject to their approval.

## **Landscaping Approval**

To preserve the aesthetic appearance of the Ocean Harbour Estates, no landscaping, grading, excavation, or filling of any nature whatsoever shall be implemented and installed by any owner other than Declarant, unless and until the plans therefore have been submitted and approved in writing by the Architectural Review Board.

The right to approve or disapprove, the right to inspect, the right to enjoin and/or require removal applicable to any proposed landscaping shall also apply to clearing, grading, excavation, or filling. Such plans shall include a calculation of the ratios of

maintained versus natural state areas. All of the landscaping of lots and dwelling must be completed prior to occupancy.

No hedge or shrubbery planting which obstructs sight lines at elevations between two (2) and six (6) feet above the streets within ten feet of the street curb shall be allowed. Similarly trees shall not be permitted to remain within such distances unless the foliage line is maintained at sufficient height to present obstruction of such sight lines.

No owner, other than Declarant, shall be entitled to cut, remove, or mutilate any trees, shrubs, bushes, or other vegetation having a trunk diameter of five (5) inches or more at a point of five (5) feet above ground level, without obtaining the prior approval of the Architectural Review Board, provided however, that it shall be the responsibility of the lot owner to promptly remove dead or diseased trees, as well as dead or diseased shrubs, bushes, or other vegetation.

Trees that present and present danger to persons or property shall be treated as provided for in the previous sentence except that the tree shall be flagged and the Architectural Review Board given the opportunity to inspect and approve the removal of the tree if not diseased or dead.

Landscape lighting fixtures should be designed so that the source of light is not directly visible from the property line or street. Area flood lighting is discouraged. Light fixtures higher than 18" above grade may not be installed outside the setback lines.

Due to the potential height of homes, the use of layering plant material that is inscale with the home, to help minimize height, is strongly encouraged.

In the case of a two-story home, the planting of sizable trees is encouraged to soften the impact of the second story roof line.

#### **CARE OF SPECIMEN TREES DURING CONSTRUCTION:**

All specimen trees, as designated by the Architectural Review Board or the Administrator, will be protected from damage during construction.

Batter boards will be erected and maintained around each tree so designated by the Architectural Review Board.

The excavation and installation of underground utilities will be performed in such a manner as to avoid damaging the root system of specimen trees.

If, in the judgment of the Architectural Review Board, a specimen tree is damaged or destroyed due to carelessness or avoidable activities on the part of the owner or contractors, the Architectural Review Board may liquidate a portion of the performance bond required to purchase and install suitable replacement specimens.



### **CARE OF COMMON PROPERTIES AND UNDEVELOPED LOTS:**

Any damage to common property or element of the common property area during construction, including the roadways or drainage systems, must be replaced and repaired to its original condition.

Approval of the use of property not belonging to the lot owner, for any use whatsoever, must be in writing from the owner of said property and any damage must be repaired to its original condition.

A copy of the approval letter should be forwarded to the Architectural Review Board for file documentation.