



RULES, REGULATIONS AND ARCHITECTURAL GUIDELINES

INTRODUCTION

These **RULES, REGULATIONS AND ARCHITECTURAL GUIDELINES** are intended to serve as a special reference for home design in *The Verandas*. In order for the neighborhood to reach its full potential, the enthusiastic participation of individual homeowners is essential. These rules and regulations may be amended time to time by the Declarant or Board of Directors in accordance with the Declaration.

The Rules and Regulations have been imposed to create and maintain value in our neighborhood. Be sure to read all documents in order to fully comprehend the requirements.

The property association recommends that anyone purchasing a home or homesite in The Verandas obtain a "Letter of Conformance" from the association to ensure that all dues, assessments and liens have been paid and that there are no outstanding nonconforming improvements to be corrected. **As the new owner of a home or homesite, you are responsible for all outstanding dues, assessments, liens and nonconforming improvements.**

FINES

In order to enforce the rules and regulations in The Verandas, the association has reserved the right and power to assess fines and liens upon each homesite. Particular details are described in the **DECLARATIONS**.

A property owner will be fined \$10.00 per day for a violation that has not been corrected within the time period given by the association. In order to assure payment of the fines, liens will be filed against the property for any fine not paid on time.

LATE FEES & INTEREST

If annual dues and/or assessments are not paid within 30 days of due date, a 10% late fee will be charged. Interest will also start accruing at an annual interest rate of 12%.



BUILDERS GUILD

“The Verandas Builders Guild” shall mean and refer to those builders or contractors identified from time to time by the Declarant or Association who are engaged in the business of constructing homes for resale and who apply and are admitted to the The Verandas Builders Guild by the Declarant or Association, making them eligible to purchase property and build homes in The Verandas for resale as long as they remain in good standing in the The Verandas Builders Guild.

All improvements constructed on any Lot shall be made by a builder or contractor which has been admitted to the The Verandas Builders Guild by the Declarant or Association. Admission of any builder or contractor to the The Verandas Builders Guild shall not be construed as a representation or guarantee by the Declarant or Association that any Dwelling Unit or improvement constructed by that builder or contractor will be built in a good and workmanlike manner. The Declarant, Association, their agents and assigns shall not be responsible or liable for any defects in construction and poor workmanship by any member of the The Verandas Builders Guild. It shall be the responsibility of the Owner to satisfy itself as to the quality of workmanship and reputation of any builder or contractor which the Owner may choose from the The Verandas Builders Guild and shall indemnify and hold the Declarant, Association, their successors and assigns, harmless for any defects in construction or workmanship which may occur as a result of the selection of that builder or contractor.

PRESERVATION OF TREES

No tree having a diameter of twelve (12) inches or more (measured from a point forty-two (42) inches above ground level) shall be removed from any Lot without the express written authorization of the Architectural Committee. If the Association shall deem appropriate, the Architectural Committee may mark certain trees, regardless of size, as not removable without written authorization. In carrying out these provisions, the Declarant, the Association and the Architectural Committee and the respective agents of each may come upon any Lot during reasonable hours for the purpose of inspecting or marking trees or in relation to the enforcement and administration of any Architectural Guidelines adopted and promulgated pursuant to the provisions this Declaration. Neither the Association, nor the Architectural Committee, nor the Declarant, nor their respective agents shall be deemed to have committed a trespass or wrongful act by reason of any such entry or inspection.

Should any Builder or Lot Owner remove any tree or trees without the prior written approval of the Architectural Committee or should any Builder or Lot Owner remove any additional trees on any Lot other than those which have been approved for removal, then that Builder or Lot Owner shall be subject to a minimum fine of \$2,500 for the removal of the first tree which shall be in violation of this provision and \$1,000 per tree for each additional tree which shall be removed in violation of this Section.



Upon completion of construction of a Dwelling Unit on any Lot, no additional trees shall ever be removed from that Lot without the prior written approval of the Architectural Committee. Should any Lot Owner remove any additional tree or trees, that Lot Owner shall be subject to a minimum fine of \$2,500 for the removal of the first tree and \$1,000 for the removal of each additional tree thereafter which shall be removed in violation of this Section. Exceptions shall be made on a case by case basis in the event of diseased trees, damaged trees or any trees which may create an imminent threat of danger to the Dwelling Unit located on that Lot or any adjoining Lot. Approval of removal of any additional tree or trees shall be at the sole discretion of the Architectural Committee.

LANDSCAPING

Owner shall plant street trees between the street curb and sidewalk according to the Street Plan. Street trees shall be at least 15 gallons and/or 1.5" to 2.5" in diameter when planted. Street trees shall be planted according to the Street Tree Plan where type and location have been specified.

All areas of yards outside of planting beds must be sodded. No sprigging or seeding is allowed.

FENCES

Fences are generally discouraged; hedges and natural plantings are encouraged and preferred. Declarant shall have the sole discretion to approve or disapprove any fence, privacy wall, hedge or other similar screen.

All Lots located at street intersections shall be landscaped to permit safe sight across the street corners.

Fences may be constructed of brick, wood, stucco, iron or similar materials. Chain link and vinyl fences are not allowed.

Wood fences shall have all posts, end posts and gate posts a minimum of 6x6 in size. All posts must extend 2" above the fence top and have a post cap or beveled top. All wood fences shall have posts exposed on the outside of the fence with the pickets recessed a minimum of one (1) inch from the face of the posts. "Dog eared" pickets are not allowed. Posts shall be a minimum of 4" x 4" for spacing of eight (8) feet on center and 6" x 6" for larger spacing.

Fences on the rear of Lots 79 - 80 shall be no higher than 42" along the entire rear property line and on the side property lines extending 40 feet back. This is to prevent blocking the views of the adjacent neighbors.



BUILDING AREA

The livable area (heated and cooled areas) of the main building or structure, exclusive of open porches and garages, shall be not less than 2,400 square feet.

The first finished floor minimum elevation shall be as stated on the recorded subdivision plat.

Maximum building height is 35 feet.

Any detached structures constructed on the Lot must have previous written approval by the Association and must use the same architectural style and materials as are used in construction of the principal residence on the Lot.

EXTERIOR FINISHES

Exterior finish must be stone, used brick, wood-mould brick, tumbled style brick, authentic stucco, wood or concrete board siding. A sample of all stone and brick shall be submitted to the Architectural Committee for approval prior to beginning construction. No unfinished foundation walls or exposed concrete block shall be allowed on the exterior of any building. Vinyl and aluminum siding is not allowed on the exterior of any building.

Facia and soffit areas may be finished in wood, concrete board or vinyl trim.

Porch ceilings must be finished in wood.

All windows must be of vinyl or wood construction and no aluminum windows of any type shall be allowed. Wood windows may have a vinyl or aluminum clad exterior finish. No vinyl shutters shall be allowed.

The exterior finish of any modification, addition or alternation after the construction of the initial Dwelling Unit shall be approved by the Architectural Committee and must be constructed of the same or similar material as the original construction.

Roof material shall be a 30-year dimensional architectural grade shingle or metal roof; the style and color of which shall be approved by the Architectural Committee prior to beginning construction. Three-tab shingles are specifically prohibited. Roof penetrations shall be painted to match the color of the roof. Copper accents are allowed. Exposed metal valleys are specifically prohibited.

Roofs shall be no less than 9 on 12 pitch for main area. Declarant may approve lower pitches such as porches and other secondary roofs.

On any corner Lot, the elevation of the improvements facing the side street must use the same architectural detail and quality of design as the design of the elevation of the improvements



facing the front street, including all required landscaping. No air conditioning units or utility meters shall be placed in the yard between the improvements and the side street.

No lights shall be attached to the soffits of any improvements on the Lot unless the lights are recessed.

Satellite dishes shall not be attached to the roof.

DRIVEWAYS & SIDEWALKS

Each Owner of a Lot shall be responsible for building a driveway, at the sole expense of said Owner. Driveways must be constructed of concrete or concrete pavers. Each driveway must be completed on or prior to the completion of the dwelling. All driveways must connect with the adjoining road and the parking area on the Lot.

Each Owner of a Lot shall be responsible for constructing a sidewalk, at the sole expense of said Owner. The required sidewalk shall run the entire width of the Lot which fronts on a public street. For corner Lots, the required sidewalk shall run the entire distance of any side of the Lot which abuts a public street. All required sidewalks shall be five (5) feet wide and shall be located one (1) foot from the property line in the right-of-way. Sidewalk transitions to the street (if any) shall meet ADA standards.

CARPORTS & GARAGES

Carports are not allowed unless approved by the Architectural Committee. Garages may face a side street, but the garage door must be carriage style with decorative hardware or other architectural features above the door. Garages may not otherwise face the street unless the garage is at the rear of the lot.

WETLAND BUFFER

The City of Fairhope imposes a 30-foot Wetland Buffer along the perimeters of wetlands and is indicated on the subdivision plat. The primary function of the buffer is to physically protect and separate a stream, lake, bay, or wetland from future disturbance or encroachment. Buffers can provide storm water management and sustain the integrity of stream ecosystems and habitats. Land in the Wetland Buffer shall not be used for principal structures and accessories, such as swimming pools, patios, etc. The existing wooded area in the Wetland Buffer may not be disturbed. The existing cleared area in the Wetland Buffer may be maintained and landscaped with sod or natural vegetation.



ARCHITECTURAL REVIEW PROCESS

The **ARCHITECTURAL COMMITTEE** evaluates all proposed structures and landscaping to be constructed in The Verandas. A six-step process has been established to facilitate your preparations for construction.

1. **Review** the **DECLARATIONS** and these **RULES, REGULATIONS AND ARCHITECTURAL GUIDELINES**.
2. **Select** design consultants and provide the referenced documents to them.
3. **Site Evaluation** - Proper positioning your home on its site requires that you understand all of its unique natural features including views and topography. The following is a typical list of features to evaluate in designing an overall concept for your home.
 - Site your home and driveway to preserve the existing trees.
 - Note any existing drainage swales or ditches. Stormwater is not allowed to be diverted onto adjacent property.
 - Note all "Wetland Buffers" on the homesite.
 - Note the location of any utility or drainage easements on the homesite.
4. **Conceptual Sketch Review** - This *optional* step allows a property owner to submit a home design and layout concept to the **ARCHITECTURAL COMMITTEE** for comments and suggestions. This "working together" step has been included early in the process to both confirm a correct analysis of the site and save you from making major alterations after substantial architectural design time has been accrued.
5. **Architectural Review and Approval** - Construction plans and specifications for the home shall be submitted to the **ARCHITECTURAL COMMITTEE**. One (1) copy of construction documents and specifications are required along with the appropriate review fee. This review verifies that the submitted plans are in conformance with the community standards. **Note:** At the time of submission, the corners of the house shall be staked on the site and trees to be saved shall be flagged. **There will be no review until all plan requirements have been received.**
6. **Construction** - After the **ARCHITECTURAL COMMITTEE** has given a written approval, the plans and specifications shall be submitted to the City of Fairhope for the final building permit. Before construction can begin, final building permits must be obtained.



PLAN REQUIREMENTS

Materials & Colors of all proposed exterior materials shall be listed and submitted with drawings.

Drawings (as described below) shall be submitted as pdf files and emailed to association.

SITE PLAN:

- 1" = 20'-0" scale.
- Property lines with dimensions and bearings, & corner markers.
- Existing and proposed contours.
- Buildings to be indicated as exterior walls with entry, exterior stairs, roof and deck lines.
- First floor elevation (FFE) indicated.
- Locate, dimension, and describe materials for walks and driveways.
- Show all existing roads, utilities, and other improvements.
- Show easements, setback lines and "Wetland Buffer."
- Location of HVAC unit, utility meter and trash enclosure(s) with screening details.

FLOOR PLAN:

- 1/4" = 1'-0" minimum
- Square footage calculated for each floor and totaled.
- Room use labeled.
- All windows and doors with swings shown.
- Dimension overall limits of plans.
- Roof plan with roof penetrations shown (may be shown on separate sheet).

ELEVATIONS: (all four elevations required)

- 1/4" = 1'-0" scale.
- Show how building relates to actual grade level at site.
- Indicate overall height from grade to highest ridge of roof.

LANDSCAPE PLAN:

- 1" = 20' scale (minimum).
- Location of existing trees and vegetation to be saved.
- Variety, size, location, and the number of all materials.
- Type and limits of sodded areas.
- Irrigation system.

MISCELLANEOUS DETAILS: (At appropriate scale)

- Deck and railing details (if applicable).
- Screened porch details (if applicable).
- Typical fence or screening details (if applicable).
- Electrical plans - include exterior lighting