

MIRABELLA

ARC Design Review Guidelines and Procedures

Purpose

The purpose of these design criteria is to outline for Mirabella property owners, their architect(s), and builder(s), useful information and requirements which will be helpful in the design and construction of homes at Mirabella and to explain the architectural review process. Because the design, approval, and construction of a home requires substantial expenditures of time, capital and emotional involvement, the material contained herein should be *carefully studied before design work is initiated*.

Development Philosophy

Mirabella has been designed to be a distinct community of classic and gracious single family homes. The quality of the homes constructed at Mirabella determines to a great extent the character of the community and nature of life within. In order to ensure the high quality of the community, a plan review process has been established to review individual building and landscape plans. The authority of the Architectural Review Committee (ARC) to review, approve, disapprove and inspect all building and landscape plans (and to ensure adherence to ARC-approved plans) is provided by the recorded Covenants, Conditions and Restrictions for Mirabella. The Declaration of Restrictive Covenants provides the legal basis for the ARC to review and accept new building proposals at Mirabella.

Building proposals submitted under the Covenants are reviewed and approved by the ARC. The ARC will use these guidelines for the purpose of reviewing projects, but may consider individually the merits of any project due to special site conditions. Any project received for special consideration must be shown to benefit the specific site, adjacent areas, and the community as a whole. No approval of plans or house location and no publication of development standards or these Guidelines shall ever be construed as representing or implying that such plans, location, specifications, development standards or Guidelines will, if followed, result in a properly designed residence. Such approvals and Guidelines shall in no event be construed as representing or guaranteeing that any residence or improvement thereto will be in a good workmanlike manner. The ARC will not be liable for any defects in any plans or specifications submitted, revised or approved under these Guidelines nor for any defects in construction pursuant to such plans and specifications. The property owner shall have the sole responsibility for compliance with the approved plans and does hereby hold the ARC harmless from any failure thereof caused by the property owner's architect or builder. Review and approval by the ARC of building plans, additions, landscaping, etc. in no way relieves the property owner of his obligations to meet all requirements of all state, local or other governmental agencies.

Plan Submittal Requirements

Each plan submittal must contain the following *minimum* information:

- A. Plot plan drawn to scale (1"= 20') showing the following
 - 1. All proposed structures, driveways, setbacks, existing trees (4" caliper or larger that measures 4 ft. above natural grade)
 - 2. North arrow and scale (1"= 20')
 - 3. Topographic map showing existing contours and proposed finish grades
 - 4. Lot number and owner's name
 - 5. Proposed floor elevations
 - 6. Utility locations
 - 7. Driveway material and location(s)
 - 8. Outdoor heating and air conditioning units location and screening structures
 - 9. Pool, if applicable

Minimum setback must be met on all structures; additional setback(s) may be required on lots with existing neighboring homes.

- B. Final construction-level drawings at $\frac{1}{4}" = 1.0'$ showing:
 - 1. All floor plans with readable dimensions
 - 2. All building elevations with floor and finished grade lines shown
 - 3. Building section required for clear explanation of structure type
 - 4. Cornice section of each cornice type showing overhang materials, venting method, gutter type, and knee-wall plate heights
 - 5. Dormer detail for each dormer type
 - 6. Detail of all porch rack, post cap and base, ceiling, railings and flooring
 - 7. Foundation plan with showing footing dimensions
 - 8. Gutter plan showing location of gutters
 - 9. Typical wall sections
 - 10. All exterior surface materials clearly identified
 - 11. Roof structure plans with details
 - 12. All window and door sizes marked for size, type and set height from floor
 - 13. An outline of specifications showing materials and level of quality of for all structure and finish materials to be included.

- C. Description of all exterior materials, roof materials and color samples

- D. Two (2) copies of your final site and landscape plan showing all plant materials, walks, drives, drainage structures, existing trees to be saved, and other information that may be required by the ARC for this specific site. *These plans must be submitted for ARC review no later than the time of framing inspection.*
1. All plant materials and size
 2. Walks and driveways
 3. Fences and garden walls
 4. Porches (Note: Decks are discouraged)
 5. Retaining walls
 6. Drainage structures
 7. Gutter connections to outfall well(s) away from foundation
 8. Garden structures and pools
 9. Identify all proposed surfaces
 10. Location of street trees
 11. Screening of HVAC and utilities
- E. Architectural Review form that is completed in full with a non-refundable, Cashier's check in the amount of \$800. This fee covers the Architectural Review and the cost of your mailbox (that must match all other mailboxes in Mirabella). In addition, a Cashier's check in the amount of \$5000 must also be submitted as a construction deposit prior to the start of construction.
- F. The following guidelines and stipulations shall be included as part of the Mirabella requirements:**
1. The ARC reserves the right to allow adjoining neighboring property owners to submit comments, suggestions, objections, etc. on architectural submittals. Such information will be considered, as deemed appropriate and necessary, by the ARC.
 2. Skylights: Skylights shall not be allowed on the front of any structure or any side or façade that is visible from the street side
 3. *Every home design is reviewed on a case-by-case basis. Each property has unique characteristics; therefore, previous comments, decisions, requirements, waivers, approvals, or rejection(s) when reviewing a new application do not bind the ARC.*
 4. Decisions of the ARC are final. Owners may respond to ARC comment in writing only. Response, comments and revisions will be reviewed at the next scheduled ARC meeting. In as much as the ARC retains expert advice and consultation in rendering opinions and decisions, owners may only offer objections to the ARC with corresponding 'expert' opinions.
 5. Physical Samples and Colors: Exterior physical samples and colors are required and should be installed on a materials board placed at the front of the property site for review. Such samples may include, but are not limited to, brick, stone, stucco and trim colors, and roofing material.

6. Windows: Owner must submit window brand name, color and manufacturer for review. The ARC reserves the right to request additional information about window products such as sales literatures, brochures, specifications from the manufacturer or actual samples.
 - i. All windows must have grids that are appropriate to the style and character of the house design. Windows without grids are discouraged unless it is appropriate to the architectural style of the house.
7. Screening: Hardscape surfaces (i.e., drives, walks, patios, wall, terraces, etc.) may not be built within 3 feet of the property line in order to provide opportunity for landscape, fencing and screening as deemed appropriate by the ARC.
8. Roofs: Shed roofs will not be allowed on a structure unless, as determined by the ARC, it is appropriate to be consistent or stylistically important to the total architectural design.
 - i. Flat roof areas: There shall be not greater than 10% of the total roof area as flat roof – defined as less than a 3:12 pitch.
9. The ARC does not review nor approve plans for zoning or code compliance. Therefore, plans approved by the ARC may not necessarily be acceptable to other governing agencies. Plan changes required for code compliance on previously approved ARC plans must be resubmitted for review.
10. Architectural Styling: Classical Styling must be distinguishable and recognizable by typical architectural standards. Acceptable architectural styles include (but are not necessarily limited to): Federal, Georgian, Adams, Richardson, French, French Country, Chateau, Colonial, Beau Arts, French Colonial, Colonial Low Style, Greek Revival, Gothic Revival, Italianate, Colonial Revival, Tudor, Mediterranean and Dutch Colonial. **Mirabella discourages styles that are “contemporary” in character such as “International” or “Modern”.**
 - i. Mixtures of designs styles and architectural elements will not be permitted. The ARC reserves the right to require style or architectural support, research and documentation of proposed designs.
 - ii. The ARC reserves the right to request additional supporting documents (e.g., photographs, brochures or sales literature) to further describe architectural elements proposed for any structure.
11. Architectural Drawings: These must meet industry and architect standards for clarity and information. Drawings must be fully ‘rendered’ to accurately show architectural elements and building materials that owner intends to use. The ARC reserves the right to reject plans with insufficient detail.
12. Plan Impact: The ARC shall consider each site independently but shall give extensive consideration to each individual plan’s impact upon adjacent home sites and view corridors. Whenever possible, care must be taken to locate each structure so as not to infringe upon view corridors, adjacent structures and home sites, and natural amenities of the site. Therefore, the ARC will pay careful attention to the following specific items:
 - i. Physical terrain of the site
 - ii. Views from the site
 - iii. Views to the site from adjacent sites
 - iv. Existing land topography
 - v. Existing drainage channels
 - vi. Height and mass of structure
13. Trees: Each proposed site plan should make every reasonable effort to preserve the major trees on each lot. A plan that does not comply with this objective may be rejected by the ARC.

14. Grading and Elevations: Excavation cuts and soil fill on each lot should be kept to a minimum. Grading that excessively or unnecessarily alters the natural topography of the site may not be approved. Major grading, that may be required for siting of buildings, drives and other improvements should be consistent with the natural flow of the terrain. New grades should be consistent with the natural existing flow of the terrain. New grades should meet existing topography in a smooth transition and should avoid the unnatural look of broad flat surfaces or sharp, steep angles.
15. Retaining Walls: Lot owners may utilize retaining walls to facilitate the siting of a structure subject to height restrictions and other conditions that may be imposed by the ARC.
16. Drainage: Buildings and other improvements placed on the lot shall not interfere with natural drainage patterns. If additional drainage structures are required, they shall be constructed with natural materials such as rock or gravel and placed for positive operation of the drainage system. No drainpipes or impervious man-made swale lining material may be exposed.
17. Chimneys: Chimneys must be constructed with brick or stone veneer. Stucco veneer is not allowed except when the adjacent wall finish is stucco or stucco is the primary exterior finish.
 - i. Exterior fireplace chimneys may not be cantilevered and must have structural support to grade.
18. Exterior Design Concept: The design concept introduced on the front elevation must be continued on all elevations. Window head and sill details, quoins and corner details, jack and flat arches, dormers and properly hung shutters must be designed and completed on all elevations. Shutters must be sized, hung, and fitted to close on all windows considered appropriate by the ARC. Hinges and holdbacks on shutters must be properly installed.
19. Garages: Each residence must have a private, fully enclosed garage for at least two cars. No garages shall face the street except on corner lots with appropriate screening and must have ARC approval.
20. Roofs: The proportions of roofs will be consistent with the proposed architectural style. Portions of flat roofs will be permitted on limited basis as approved by the ARC. The main roof of the dwelling will have a pitch not less than four and one-half. Architectural shingles is considered minimum quality roofing material. Heating/air conditioning and plumbing vents will not penetrate the roof on the road-side of the building unless determined to be absolutely necessary by the ARC. In all cases, vents will be painted the same color as the roof or as part of an approved color scheme.
21. Windows: Windows will be wood painted, stained, vinyl or aluminum clad and will be in color harmony with the exterior color and texture of the residence. No solid metal windows or vinyl windows will be permitted for windows or window frames. All windows in masonry walls must have minimum two (2) inch brick mould. Special case situation where stucco surrounds are designed for clad windows without brick mould may be considered if the total residence concept permits. TRUE CAPITAL DIVIDE WINDOWS ARE ENCOURAGED. No inserts will be allowed except where the full appearance of the true divide on both interior and exterior can be obtained.
22. Guttering: Complete guttering must be installed on all houses. Several types of guttering may be used. O.G., half round, wood V, or O.G with metal liners and ground gutters made of brick laid at drip line on ground. When using fascia guttering, it shall be installed complete with leaders and downspouts. In all cases, gutters are to be connected to an outfall well away from the foundation. Copper gutters are encouraged.

23. Telephone and Electrical Lines: All lines or wires for communications or for transmission of electrical current outside of the building will be constructed, placed and maintained underground.
24. Lights: NO exterior light will be installed or maintained in any lot that is found to be objectionable by the ARC. Upon being given notice by the ARC that any exterior light is objectionable, the owner of the lot on which the light(s) is located will immediately remove said light or have it shielded in such a way that it is no longer objectionable.
25. Waste Material: During construction, waste material must be placed in an on-site dumpster or removed by a site cleaning service.
26. Equipment Screening and Utility Meters: All mechanical, utility, electrical and electronic equipment (including transformers, air conditioning condensers and compressors) will be properly housed or landscaped in a manner that will blend with the site and residences. All such equipment will be located behind the front building line of the primary structure. Roof-mounted equipment will be housed in a manner that will prevent visibility from the ground or from upper floors of other structures. No window or wall air conditioning units will be permitted. All antennas of any type must be concealed inside the attic or other enclosed space unless otherwise approved by the ARC.
27. Driveways: All dwellings will have a driveway constructed of textured colored concrete or exposed aggregate concrete or other permanent material approved by the ARC. Asphalt driveway are not allowed. It is strongly recommended that concrete drives have a brick or stone border. Brick or cobblestone driveways are encouraged.
28. Pool and Recreation Areas: Screening of all pool areas will be approved by the ARC. No lighting of a pool or other recreation area will be installed without the approval of the ARC and, if allowed, will be designed for the recreational character so as to buffer the surrounding residences from all lighting.
29. Mailboxes: All mailboxes will be of the same standard mailbox design (including a plate with the address of the residence) and will be the same for all residences. Each mailbox will be installed at the front of the property line.
30. Walls and Fences: Walls and fences should be considered as an extension of the architecture and the natural forms of the site. All wall and fences should be designed to be compatible with total surrounding environment and should be considered as design elements to enclose and define courtyards, to extend and relate building forms to the landscape, as well as providing security/privacy elements. All walls and fences must be approved by the ARC prior to installation. It is recommended that walls and fences be made of solid masonry or black wrought iron with columns. Prefabricated wood, vinyl, or chain link fencing will not be permitted within the community.
31. Decks: Wood or prefabricated decks are strongly discouraged and will not be installed without ARC approval.
32. Construction Diligence: Once commenced, construction will be diligently pursued to the end and not be left in a partly finished condition any longer than is reasonably necessary.

NOTE: Non-compliance with these regulations may result in a 'Cease and Desist' letter from the Mirabella Homeowners Association (HOA). If a Cease and Desist letter is violated (e.g., ignored), then a \$1000 fine per occurrence may be assessed. In addition, attorney fees charged to the HOA for enforcement of non-compliant actions of an owner also may be assessed to the owner.

FAILURE TO ABIDE BY THESE GUIDELINES AND RULES MAY RESULT IN THE LOSS OF A CONTRACTOR'S PRIVILEGE TO ENTER MIRABELLA, THEREBY MAKING IT IMPOSSIBLE TO WORK WITHIN THE SUBDIVISION.

I have read the ARC Design Review Guidelines and Procedures and agree to abide by these standards:

Owner

Date

Builder

Date