

**DESIGN GUIDELINES**

**FOR**

**HAWTHORNE GLENN, PHASE TWO**

**A RESIDENTIAL SUBDIVISION**

**FAIRHOPE, ALABAMA**

**May 1, 2005**

**SECTION ONE**  
**INTRODUCTION**

**HAWTHORNE GLENN, PHASE TWO DESIGN GUIDELINES**

This book is intended to serve as a special reference for the home design concept for Hawthorne Glenn, Phase Two. In order for the community to reach its full potential, the enthusiastic participation of individual homeowners is essential.

These guidelines have been created to introduce you to the future development and acquaint you with the role owners will play. A diligent effort has been made to communicate information that should be both interesting and useful to owners and designers. The contents will save many hours of research and, consequently, substantial expense in the design of your home.

The concept of Hawthorne Glenn, Phase Two is unique. Accordingly, these guidelines will help you understand and appreciate the attention to special detail that will make Hawthorne Glenn, Phase Two residences so individual and yet compatible.

**SECTION TWO**  
**REVIEW PROCESS**

An Architectural Review Board (the "Board") has been established to evaluate all proposed structures to be erected in Hawthorne Glenn, Phase Two.

The review process is for three primary reasons:

to assure quality control;  
to provide for the community's organized development; and  
to maintain environmental safeguards.

**APPROVAL PROCESS CHECKLIST** - An eight step process has been established to facilitate your preparations for building.

- 1) Review the Hawthorne Glenn, Phase Two Architectural Design Guidelines, General Covenants, and the Property Owners Association Covenants and Restrictions.
- 2) Select design consultants.
- 3) Obtain a boundary survey and plot plan made by a registered Alabama surveyor at a minimum scale of 1" = 20'0" or 1/16" = 1'0".
- 4) Site Evaluation (See Section 3).
- 5) Conceptual Sketch Review: This optional step allows an owner to submit the design and layout concept to the Board for comments and suggestions. The Board will either make recommendations or authorize proceeding to the next step.

- 6) Preliminary Architectural Review and Approval: Schematic Drawings of the design will be submitted to the Board. This allows for the Board to make recommendations without final Working Drawing revisions. Payment of the review fee is due at this step.

### **PLANS REQUIREMENTS**

Schematic Drawings.

Site plan with:

- ◆ North arrow.
- ◆ Property lines with dimensions and bearings.
- ◆ Dwelling to be indicated as exterior walls with entry and stairs delineated and roof and deck lines shown and noted.
- ◆ First floor elevation (FFE) indicated.
- ◆ Setback limits shown.
- ◆ Building accurately dimensioned from property lines.
- ◆ Drives and walks shown.

Floor plan at minimum 1/8" = 1'0" scale with:

- ◆ Room use labeled.
- ◆ All windows and doors with swings shown.
- ◆ All overhangs of floors or roofs above shown as dashed lines.
- ◆ Dimensions of overall limits of plans.
- ◆ Ground Level Plan to indicate foundations, enclosures, and driveway location.

Elevations at 1/8" = 1'0" scale. All four (4) elevations shall:

- ◆ Show how building relates to grade level.

**Note:** At the time of Preliminary submission, the corners of the house should be staked on the lot in the proposed locations. Trees to be removed should be flagged with optic orange surveyor's tape.

- 7) Final Review and Approval: Submit two (2) copies of construction Documents and Specifications for final review. These drawings should verify that the Preliminary Design and recommendations by the Board have been followed and conform to the restrictive covenants.

### **FINAL DRAWINGS:**

- a) Site Plan revised as required by preliminary review:

- ◆ Location, dimension, and materials for walks and driveways.
- b) Planting Plan (Submitted for final approval prior to commencing any construction on the house and other improvements):
- ◆ At 1" = 20' scale.
  - ◆ Variety, size, location, and the number of all plant materials.
  - ◆ Type and limits of sodded and/or seeded areas.
  - ◆ Plant list with botanical name, quantity, common name, size, and special specifications.
- c) Foundation Plan:
- ◆ At 1/4" = 1'0" scale.
  - ◆ Footing details.
  - ◆ Framing details.
- d) Floor Plan(s): At 1/4" = 1'0" scale.
- ◆ Thoroughly dimensioned.
  - ◆ Wall, window, and door openings with swings.
- e) Elevations:
- ◆ Elevations of all sides of all planned improvements must be shown at a minimum of 1/8" = 1'0" scale.
- 8) After approvals have been given by Hawthorne Glenn, Phase Two Architectural Review Board, Plans and Specifications shall be submitted to the proper authorities for the final building permit. Before construction can begin, final building permits must be obtained from the proper authorities.

### **SITE EVALUATION**

Properly positioning your home on its lot 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.

- 1) Preserve the existing major trees and other natural habitats such as low shrubs, especially along the edge of wetlands.
- 2) Note any drainage swales or ditches that need to have unimpeded flow.
- 3) Locate your driveway to preserve trees and other natural features.

- 4) Note the location of any utility corridor in front of your home.

### **CONCEPTUAL SKETCH REVIEW**

If you choose to include this optional submission it should be a sketch or overlay drawing on tracing paper illustrating the design concept for your lot and how the house will be situated. 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 time has been incurred.

### **SECTION THREE** **SITE PLANNING, DESIGN AND CONSTRUCTION**

A great deal of special care has been taken in the planning of Hawthorne Glenn, Phase Two. Detailed plans have been created to preserve the vegetation, topography, and the delicate balance of natural drainage systems and marshes.

All Improvements that have been planned will be strategically implemented to minimize alteration to the land and impact to the ecosystems. This philosophy will be continued at all levels of development, including individual homesites.

We have included some specific criteria and guidelines in the following section to help you accomplish these goals.

#### **MINIMAL BUILDING SETBACK REQUIREMENTS**

All buildings built on any Lot shall be erected no nearer the front property line than thirty-five (35') feet, nor nearer the rear property line than thirty-five (35') feet, nor nearer the side property line than ten (10') feet. Such setback restrictions shall be a covenant running with the land. All building setbacks are measured from and perpendicular to your property lines.

#### **MINIMAL SQUARE FOOTAGE REQUIREMENTS FOR DWELLING UNITS CONSTRUCTED AT HAWTHORNE GLENN, PHASE TWO:**

All Dwelling Units shall comply with all applicable guidelines and approvals of the Developer and the Hawthorne Glenn, Phase Two, Design Guidelines, and shall be designed and constructed in an architecturally aesthetic manner in order to carry out the objectives set forth in Section 5.02 of this Declaration. All Dwelling Units shall have a minimum of heated and cooled living area of 2,300 square feet. If any dwelling unit has more than one (1) story, the minimum of heated and cooled area to be included on the ground floor shall be 1,380 square feet.

#### **BUILDING HEIGHT RESTRICTIONS**

Structure height is governed by restrictive covenants. In no case shall a single-family home exceed two and one-half heated and cooled stories. The basement shall not count as a story.

Architectural treatment of the space between grade and the first living floor is discussed in Section Four.

#### **OWNER'S ENCLOSED PARKING**

All Dwelling Units must have a minimum of a two (2) vehicle enclosed garage and must meet the requirements of the Hawthorne Glenn, Phase Two, Design Guidelines. No carports will be allowed.

A separate, detached garage or utility/storage building will be permitted only if approved by the Architectural Review Board.

A garage, wide enough to accommodate a minimum of two (2) cars is required. All garage doors must be seven (7') feet in height.

Under no circumstances shall garages and the garage doors be permitted to face the street.

Corner Lot garage locations will be approved on a case by case basis.

Every garage shall have automatic door openers maintained in a useful working condition and shall be kept closed when not in use.

### **SITE GRADING**

Retaining walls may be used to reduce areas which need grading or to preserve vegetation. However, this must reflect the architecture of the house, be well integrated into the site, and be approved by the Architectural Review Board.

Runoff during construction must not cause damage to adjacent properties. If it is determined that erosion or surface runoff may be a problem, then erosion control devices such as temporary silt fences will be required throughout the construction process.

In addition, there shall be no direct channeling of runoff into manmade or natural water bodies, conservation areas or marshes, from home rooftops or other impervious surfaces unless methods of infiltration are provided. Diversion of runoff into existing natural swales is encouraged.

### **FENCING**

A fence can divide a yard into specific areas for work or play and can screen storage, trash receptacles and other service areas.

If a fence is attached to a home, it is considered an architectural extension of the house and should be built at the same time as the house and with related or identical materials. It will be important for fences at Hawthorne Glenn, Phase Two to be of a complimentary style in order to maintain architectural harmony.

Fences which are adjacent to, but not attached to a house should be built of similar, though not necessarily identical, materials and may be constructed after the house.

Plastic, chain link or any other wire fences shall not be permitted. All fences, hedges, or ornamental structure must be approved by the Architectural Review Committee prior to construction thereof. All fences five feet (5') in height or more shall be constructed of pressure-treated wood using a "shadowbox" style. Fences shall not be over six (6') feet tall.

A wooden, brick, stucco, wrought iron or similarly approved fence or privacy screen may be used and shall be subject to approval of the Architectural Review Board.

No fences are allowed at the front or the sides beginning at the rear corner of the house and going toward the street.

## **DRIVEWAYS AND SIDEWALKS**

All driveways and parking areas shall be surfaced with concrete, brick pavers, or similarly approved material. Surface material shall begin on the house side of the sidewalk and be provided on the entire drive.

No driveways shall be located closer than two (2') feet from any side property line.

All houses must have sidewalks built between the front property line and the street in accordance with the requirements of the City of Fairhope.

## **LIGHTING**

Outdoor lighting will be carefully reviewed to assure that neighboring properties are protected from the view of bright light sources. Illumination necessary for evening activities must be directed downward and only bright enough to provide for the safe traverse of steps and paths. Whenever possible, functionally required lighting should be integrated into such features as steps, handrails, posts and curbs. No flood, bug lights, or spotlights are allowed that create a noise or sight nuisance to adjacent property owners

Pleasant accent effects can also be achieved through the use of landscape lighting. Accent spotlight fixtures directed upwards into tree foliage can provide low intensity but often dramatic illumination of nearby pedestrian areas.

Landscape uplights should be unobtrusive in appearance or hidden from view. Lighting along driveways and paths must have a mounting height no greater than three (3') feet and use no more than sixty (60) watt incandescent lamps. Exterior light fixtures on homes must be of a baffled design and not create a nuisance for adjoining property owners. All landscape fixtures must be shielded by planting and concealed in daytime. No color lens or lamps will be allowed. No floodlights of any type will be allowed.

Lighting along all roads, public paths, boardwalks, and intersections will be provided in a standard design. Again, lighting should reflect the architectural character of each residence.

Exterior pole mounted lighting will be approved on an individual basis.

All exterior pole mounted lighting must be located in a five (5') feet square area, located directly adjacent to both the sidewalk and the driveway. Any other location must be approved in advance by the Architectural Review Board.

In order to be considered for approval, a color photograph must be submitted along with the a site plan which shows the proposed location.

## **DECKS, PATIOS AND PORCHES**

Yards and terraces should be designed to be an extension of the architecture. A well-planned patio/deck adds living area to your property.

In order to decide the location of your patio/deck, it is important to know the physical assets of your property as well as the requirements of deck design and construction, set-backs, and deed restrictions.

The paving materials used should be consistent with or complement the architecture of your house. Brick, stone, tile, wood or concrete are recommended.

The area under decks, patios and porches shall not be open to view. The approved exterior finished building material of the house or painted lattice work shall be used to enclose the underside of all decks, patios and porches. Written approval from the Architectural Review Board is required before other screening material is used. Landscaping alone will not provide the amount of screening required.

## **SWIMMING POOLS**

The size, shape, and siting of swimming pools must be carefully considered to achieve a feeling of compatibility with the surrounding natural and man-made elements.

Pool and equipment enclosures must be architecturally related to the house and other structures in placement, materials, and detail.

The form and configuration of the pool should reflect the architectural character of the residence. Traditional shapes of windows, doors, and other ornaments can be interpreted creatively into pool designs.

Fountains and recirculating water add character to patios and will be accepted. Inflatable "bubble" covers will not be allowed.

Due to the potential disruption of natural features, the Board will review all proposed pools on an individual basis. No above ground pools will be allowed.

## **GAZEBOS, ARBORS, AND TRELLISES**

These functional structures can also be very pleasing landscape elements that fit well into the Hawthorne Glenn, Phase Two theme. It is important to view these as permanent structures and to design them accordingly.

## **TRASH RECEPTACLES**

The type of trash receptacle required will be determined by the service provided for the residents of Hawthorne Glenn, Phase Two. Garbage containers shall be kept in a clean and sanitary condition, and shall be so placed or screened by shrubbery or other appropriate material approved by the Architectural Review Board so as not to be visible from any road within sight distance of the Lot at any time except during refuse collection. No exceptions will be permitted.

## **MAILBOXES**

Mailboxes and house numbering graphics will be a standard design throughout the community. Design and location will be provided by the Developer.

## **SECTION FOUR**

**ARCHITECTURAL STANDARDS**  
**FOR DESIGN AND CONSTRUCTION**

The following section outlines architectural features and building materials suggested for use in the planning of your Hawthorne Glenn, Phase Two home.

It is not the intent of the Developer to force residents into a strict, uniform building design. It is desired and intended that all the homes compliment a central theme and each other. In doing so, you will be assured that your significant investment of time and resources will be rewarded with an environment and quality of living that will be highly desirable.

**FOUNDATIONS**

No exposed foundation walls are allowed. The underside of the house shall be screened from view by the approved finish building materials which shall be taken to finish grade level on all sides.

**EXTERIOR WALLS**

**COLOR**

Continuity and consistency of exterior color materials is encouraged. No color extremes will be permitted.

**MATERIALS**

The approved finish building materials shall be applied consistently to all sides of the exteriors of the house and approved detached buildings. Changing the exterior building material on different sides will be permitted with approval of the Architectural Review Board. Materials shall be taken from the soffit to the finish grade level on all sides, including around decks, patios and porches.

Recommended materials shall be brick, stone, stucco or wood or other material approved in writing by the Architectural Review Board.

No exposed concrete walls or block will be permitted.

No aluminum or vinyl siding will be permitted. However, vinyl materials may be used in the construction of the soffit, fascia, gables and/or dormers.

**WINDOWS AND DORMERS; FASCIA AND SOFFITS**

Proper scale and proportion are encouraged for dormers.

All windows shall be wood, vinyl clad wood or vinyl windows. Aluminum windows and other alternatives shall be specifically approved by the Architectural Review Board in writing. No mill finish aluminum windows will be permitted.

Divided light windows may contain muntin inserts.

Colonial or Traditional Style muntin or light patterns are encouraged

Reflective glass is prohibited.

## **SHUTTERS**

All shutters must be proportioned to fit windows and must provide protection and control of climatic conditions.

## **DOORS**

The following describes doors which are acceptable. Other types shall be permitted only if approved by the Architectural Review Board.

- a) wood doors with divided glass panels.
- b) wood doors with glass and wood panels; single glass panels can be divided into smaller panels.
- c) raised wood panel door; panels can range from two to six in number.
- d) wood door with horizontal louvers; louvers can be in panels or run the entire length of the door.
- e) wood framed solid glass door; may be hinged, or where design dictates, sliding.
- f) embossed panel insulated metal or fiberglass doors; and they may have glass panels.

## **ROOFS**

### **DESIGN**

The following roof designs are permitted: hip, gable, and hipped gable.

No flat roofs will be permitted unless approved by the Architectural Review Board.

No "A" frame roofs will be permitted.

No geodesic domes will be permitted.

No inconsistent or random arrangement of roof lines will be permitted.

No towers or turrets will be permitted unless approved by the Architectural Review Board.

### **SLOPE**

Maximum roof pitch is a fourteen (14") inch rise in a twelve (12") inch run.

Minimum roof pitch is a six (6") inch rise in a twelve (12") inch run. Lower slopes shall be approved by the Architectural Review Board in writing.

Extreme roof pitches are not allowed.

## **MATERIAL**

Roofing shall be textured, architectural type shingles compatible to GAF Woodline, pine or cedar shakes, barrel tile, slate, or cement tile shingles.

Limited use of copper and/or factory-finished standing seam metal roofs may be permitted if approved by the Architectural Review Board.

## **PENETRATIONS**

No roof penetrations, for plumbing or heating vents, fans, etc., shall be placed on the front side of the roof. A minimum roof penetration is encouraged and all protruding elements shall be painted the same color as the roof covering.

## **CHIMNEYS**

No exposed pre-fab chimney flue pipes will be permitted. Any exposed portion of a chimney outside of the building shall be constructed solely of brick, stone or stucco. If the fireplace is a metal, self-insulated type with a metal spark arrestor at the top of the chimney, it must be enclosed by a material approved in advance by the Architectural Review Board.

## **MECHANICAL EQUIPMENT**

Outside air conditioning units may not be located in the front yard. They may be located in the side yard if screened from view, or in the rear yard.

No exposed piping, electrical or heating/air conditioning system components will be permitted, with the exception of air conditioning condensers, which must be screened from view if located in the side yard.

No window air conditioning units shall be permitted.

## **INTERIOR DESIGN AND CONSTRUCTION**

All building interiors shall reflect the aesthetic quality and permanence displayed in the architectural character of the exterior design.

Drapes, curtains and shutters or any other similar elements seen from the exterior shall be compatible in color and style with the exterior of the building.

## **SITE FURNISHINGS**

### **LAWN ITEMS**

No bird baths, frog ponds, flag poles, lawn sculpture, artificial plants, birdhouses, rock gardens or similar types of accessories and lawn furnishings are permitted in any front or side yard. However, any such item may be placed in the rear yard provided it is placed a minimum of fifteen (15') feet from the rear property line.

### **GAMES & PLAY STRUCTURES**

All basketball backboards and any other fixed and play structures are subject to approval by Architectural Review Board and shall be located at the side or rear of the building. Treehouses or platforms of a like kind or nature shall not be constructed without prior written approval of the Architectural Review Board. Swingsets may not be placed in any front or side yard, but may be placed in the rear yard provided they are placed a minimum of fifteen (15') from the rear property line.

## **SECTION FIVE** **LANDSCAPING**

The landscape design of each homesite in Hawthorne Glenn, Phase Two offers the opportunity to exercise your individual commitment to preserving the native vegetation. Nature has conveniently given a basic outline of the plant material that thrives in this area. Preserving that gift and enhancing the setting for the residence is the goal for this section.

### **SAMPLE SITE CONCEPT**

- 1) Set-back lines with random masses of flowering shrubs beneath tree canopy.
- 2) The service yard should be screened from views by landscaping or an architectural element.

The preliminary site plan addresses the formative considerations of the home site, building placement and relationship of adjacent homes.

As you begin to refine the layout of your grounds, it is important to understand the value of a well-designed landscape. Not only will you be at home on your grounds, but you will be increasing the total value of your investment.

To coordinate each homeowner's plans with the intended landscape concept for Hawthorne Glenn, Phase Two, a cooperative effort is needed. Within the setback areas of each lot and along roadways, we ask that each lot owner plant shrubs and understory trees that will flower and/or provide color to enhance the scenery for all Hawthorne Glenn, Phase Two residents.

Each lot shall be landscaped so that all property areas not covered by buildings or driveways are landscaped.

Each property owner will be required to plant a minimum of two (2) deciduous overstory trees, having a caliper of a minimum of three (3") inches at a height of four (4') feet, in the front of the house. The trees may be any deciduous overstory tree selected from the list below, and may be planted anywhere in the front of the house.

### **PLANTING NEW VEGETATION**

#### **PRELIMINARY PLANTING PLAN**

A preliminary planting plan shall be prepared and submitted as soon as possible. Locations with the greatest visual contact from the public street should have top priority in deciding where to spend money for planting.

The preliminary planting plan should indicate the use of various classifications of plants.

These Include:

- 1) Deciduous overstory trees

- 2) Evergreen overstory trees.
- 3) Understory trees that normally form a canopy below the larger trees.
- 4) Evergreen and deciduous shrubs of various height.
- 5) Groundcover, annuals, perennials.
- 6) Sodded areas.
- 7) Mulched bed areas.

All lots shall be fully irrigated using an underground, automatic sprinkler system, which shall also be capable of completely watering the area between the sidewalk and the street. Immediately after the construction of the initial dwelling on a lot, the front yard of such lot shall be fully grassed by the application of solid sod, and not sprigged or partially sodded.

The selection and placement of the new material is a complex task. In the preliminary stage, approximate sizing should be noted on the plan. For detailed design, a careful study of sizes, shapes and textures is warranted, as well as plant types, growth habits, hardiness, moisture, shade requirements and soils.

### **TREE PRESERVATION**

The conservation of as many existing trees as possible is desired. Where necessary to raise the grade around an existing tree, soil should be prevented from coming in contact with the bark. If filling is required within the dripline, rock or drywall walling should be installed adjacent to the tree trunk. Additionally, vertically placed stacks of rock extending to the final grade for 2/3 of the diameter of the dripline should be installed. If a tree is to survive, its roots, bark and leaves must be largely under aged. Preserving trees necessitates preserving existing grade. Cutting within the driplines of the trees should be minimized. When it is necessary to lower the grade adjacent to a tree or group of trees, the cut should occur outside of the dripline.

Although the cost of building around trees may initially be more than on open land, the replacement of vegetation on a site can be costly and never looks quite the same. The Architectural Review Board requires that a landscape plan be submitted as part of the development proposal.

The following proposals will be denied:

- 1) Unwarranted removal of specimen trees.
- 2) Side property lines outlined by hedges.
- 3) Intensive use of plants with forms or colors not native to the area.
- 4) Earth fill that threatens existing trees.
- 5) Large unplanted windowless walls.

### **PLANT LIST FOR HAWTHORNE GLENN, PHASE TWO**

#### **TREES**

### Shade Trees

- red maple
- tulip tree
- river birch
- willow oak
- pin oak
- live oak
- slash pine
- southern red oak
- sweet gum
- weeping willow
- hickory
- leland cypress
- sycamore
- silver maple

### Flowering Trees

- dogwood
- crepemyrtle
- treeform liqustrum
- treeform sasanqua camelia
- drake elm
- bradford pear
- waxmyrtle
- cherry
- magnolia
- japanese magnolia
- bald cypress
- sycamore

### GROUNDCOVER

- dwarf gardenia
- variegated lirioppe
- gleen lirioppe
- monkey grass
- asiatic jasmine

### VINES

- confederate jasmine
- carolina yellow jasmine
- fig vine
- english ivy
- emerald sea juniper

### GRASSES

- saint augustine
- centipede
- zoysia
- bermuda
- powana

### SHRUBS

Large	Medium	Small
<ul style="list-style-type: none"><li>• sweet olive</li><li>• burford holly</li><li>• oleander</li><li>• russian olive</li><li>• azalea varieties</li><li>• uiburnum spp.</li><li>• pittosporum</li><li>• liqustrum</li><li>• waxmyrtle</li></ul>	<ul style="list-style-type: none"><li>• dwarf burford</li><li>• dwarf azaleas</li><li>• cleyera</li><li>• dwarf crepemyrtle</li><li>• willow leaf holly</li><li>• raptiolepis</li><li>• hydrangea spp.</li><li>• fatsia</li><li>• nandina</li></ul>	<ul style="list-style-type: none"><li>• dwarf nandina</li><li>• gumbo azalea</li><li>• helleri holly</li><li>• dwarf yaupon</li><li>• dwarf raphiolepis</li><li>• boxleaf holly</li><li>• dwf. chinese holly</li><li>• compacta holly</li></ul>

When you choose specific plants, refer to the above plant list for selection. These are readily maintained, native or naturalized to the area and will blend with the natural landscape. Specifically, this list has been

developed considering such factors as hardiness and local maintenance factors. It is not to be assumed that the list contains all acceptable plants.

## **SECTION SIX** **FINAL CONSIDERATIONS**

This section provides guidelines for your contractor and architect or designer. Outlined are some commitments expected of them and some construction responsibilities which ultimately fall to the Owner.

### **CONSTRUCTION GUIDELINES**

**GENERAL** - In the interest of maintaining an appealing image for residents and visitors, the construction process must be regulated.

Contact the Architectural Review Board for authorization prior to commencing work.

**SAFETY** - All Contractors and Contractor personnel are asked to abide by all OSHA rules and regulations (i.e. wearing hard hats in designated areas, etc.).

All accidents are to be reported to appropriate authorities as soon as possible after the occurrence.

No fires are allowed; no smoking in restricted areas.

Firearms and weapons are prohibited.

Speed limit is as posted and enforced.

All construction vehicles must comply with applicable state laws, re: inspections, licensing and authorization for operation.

**OTHER SERVICES** - Electric, Water, and Sewer Services are available. Applicable tap fees and monthly billings are charged for these services by the service providers.

**COMPLETION DEADLINE** - Construction must be completed within nine (9) months of the actual initiation of construction.

**SITE REGULATIONS** - For site protection, the following guidelines are required:

Construction must begin within nine (9) months after plan approval. Approved landscaping must be in place within ninety (90) days of occupancy or completion of the building.

All reasonable means shall be taken during and after construction to protect and preserve all existing vegetation.

Boards or other materials shall not be nailed to trees during construction.

Storage, temporary or otherwise, of equipment or materials is not permitted under the dripline (area on ground equal to limits of vegetation above) of trees. Storage should occur within driveway and parking limits of the site. Small construction trailers must be approved by the Board.

Sediment and erosion control provisions shall be employed during construction.

All planting, fixtures, fencing and landscaping which is damaged during construction or after, by vehicles, fire or other cause on or off the site, including streets, shoulders and common areas, shall be repaired or replaced by the owner. The owner is responsible for the contractor's actions during construction.

Any cleaning, grading or building on the site without approval by the Board may result in suspension of work and denial of Hawthorne Glenn, Phase Two access to the contractor.

During construction all trash, debris and waste shall be contained daily and kept neat. Burning of debris is not permitted. The Architectural Review Board reserves the right to have the site cleaned as needed due to noncompliance, and the owner will be backcharged for the cost of such work.

**CONSTRUCTION REGULATIONS** - Reviews while construction is in progress will be conducted by the Board to ensure conformance with the approved drawings. Any drawings made during construction must receive approval by the Board prior to change. Major changes may require resubmission for final approval. Final inspection will be made after the contractor has completed construction, including all site work and landscaping, cleaned the site of debris, removed contractor signs and temporary facilities utilities, and notified the Board in advance of finish date.

Hawthorne Glenn, Phase Two and its agents assume no responsibility for reviewing construction in progress for compliance with any codes or with approved plans. The owner assumes full liability for failure of construction to comply with approved documents.

Contractors are responsible for the actions of their employees while in the Hawthorne Glenn, Phase Two Community. Harassment of residents and visitors is strictly forbidden. All employees must wear shoes and shirts when away from job site.

Construction access will be allowed only between 6:00 am and 7:00 pm Monday through Friday and 8:00 am and 5:00 pm on Saturdays.

The contractor must provide toilet facilities for the workers on the job site in a discreet location. Contractors must be licensed in the State of Alabama and permits must be posted and protected from the weather. Tool and equipment sheds must be approved.

Dumpsters are required during construction. The construction site shall be kept as neat as possible and be cleaned up at the end of each day to prevent the build up of debris.

Radios, tape-players and similar equipment will not be allowed on the job site or anything which creates possible noise nuisance for adjacent homeowners. The use of intoxicants and drugs is strictly prohibited. Anyone found in violation of same may be ejected from the premises.

Any contractor found to be in obvious nonconformance of these regulations may be denied access and work may be suspended.

The Developer specifically reserves the right to periodically issue such rules and regulations as it deems appropriate.

**Note:** All contractors shall comply with all applicable rules and regulations.

**ARCHITECTURAL REVIEW BOARD** - The Architectural Review Board is the point of contact for the property owner who plans to build. It has been established to provide for standard review and promotion of quality design in keeping with the special qualities and conditions of Hawthorne Glenn, Phase Two.

All property owners are bound by the General Covenants. These provide for the preservation of the natural beauty of the property and its setting, maintenance of a pleasant and desirable environment, and establishment and preservation of a harmonious design for the community.

The Covenants provide that no building, fence, swimming pool, garage, paving materials of any nature or addition shall be erected, placed, or altered until the proposed plans, specifications, exterior color and finish, lot plan, building height, landscape plan and construction schedule shall have been approved in writing by the Architectural Review Board.

**TIME AND SCHEDULE** - The review outlined in the "Approval Process Checklist" (see Section Two) is basically an eight step procedure. It provides for preliminary approval and is followed by a full plan which must incorporate the provisions of the Design Guidelines.

**APPLICATION FORMAT** - Each submission must be accompanied by the required information outlined in the "Approval Process Checklist" in order to be scheduled for review. The property owner and architect or designer may attend the Board meetings to explain the submission.

**APPLICATION FEE** - In order to defray the expense of reviewing plans and related data, and to compensate consulting architects, landscape designers, and other professionals, the Covenants establish a fee of Three Hundred and no/100 Dollars (\$300.00) for each submission. The fee is payable at step 6 of the "Approval Process Checklist," (this fee may be increased one time during any year).

**EFFECT OF APPROVAL** - Final approval from the Board shall be dated and in writing. It shall be effective for commencement of construction for nine (9) months after the approval. If construction is not commenced within nine (9) months of approval, a new submission for final approval is required, with an additional submission fee. In the event that approval of such plans is neither granted nor denied within sixty (60) days following receipt by the Architectural Review Board, said request shall be deemed approved without further action of the Board.

**REASONS FOR DISAPPROVAL** - Plans submitted for review, or any portion thereof, may be disapproved upon any grounds which are consistent with the objectives of the General Covenants and/or the Design Guidelines, including purely aesthetic considerations so long as such grounds are not arbitrary or capricious.

**FUTURE IMPROVEMENT REVIEW** - No modifications of any existing building or landscape improvements may be undertaken without prior review and written approval of the Architectural Review Board. A request for review of the proposed improvements or modifications must contain:

- 1) Site plan of proposed location of improvements drawn to scale.
- 2) Letter of Intent including description and purpose of improvements.
- 3) Material and color samples (preferably to match existing materials).
- 4) Name and address of adjacent property owners.

**MINOR CHANGES** - Minor changes of elevations can be approved at the site by an Architectural Review Board representative. Distinction between minor and major changes will be determined by the Board representative.

**DAMAGE RECONSTRUCTION** - If a building, either under construction or completed, is damaged so that major reconstruction is required, intention for rebuilding should be communicated within ninety (90) days to the Architectural Review Board.

**U.S. ARMY CORPS OF ENGINEERS** - The Corps of Engineers, in conjunction with State agencies, controls all construction within the waterways, lakes, marshes, swamps and conservation areas, and approves all building permits in these areas.

**CITY OF FAIRHOPE BUILDING INSPECTION DEPARTMENT** - This department issues permits for all structures including single family homes. Additionally, this department assigns the minimum building floor elevation based on the flood insurance rate maps for each individual house. This department must also do periodic inspections during construction to see that the minimum building code standards are being met. A final inspection is made upon the completion of construction of a lot owner's house. A Certificate of Occupancy is required from this department prior to occupying the house.

**RESTRICTIVE COVENANTS** - These are recorded covenants and restrictions which apply specifically to the development of Hawthorne Glenn, Phase Two and which are designed to protect every property owner. They have been drafted to ensure the highest quality of life by establishing specified development standards for which each lot owner is legally responsible. This property is also subject to the covenants and restrictions of Hawthorne Glenn, Phase Two.

**PROPERTY OWNERS ASSOCIATIONS** - Each property owner is a member of Hawthorne Glenn, Phase Two Property Owners Association, Inc. and is subject to all rules, regulations, and assessments of the Association.

**ALL APPROVALS FROM THE ARCHITECTURAL REVIEW BOARD SHALL BE IN WRITING.**

**Hawthorne Glenn, Phase Two  
A Residential Community**

**Architectural Review**

to assure quality control;  
to provide for the community's organized development;  
and to maintain environmental safeguards.

**PRELIMINARY ARCHITECTURAL REVIEW**

1. Preliminary Sample Board:

(due prior to completion of framing)

- |     |  |              |
|-----|--|--------------|
| (a) | Provided sample of proposed exterior material? | Y_____N_____ |
| (b) | Provided sample of roof material?              | Y_____N_____ |
| (c) | Provided sample of exterior paint/stain?       | Y_____N_____ |
| (d) | Provided sample of exterior trim color?        | Y_____N_____ |
| (e) | Provided sample of door color?                 | Y_____N_____ |
| (f) | Provided sample of window color?               | Y_____N_____ |

2. Schematic drawings: SITE PLAN

(due prior to starting framing)

- |     |   |              |
|-----|---|--------------|
| (a) | Lot number?   | Y_____N_____ |
| (b) | North arrow?  | Y_____N_____ |
| (c) | Property lines with dimensions and bearings?  | Y_____N_____ |
| (d) | Dwelling indicated as exterior walls with entry area and stairs delineated and roof and deck lines shown and noted? | Y_____N_____ |
| (e) | Exterior walks, decks, etc., dimensioned?   | Y_____N_____ |
| (f) | Setback limits shown?   | Y_____N_____ |
| (g) | Building accurately located from property lines?  | Y_____N_____ |
| (h) | Drives and walks shown?   | Y_____N_____ |
| (i) | Garage, patios, decks, pools, etc., indicated?  | Y_____N_____ |

3. Schematic Drawings: FLOOR PLANS

- |     |   |              |
|-----|---|--------------|
| (a) | Minimum 1/8" = 1'-0" scale?   | Y_____N_____ |
| (b) | Room use labeled?   | Y_____N_____ |
| (c) | All walls shown?  | Y_____N_____ |
| (d) | All windows and doors with swings shown?                                    | Y_____N_____ |
| (e) | All overhangs of floors and roofs above shown as dashed lines?              | Y_____N_____ |
| (f) | Ground level plan indicates foundations, enclosures, and driveway location? | Y_____N_____ |

4. Schematic Design: ELEVATIONS

- |     |                             |              |
|-----|-----------------------------|--------------|
| (a) | Minimum scale 1/8" = 1'-0"? | Y_____N_____ |
|-----|-----------------------------|--------------|

5. General Requirements

(a) Corners of house staked on the lot in the proposed locations?

Y\_\_\_\_N\_\_\_\_

6. General Comments

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**STATUS**

Approved\_\_\_\_ Not Approved\_\_\_\_ Approved As Corrected\_\_\_\_  
Revise And Resubmit\_\_\_\_

**CHECKING IS ONLY FOR COMPLIANCE WITH THE REQUIREMENTS OF THE  
ARCHITECTURAL DESIGN REVIEW BOARD OF HAWTHORNE GLENN, PHASE TWO,  
FAIRHOPE, ALABAMA.**

BY: \_\_\_\_\_ DATE: \_\_\_\_\_

**Hawthorne Glenn, Phase Two  
A Residential Community**

**Architectural Review**

to assure quality control;  
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and to maintain environmental safeguards.

**FINAL ARCHITECTURAL REVIEW**

1. Submittals:

- (a) Submit two (2) copies of construction documents and specifications for final review. The documents should verify that the preliminary design and recommendations by the Board have been followed and conform to the restrictive covenants.
- (b) Submit any changes made to the Preliminary Sample Board.

2. Final Drawings:

- |   |            |            |
|---|------------|------------|
| A. Site Plan.   | Presented? | Y____N____ |
| (a) Walks and drives located, dimensions and materials indicated?                                 |            | Y____N____ |
| B. Planting Plan.<br>(due prior to completion of framing)   | Presented? | Y____N____ |
| (a) Drawn @ 1" = 20'-0" scale?  |            | Y____N____ |
| (b) Variety, size, location and number of all plant materials shown?                              |            | Y____N____ |
| (c) Types and limits of seeded areas shown?   |            | Y____N____ |
| (d) Plant list with botanical name, quantity, common name, size, and special specifications done? |            | Y____N____ |
| C. Foundation plan  | Presented? | Y____N____ |
| (a) Drawn @ 1/4" = 1'-0" scale?   |            | Y____N____ |
| (b) Footing details done?   |            | Y____N____ |
| (c) Framing system noted?   |            | Y____N____ |
| D. Floor Plan(s)  | Presented? | Y____N____ |
| (a) Drawn @ 1/4" = 1'-0" scale?   |            | Y____N____ |
| (b) Thoroughly dimensioned?   |            | Y____N____ |
| (c) Wall, window, and door (w/swing) shown?   |            | Y____N____ |
| E. Exterior Elevations  | Presented? | Y____N____ |
| (a) Drawn @ 1/8" = 1'-0" scale?   |            | Y____N____ |

F. Additional Plans	Presented?	Y____N____
(a) Are proposed fences presented?		Y____N____
(b) Are proposed detached buildings presented?		Y____N____
(c) Are swimming pools presented?		Y____N____
(d) Drives are a minimum of nine (9') feet wide?		Y____N____
(e) Paving materials are consistent with or complement the architecture of the house?		Y____N____
(f) There are no tennis courts proposed.		Y____N____

3. General Comments

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FAIRHOPE, ALABAMA.**

BY: \_\_\_\_\_ DATE: \_\_\_\_\_