



Architectural Standards

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ARTICLE I

LEGAL RESTRICTIONS OF PROPERTY IMPROVEMENTS

Any house, addition, accessory building, deck, patio or other constructed site improvement in Salt Pond is affected by certain legal restrictions of the state, county, and the Salt Pond Community.

Every builder and homeowner should be aware of these restrictions and their responsibility for compliance with them. It is not the responsibility of the Developer, the Community Association, or the Salt Pond Architectural Board (AB) to provide any guarantees or waive any legal requirements for compliance with any state or county law, or with the Covenants or these Standards.

These restrictions apply to single-family lots only. Any multi-family developments within Salt Pond will be reviewed by the AB to determine approval subject to the general scheme of development as set forth herein.

ZONING CODE – SUSSEX COUNTY

All improvements to property in Sussex County, Delaware must conform to the zoning code with respect to their intended use, building setback requirements, floor area and building height.

These requirements vary by zoning district. The zoning for Salt Pond is MR-RPC.

While the AB can often answer questions about the zoning requirements in Salt Pond, they are not legally responsible for interpretation or enforcement of the zoning laws. Specific zoning questions should be addressed directly to the Sussex County Planning and Zoning Department.

All applications for building permits are referred to the planning department for zoning review prior to issuance of the building permit.

BUILDING CODE – SUSSEX COUNTY

All structures are subject to regulations of the Sussex County Building Code for safety. This includes all houses, garages, sheds, additions, porches, decks retaining walls and swimming pools.

Interpretation enforcement and review of structures occurs at the local government level – Sussex County's Building Department.

The AB can answer general questions about building code requirements. However, they do not make legal interpretations of the code. Contact the building department directly with specific questions.

The law requires that a building permit be obtained from the County for construction of any structure. AB approval should be obtained prior to filing for a building permit such that any required design changes may be incorporated into the permit documents.

DECLARATION OF COVENANTS AND RESTRICTIONS – SALT POND

This document, which will be referred to as “The Covenants” is a legal agreement between all property owners in Salt Pond, which provides for a community association and gives that Association certain powers.

It also, by agreement, establishes restrictions on the use and development of all property in Salt Pond to protect the character and environmental quality of the community for the benefit of the members.

One essential component of this agreement is the establishment of Architectural Control. This provision is made and described in the General Covenants.

The Salt Pond Architectural Board is charged with the responsibility of interpreting the intent of the covenants to promote, preserve, and protect the design and environmental qualities of Salt Pond. For this purpose, the AB has initiated these Standards.

THE SALT POND STANDARDS

These Standard are a written composite summary of the Salt Pond Architectural Board’s policies related to architecture, materials and finishes, siting, landscaping and site improvements for all residential properties in Salt Pond.

Design Standards differ from Covenants in that they establish more specific requirements as determined to be appropriate by the Salt Pond Architectural Board. Changes may be recommended by the AB and adopted by the Board of Directors. Design Standards are authorized by the Covenants and, as such, are legally enforceable restrictions.

ARTICLE II

THE SALT POND ARCHITECTURAL BOARD

POLICIES AND PROCESS

REVIEW MEETINGS

The Architectural Board (AB) meets at least one in every month that applications are presented for review. Contact the Sales Office for meeting times and dates.

At that time the Board reviews all requests submitted on the appropriate application forms together with their supporting drawings and information. Application forms are available at the Sales Office. The AB has authority to retain an architect to review applications and to set reasonable fees to be paid by the applicant to cover the costs of review.

REVIEW BASIS

The Board bases its review of each application on its interpretation of the Covenants and these Standards only.

Due to time constraints, AB review of all applications occurs without personal presentations by the applicants; therefore it is incumbent upon the applicant to provide sufficient and accurate information to the Board for proper consideration. If, in the

applicant's opinion, extenuating circumstances exist which would require a variance from stated guidelines, this information should be presented with the application.

APPEALS

Should an application be denied on the basis of the Covenants or Standards, and the applicant feels that there are extenuating circumstances that should qualify them for an exception from these requirements, they may contact the Chairman of the AB by calling the Sales Office, to discuss it. If the Chairman agrees that a second review is in order, he will place the application back on the agenda for the next meeting.

If the applicant feels that he or she has been unfairly denied approval by the AB, an appeal may be filed with the Developer/Board of Directors by contacting the Sales Office.

PREPARATION OF DRAWINGS

For consideration by the AB, drawings must be neat, accurate, drawn to scale, and with sufficient detail to adequately explain the entire design. Insufficient explanation of a design including all visible details is cause for rejection of an application.

New home and home improvements applications require site plans (showing the location of the structure or addition with dimensions to property lines), floor plans, elevations, and a description of the exterior materials including color samples. For additions, plans and elevations should show both the existing structure and the new construction.

ARTICLE III

GENERAL DESIGN GUIDELINES

This section of the Standards will illustrate general design principals considered by the AB in reviewing the siting of structures, landscape and site improvements and architecture. These apply to new construction and additions and to all residential lots in Salt Pond.

These guidelines are broken down into the following parts:

- PART 1: Site Development – Siting of Structures
- PART 2: Site Development – Landscape
- PART 3: Architectural Guidelines
- PART 4: Architectural Guidelines – General
- PART 5: Architectural Guidelines – Materials
- PART 6: Architectural Guidelines – Color
- PART 7: Additions and Accessory Buildings
- PART 8: Fence Guidelines
- PART 9: Play Equipment

Specific requirement may be added from time to time by addendum to these standards. Contact the Sales Office for information.

Part 1 – Site Development – Siting of Structures

In its initial plan review, the AB looks at the proposed siting of a structure as indicated on a site plan provided by the applicant. This site plan is developed from a property survey and site drawing called a plat.

The proper location of a structure on a site is dependant on satisfying several criteria. The applicable items below should be addressed on a site plan submittal.

- (1) Verify zoning setback requirements. (Show distance from property lines.
- (2) Verify minimum allowable floor area for small houses and maximum site coverage for larger houses – especially single story houses. The AB may reject a house for visually crowding a site. (Indicate finished floor area on submittal.)
- (3) If application is for an accessory structure, show distance from the house and any other existing structures on the lot.
- (4) Locate structure to avoid low areas and drainage ways on site. Provide positive drainage away from house foundation.
- (5) Limit clearing of trees as required by these standards.
- (6) Consider location of any mature trees, and locate structures, driveways, etc. to preserve these where possible.
- (7) Siting of a house should maintain reasonable levels of privacy for neighbors. Houses should not face the center of cul-de-sac.
- (8) Houses around a cul-de-sac shall face the center of the cul-de-sac.
- (9) Sheds, fences, air handling units, etc. should not be located or designed to create a visual nuisance for neighbors. Structures should be located away from major sight lines of neighboring houses.
- (10) For fences, review fence guidelines for restrictions on siting of fences.

PART 2 – SITE DEVELOPMENT – LANDSCAPE AND PAVEMENT

The Salt Pond Architectural Board does not review normal landscaping decisions such as adding plants, planting grass, ground cover, or pruning and grubbing of existing plant material.

Major landscaping decisions that affect the character of the lot and thus the community, must be approved by the AB.

PAVEMENTS

- (1) All new houses shall be provided with a single driveway and a walkway to the front door.
- (2) Driveways shall be constructed of brown crusher run stone, asphalt paving, exposed aggregate concrete paving, interlocking concrete pavers or patterned concrete in a similar design, or brick pavers. Stone driveways must be edged with 6x6 or larger landscape timbers.
- (3) Request for circular driveways must be approved by the AB.
- (4) Paved patios, courtyards, etc., must be approved by the AB.

LANDSCAPING

- (1) General clearing of trees and plants for construction of structures, driveways, walks or lawns must be approved by the AB. General clearing for structures shall be limited to 10' from the structure.
- (2) Exercise care to minimize disruption of the soil around mature trees near to the clearing lines to protect roots.
- (3) Beyond the clearing limits, removal of any healthy trees whose trunks are larger than 6" diameter (measured 2' above ground) must be approved by the AB. Dead and diseased trees may, and should be removed during the clearing process.
- (4) In general, trees shall be maintained at lot perimeters to provide individual settings for houses.
- (5) Low ground level growth around trees should be cleared or thinned, preserving specimen plants or trees, or young second growth trees only.
- (6) Acceptable final ground covers include grass, mulch, maintained natural forest floor (cleared of scrub growth), or maintained ground cover plants. All yards, including natural areas should be maintained free of wild scrub growth including weeds, vines, and tree sprouts.
- (7) AB approval must be obtained for any earthwork to create changes in topography, site drainage, or creation of ponds, pools, or other water features.

LANDSCAPE ACCESSORIES

- (1) Landscape accessories including gazebos, firewood sheds, hot houses, arbors, trellises, benches, fountains, flagpoles, permanent barbecues, decorative objects, etc. must be approved by the AB as to design and location.
- (2) Fences, walls, play equipment, and accessory structures are regulated under other sections of these Standards.

PART 3 – ARCHITECTURAL GUIDELINES

The purpose of this section is to provide some general ground rules for good design. One of the primary purposes of the AB is to promote good design. This, in turn, enhances and preserves property values.

Far from being arbitrary, or a matter of personal taste, good residential design is the result of applying some basic rules. Provided here are four basic principles that should guide successful house design in Salt Pond.

- (1) **CONTEXTUALISM** – The house style should be comfortable with the styles, materials, colors, and sizes of houses in the neighborhood.
- (2) **MASSING** – A house is a block of space. Massing breaks that block into parts which are more comfortable to the human scale of good proportions, and of interesting complimentary shapes.
- (3) **OPENINGS AND LIGHT** – Houses need openings for access, light, air, and view. In addition to providing light and access, doors and windows provide a psychological

sense of openness that imparts a feeling of livability and friendliness to a house. Skimping on openings saves a few dollars initially but exacts a high price in desirability of the house from then on.

- (4) **ARCHITECTURAL VOCABULARY** – Every building has an architectural vocabulary. It consists of the materials, colors, and types of elements that make it up, including styles of windows, doors, chimneys, shutters, eaves, rake boards, trim, moldings, handrails, louvers, etc. A successful house has a limited vocabulary of complimentary elements used consistently throughout the design. A large vocabulary of inconsistent elements is cause for rejection of the design by the AB.

PART 4 – ARCHITECTURAL GUIDELINES – GENERAL

Below is a list of standard architectural requirements applicable to all houses in Salt Pond.

- (1) All houses in Salt Pond shall have a minimum finished floor area of 1,200 square feet for single story and 1,600 square feet for 2 story houses. The following areas cannot be used to help meet that requirement: garages, basements, open or screened porches, terraces, decks, attics or attached storage sheds.
- (2) All exposed portions of a house above the foundation shall be of finished materials, painted, stained, or pre-finished as appropriate.
- (3) Unfinished salt treated materials shall not be used for front porches, railings or steps. Front steps shall have closed risers.
- (4) Minimum roof pitch on main roof of colonial and transitional houses shall be 8 in 12. Minimum roof pitch on main roof of contemporary houses shall be 6 in 12. The AB may require a steeper pitch on any roof for aesthetic reasons. No secondary roof may be less than 3 in 12.
- (5) Exterior post lamps, low intensity landscape lights, and floodlights mounted on the house are permitted. High intensity pole or building mounted area lights are not permitted except at the discretion of the AB.
- (6) Required screening of heat pumps, trash containers, and other objects as required by the Covenants, may be by finished or unfinished (salt-treated) board fence enclosures, or lattice enclosures, properly supported, level and plumb. Objects shall be screened on all sides and allowance for one 3' wide opening, not visible from the street. Spaces between vertical boards shall be 2" max. The height of the screening enclosure shall be at least as high as the object screened.
- (7) All roofs shall be finished with cedar shingles or shakes, slate, approved imitation slate, architectural grade asphalt/fiberglass shingle or metal (standing seam).

PART 5 – ARCHITECTURAL GUIDELINES – MATERIALS

Below is a list of acceptable exterior finish materials, with a brief description of each, for use on houses in Salt Pond. Any material desired for use that is not listed below, and not expressly prohibited by this section shall be submitted to the Salt Pond Architectural Board for approval prior to approval of house plans.

Prohibited materials include aluminum siding, rough sawn pine siding, metal panel siding, imitation brick or stone, and asphalt roll roofing. The AB may add to this list from time to time. Contact the Sales Office for additions to this list.

- (1) Brick: Any natural brick, generally in the red to brown color range, unpainted, used consistently at all visible portions of the foundation. All brick houses are permitted. Houses with portions in brick are permitted contingent on approval of use in the design by AB.
- (2) Stone: Any natural stone, cut or uncut with the same restrictions as for brick. The AB must approve the stone selection.
- (3) Rough-Sawn Lap Siding: Rough textured natural board horizontal siding. Cedar is most commonly used, however, redwood is also accepted. Pine siding is not acceptable. Portions of the facade may contain vertical or diagonal siding upon approval of the AB.
- (4) Smooth Lap Siding: Smooth surface board siding of either standard lap design, shiplap, or beaded lap design.
- (5) Cedar Roof: Cedar roofs are available as either hand split cedar shakes (very rough texture) or machine cut cedar shingles. These are unfinished but can be treated with a fire retardant chemical, or a preservative.
- (6) Slate Roof: Any natural, unfading, commercially produced slate roofing.
- (7) Imitation Slate Roof: Fibre cement roofing tiles manufactured to look like slate. Acceptable only on condition of review and approval of actual sample by AB.
- (8) Concrete Shingle Roof: Concrete roofing shingles with an appearance similar to Cedar Shake. Acceptable only on condition of review and approval of actual sample by AB.
- (9) Stucco: Exterior textured cement plaster finish. Acceptable contingent upon approval of use in design by AB.
- (10) Imitation Stucco: (Also known generically as “Exterior Insulation Finish System”.) A composition material placed over insulation board with a finished appearance of stucco. Acceptable contingent upon approval of use by AB.
- (11) Metal Roof: Any pre-finished standing seam metal roof-galvanized steel, aluminum, or copper upon acceptance of design concept by AB.
- (12) Textured 1-11 Siding or similar siding.

PART 6 – ARCHITECTURAL GUIDELINES – COLOR

All finish applied to new houses and all pre-finished exterior material applied to new houses must be approved by the AB. Any change in colors on existing houses must be approved by the AB.

Refinishing in the same colors does not require approval.

It is not the policy of the AB to dictate colors, not to establish a list of acceptable colors. Review shall be based on the guidelines listed below.

- (1) Rough-sawn siding shall be finished with either an oil based or latex solid color stain. Semi-transparent stains or clear finished shall not be permitted. Unfinished siding is prohibited.

- (2) Smooth wood siding shall be finished with oil or latex based exterior house paint.
- (3) Vinyl siding, if approved by the AB, shall be prefinished with an integral color, as approved, and shall not be painted.
- (4) Colors of houses shall not match or be very similar (in the opinion of the AB) to colors of adjacent houses or houses directly across the street.
- (5) In general, colors should be muted. Colors overly rich in hue are too strong to use in large areas. Most paint manufacturers have "traditional" or "Williamsburg" color charts and charts of "natural" or "earth tone" colors. Selection should be made from these charts.
- (6) Finish colors should complement the roof and foundation colors, as well as each other.
- (7) Metal roof colors shall be submitted at the same time as house colors. Provide a sample or color chip for approval.
- (8) Accessory buildings must be finished in the same colors as the house.

PART 7 – ADDITIONS AND ACCESSORY BUILDINGS

To insure consistency in the design of the house and minimize visual disruption of the neighborhood, additions and accessory buildings must match the design characteristics of the house. Specifically:

- (1) The architectural style shall match the style of the house.
- (2) The massing of the addition shall be similar in the use of shapes to that of the house, but proportionately smaller so as not to overpower the house.
- (3) Roof styles and slopes shall be similar, ie: gable roof shed with gable roof house, etc.
- (4) Openings shall not be required in accessory buildings other than doors.
- (5) Openings shall be required in additions, including windows and doors, in a similar fashion and extent (min.) as in the original house.
- (6) Windows and doors in additions shall be matching material as those in the house. In general windows and doors should match the style of those in the existing house. Exceptions may be granted at the discretion of the AB for sunrooms or other specially glazed areas.
- (7) Windows and doors in accessory buildings shall be similar in style to those in the house.
- (8) Architectural elements such as corner and rake boards, soffits, eaves, window and door trim and shutters shall match the style of the same elements on the house.
- (9) All exterior finish materials and colors shall match the house. Matching colors on dissimilar materials is not acceptable.
- (10) The space beneath any structure constructed on piers (including decks) higher than 2' above grade but less than one story above grade shall be enclosed with lattice or other screening material, or screened with shrubs.
- (11) Decks constructed at or below the first floor level of a house may be constructed entirely of unfinished treated lumber. Decks or balconies constructed above the first floor level shall be finished to the house except for deck flooring which may be unfinished.

- (12) Covered decks, open porches, stoops and screened porches shall be constructed of finished materials to match the house, except for deck flooring.
- (13) Greenhouse additions shall be constructed of finished wood framing or of a pre-finished metal consistent with the house exterior color scheme.
- (14) Awnings or other sunscreen devices must be consistent with the architectural character of the house.

PART 8 – FENCE GUIDELINES

There are, for the purposes of this article, primarily two kinds of fences.

The first, and most common type is the informal landscape fence. This is relatively unobtrusive in appearance, utilizing natural, unfinished wood, and designed to run long distances with the contours of the land. Approved types for Salt Pond include split rail and turned rail fences, and board rail fences.

The second kind of fence is a formal or architectural fence. Appropriate architectural fences include solid board and board-on-board fences, picket fences and lattice fences.

The purpose of these guidelines is to promote the appropriate use of each type of fence. The AB judges the acceptability of a fence request on the basis of these guidelines.

- (1) Chain link fences, barbed wire fences, fences with metal posts, stockade fences and post and wire fences are prohibited.
- (2) Except as otherwise provided in these guidelines, fences shall be permitted in rear yards only.
- (3) Landscape fences, as defined in this article, may be permitted to follow side and rear property lines, but must be constructed on the applicant's side of the line.
- (4) Architectural fences, as defined in this article, shall be considered design extensions of the house and shall be limited to an area directly behind the house, enclosing a rectangular area, and extending no closer than 15' to any property line.
- (5) The fence style shall be appropriate to the house style.
- (6) The AB may require screening shrubbery or trees along the outside of architectural fences, or in front of any fence where noticeably visible (in the opinion of the AB) from the street or neighboring properties.
- (7) Landscape fences are limited to 48" in height from the ground to the top rail.
- (8) Picket fences are limited to 42" in height from the ground to top of picket.
- (9) Privacy fences are limited to 84" to the top of the fence.
- (10) Discontinuous or short sections of fence used solely as an element of a landscape design, may be permitted in front yards at the discretion of the AB.

PART 9 – PLAY EQUIPMENT

Play structures and equipment are not buildings, fences or landscape elements, consequently they do not fall under a typical set of architectural control requirements.

They are often highly visible, however, and depending on their design and application, they may defeat many of the aesthetic and environmental goals that the community has sought to achieve.

The following items are considered play equipment for the purposes of this article:

- Swing Sets
- Sliding Boards
- Jungle Gym – Climbing Structures
- Skate Board Ramps, Structures
- Forts
- Tree Houses
- Play Houses
- Basketball Backboards
- Dog Houses
- Above Ground Swimming Pools
- Trampolines

POLICY

It is the policy of the AB not to require review and approval of play structures as defined by this Article.

However, play structures which are brought to the attention of the AB by a resident as being a visual nuisance will be observed and may be referred to the AB for review as an unsightly object.

The AB may require relocation and/or screening of the object from view.

PLAY STRUCTURES VS. ACCESSORY BUILDINGS

Forts, tree houses, playhouses, doghouses or other enclosed play buildings with an interior height of 6.0' or less floor-to-ceiling, and with a total floor area of less than 36 square feet shall be considered to be Play Structures. Buildings exceeding either of these limits shall be considered to be Accessory Buildings regulated under these guidelines.

PLAY EQUIPMENT GUIDELINES

- (1) Play equipment shall be located in rear yards only.
- (2) Play equipment should be finished in muted colors or in natural materials (galvanized steel, treated wood, etc.).
- (3) Play Equipment should be located away from property lines adjacent to other houses or streets and away from neighbors direct view where possible.
- (4) Home-built play equipment should be neat and orderly in appearance and finish.
- (5) Homeowners should exercise care and common courtesy in using play equipment that creates noise (i.e.: basketball backboards, skateboard ramps).
- (6) Play equipment that has fallen into disrepair or has been outgrown by children should be removed from the property.

SCREENING

If a play structure is referred to the AB as an unsightly object, the Board may require relocation or screening of the structure.

If screening is required, the standard requirement for screening will be to provide densely shaped evergreen shrubs or trees of a height when planted of at least 2/3 the height of the structure, and so place as to provide a continuous screen on the stipulated side.

Planting can be in a continuous row or staggered. A variety of shrubs/trees may be used in addition to single species solutions.

When plantings are required, it shall be the responsibility of the homeowner to submit to the Board a plan and proposed plant types for review.

Privacy fences may also be proposed by the homeowner for construction as screening.