

ARTICLE I

A. LEGAL RESTRICTIONS ON 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 and county, the Salt Pond Declaration of Covenants, Conditions and Restrictions (the Declaration) and the Salt Pond Design and Environmental Standards (the Standards) (collectively, the Restrictions).

Every builder and homeowner in Salt Pond is required to be aware of these Restrictions and their responsibility for compliance with them. It is not the responsibility of the Salt Pond Homeowners Association, Inc. (SPHA) or the Salt Pond Architectural Board to provide any guarantees or waive any legal requirements for compliance with any state or county law, or with the Declaration or these Standards.

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

These revised Standards supersede all previous written standards upon date of adoption.

B. 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 Architectural Board often can answer general 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 to legal counsel of your choice or directly to the Sussex County Planning and Zoning Department, Georgetown, DE.

All applications for building permits are referred to the Sussex County Planning and Zoning Department for zoning review prior to issuance of a building permit.

C. BUILDING CODE – SUSSEX COUNTY

All structures are subject to regulations of the Sussex County Building Code for safety. This includes, but not limited to, all houses, garages, sheds, additions, porches, decks, outside showers, retaining walls, and swimming pools.

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

While the Architectural Board often can answer general questions about Building Code requirements in Salt Pond, they are not legally responsible for interpretation or enforcement of the Building Code. Contact the Building Code Department directly with specific questions.

The law requires that a building permit be obtained from the County for construction of any structure. The Architectural Board's approval shall be obtained prior to filing for a building permit such that any required design changes may be incorporated into the permit documents. In instances where the Declaration and these Standards are more restrictive than the Sussex County Codes, these Salt Pond specific restrictions shall govern, except in cases of Federal pre-emption.

D. DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

The Declaration, which is a legal agreement between and among all property owners in Salt Pond, provides for a community association, SPHA, with certain responsibilities and powers within the Salt Pond community, and for the Salt Pond Architectural Board which has oversight over all original construction, modifications, additions, or alterations made on or to all existing improvements and the open space in Salt Pond.

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 and oversight.

The Architectural Board is charged with the responsibility of promulgating policies and interpreting the intent of the covenants, conditions, and restrictions regarding architectural matters within Salt Pond to promote, preserve, and protect the design and environmental qualities of Salt Pond. For this purpose, the Architectural Board has promulgated these Standards.

E. THE SALT POND STANDARDS

The Standards serve as the written composite of the Architectural Board's design and development guidelines and application and review procedures related to architecture, materials and finishes, siting, landscaping, and site improvements for all residential properties in Salt Pond.

The Standards differ from the covenants, conditions and restrictions in the Declaration in that they establish, as permitted by the Declaration, more specific requirements as determined to be appropriate by the Architectural Board. The Architectural Board has the sole and full authority to prepare and amend these Standards on behalf of the SPHA Board of Directors. These Standards are promulgated under the authority of the Declaration, and, as such, are legally enforceable restrictions on all properties at Salt Pond.

ARTICLE II

THE SALT POND ARCHITECTURAL BOARD

POLICIES AND PROCESS

A. REVIEW MEETINGS

The Architectural Board meets at least once in every month that applications are presented for review, but in all events, the Architectural Board is required to take action to approve or deny an application within thirty (30) of the Board's receipt of such application. Contact the Architectural Board, the Salt Pond Management Office or the SPHA Board of Directors for exact meeting times and dates.

At its meeting, the Architectural Board reviews all requests submitted on the appropriate application forms together with their supporting drawings and information. Application forms are available at the Salt Pond's Management Office, its Management Company (if any) the Architectural Board, or on the SPHA website (www.sphamembers.org). In some instances, due to the complexity or technical nature of the project, the Architectural Board may retain an architect to review such application. The Declaration allows the Architectural Board to set reasonable fees to be paid by the applicant to cover the costs of such review.

B. REVIEW BASIS

The Board bases its review of each application on its interpretation of the Declaration and these Standards only. As set forth in the Declaration, in reviewing any application and the submitted materials therewith, the Architectural Board is required to consider such things as aesthetic appearance, harmony with surrounding improvements, compliance with the Declaration, and any additional criteria contained within these Standards.

Due to time constraints, Architectural Board's 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 that would require a variance from the stated guidelines, this information should be presented with the application.

As set forth in the Declaration, approval or disapproval by the Architectural Board may be based upon any ground incorporated within these Standards, including purely aesthetic considerations, which in the sole discretion of the Architectural Board shall be sufficient.

C. FEES

Fees payable to the Salt Pond Architectural Board include:

- a. For new construction, there is a one-time construction fee, that will be held in escrow in an amount as noted in the attached fee schedule incorporated in these Standards,

payable by owners to the Architectural Board. A portion of this fee is refundable at the time that landscaping and full compliance with these Standards and the Declaration is complete. There will be a final inspection by the Architectural Board before the escrow is returned. If the property is found to be in full compliance, the escrow will be returned within 10 days. For a property not in compliance, the escrow will be held until full compliance is achieved. The amount of the escrow and other nonrefundable fees are based on the size of the project and are set by the SPHA Board of Directors from time to time and published in the fee schedule attached.

- b. New house plans submitted for approval must have a check for the appropriate fee attached at the time of submission. This fee is nonrefundable.
- c. Any renovations, additions, or exterior changes must be submitted with a plan and include a check for the appropriate fee. This fee is nonrefundable.

D. APPEALS

Should an application be denied on the basis of the Declaration or these Standards, and the applicant feels that there are extenuating circumstances that should qualify them for a variance to or an exception from these requirements, they may contact the Chairman of the Architectural Board to seek a further review based on such circumstances. If a subsequent review is deemed necessary by the Chairman, a further review will be conducted by the Architectural Board with such additional information, materials, or interviews as the Board deems necessary to fully consider the application in light of the request for a variance or exception. No variance can be given or exception made to an application that is contrary to the restrictions contained within the Declaration. The Architectural Board is required to take action to approve or deny within thirty (30) days of the Board's receipt of such appeal.

If the application is denied, and the applicant feels that he or she has been unfairly or incorrectly denied approval by the Architectural Board, an appeal may be filed with the SPHA Board of Directors. Such appeal shall be commenced by filing with the SPHA Board a written letter of objection to the decision of the Architectural Board setting forth the grounds upon which such objection is made. Nine (9) copies of all materials submitted to the Architectural Board in support of the application shall be submitted to the SPHA Board of Directors with such letter.

The SPHA Board of Directors shall review the application *de novo*, and shall consider and review the application and all other materials, information, and submissions related to such application, which the Board, in its discretion, shall so direct to be filed with the Board or submitted to the Board, based on the Board's interpretation of the Declaration and these Standards. Such consideration and review shall take place at a regular or special meeting of the Board, where there has been appropriate and timely notice under the Bylaws of SPHA that the application will be distributed to Board members and reviewed.

As with the review by the Architectural Board, in reviewing any application and the submitted materials therewith, the SPHA Board will consider such things as aesthetic appearance, harmony with surrounding improvements, compliance with the Declaration, and any

additional criteria contained within these Standards. Approval or disapproval by the SPHA Board may be based upon any ground incorporated within these Standards, including purely aesthetic considerations, which in the sole discretion of the SPHA Board shall be sufficient. The SPHA Board of Directors is required to take action to approve or deny within thirty (30) days of receipt of the appeal.

E. PREPARATION OF DRAWINGS

As set forth in the Declaration and these Standards, no building, fence, garage, swimming pool, or other structure shall be erected, placed, or altered, nor shall a building permit for such improvement be applied for on any unimproved property in Salt Pond, until two (2) complete sets of professionally drawn and prepared building plans and elevations, specifications, and site plan (showing the proposed location of such building, walks, drives, and parking areas), have been reviewed and approved in writing by the Architectural Board.

All drawings submitted to the Architectural Board 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 improvement applications require site plans (showing the location of the structure or addition with dimensions to property lines), floor plans, elevations, landscape plan and a description of the exterior materials including actual product and 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 Architectural Board 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 as follows:

- PART 1: SITE DEVELOPMENT – SITING OF STRUCTURES**
- PART 2: SITE DEVELOPMENT – LANDSCAPE AND PAVEMENT**
- 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**
- PART 10: COMPLIANCE WITH REQUIREMENTS**

Specific requirements may be added from time to time by addendum to these Standards. Contact the Salt Pond Management Office or the Architectural Board for information. Information also may be obtained on the SPHA website (www.sphamembers.org).

PART 1 - SITE DEVELOPMENT – SITING OF STRUCTURES

In its initial plan review, the Architectural Board 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 dependent 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 Architectural Board may reject a new house application for visually crowding a site. (Indicate finished floor area on submittal.)
- [3] If the 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 and adjoining properties.
- [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 side or rear of adjacent houses.
- [8] Houses around a cul-de-sac shall face the center of the cul-de-sac.
- [9] Sheds, air handling units, etc. shall not be located or designed to create a visual nuisance for neighbors. Noise producing equipment (e.g. air handling units, generators, etc.) shall also be located away from neighboring houses or shielded whenever possible to prevent objectionable noises to the neighbors. No structure, including outside showers or equipment, fireplaces, chimneys, steps, or bow windows shall be erected or placed within the areas designated as building setbacks.
- [10] For fences and golf nets, refer to fence guidelines in Part 8 for applicable restrictions.

PART 2 – SITE DEVELOPMENT – LANDSCAPE AND PAVEMENT

The 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 Architectural Board in advance. Any property that adjoins the Conservation Easement/wetlands area must comply with all SPHA, Delaware Department of Natural Resources and Environmental Control (DNREC) and Army Corps of Engineer's regulations.

A. PAVEMENTS

[1] All new houses shall include a driveway and a walkway to the front door.

[2] Driveways shall be constructed using asphalt paving, smooth concrete paving, interlocking concrete pavers or patterned concrete in a similar design, exposed aggregate concrete paving, or brick pavers. Existing, approved stone driveways must be edged with 6 x 6 or larger landscape timbers.

[3] Request for circular driveways shall be submitted to the Architectural Board for approval.

[4] Paved patios, courtyards, walks, etc. shall be submitted to the Architectural Board for approval.

B. LANDSCAPING

[1] General clearing of trees and plants for construction of structures, driveways, walks or lawns shall be approved by the by the Architectural Board. General clearing for structures shall be limited to 10 feet 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 inches diameter (measured 2 feet above ground) must be approved by the Architectural Board. Dead and diseased trees shall 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 shall 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. The use of native evergreens in landscaping is strongly encouraged. All driveways and yards, including natural areas, shall be maintained free of wild scrub growth including weeds, vines, and tree sprouts.

[7] The Architectural Board's approval shall be obtained for any earthwork that changes the topography or site drainage or creates ponds, pools, or other in-ground water features.

C. LANDSCAPE ACCESSORIES

[1] Landscape accessories including, but not limited to gazebos, firewood sheds, hot houses, arbors, trellises, benches, fountains, flagpoles, permanent barbecues, decorative objects, lamp posts, etc shall be approved by the Architectural Board for design and location. Reflectors may be used when approved by the Architectural Board. Such reflectors are limited to 12 to 15 inches in height and do not extend into the street. Short pilings with reflectors attached on critical corners may be allowed when approved by the Architectural Board.

[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 Architectural Board is to promote good design which 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. Four basic principals that should guide successful house design in Salt Pond are as follows:

[1] **CONTEXTUALISM** – The house style should be compatible 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 liveability and friendliness to a house. Skimping on openings saves a few dollars initially but exacts a high price in desirability of the house in the future.

[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, rakeboards, 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 a bssis for rejection of the design by the Architectural Board .

PART 4 – ARCHITECTURAL GUIDELINES – GENERAL

Following 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 1,600 square feet for single story and 2,000 square feet for two-story houses. Garages, basements, open or screened porches, terraces, decks, attics or attached storage sheds cannot be used to help meet that requirement.

[2] All exposed portions of the house above ground level shall be finished materials, painted, stained, parged, or prefinished 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 the main roof shall be 8 in 12. The Architectural Board may require a steeper pitch on any roof for aesthetic reasons. No secondary roof may be less than 3 in 12.

[5] Each improved lot shall have a lamp and lamp-post as approved by the Architectural Board. The approved post light is a Satco 50-796 (white acrylic cube) or 50-797 (smoked acrylic cube) that shall be installed on a post in front of the house, controlled by a photocell which allows light to come on at dusk and off at dawn. Low intensity landscape lights and floodlights mounted on the house are permitted. Floodlights, when installed, shall not interfere with the use, enjoyment, and privacy of any lot or owner in the near vicinity. High intensity pole or building mounted lights are not permitted except at the discretion of the Architectural Board .

[6] Required screening of heat pumps, trash containers, above ground gas tanks, and any other objects or equipment required by the Declaration or Standards shall be finished board fence enclosures or lattice enclosures, properly supported, level and plumb. Objects shall be screened on all sides with allowance for one 3 foot wide opening not visible from the street. Spaces between vertical boards shall be 2 inches maximum. The height of the screened 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).

[8] Satellite dishes shall be placed in an inconspicuous location as possible that will allow for maximum TV reception.

PART 5 – ARCHITECTURAL GUIDELINES – MATERIALS

Following 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 Architectural Board for approval prior to the submission of house plans for approval.

Prohibited materials include aluminum siding, rough sawn pine siding, metal panel siding, and asphalt roll roofing. The Architectural Board may add to this list from time to time. Contact the Architectural Board 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 design approval by the Architectural Board.

[2] Stone: Any natural stone, cut or uncut with the same restrictions as for brick. The Architectural Board must approve the stone selection.

[3] Rough-Sawn Lap Siding: Rough textured natural board horizontal siding. Cedar is most commonly used, but redwood also is accepted. Pine siding is not acceptable. Portions of a façade may contain vertical or diagonal siding upon approval of the Architectural Board. Smooth surface wood siding shall be either standard lap design, shiplap, or beaded lap design.

[4] Vinyl Siding: Vinyl siding shall be smooth or wood grain with a solid color throughout.

[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: Fiber cement roofing tiles manufactured to look like slate are acceptable, contingent upon review and approval of an actual sample by the Architectural Board.

[8] Concrete Roofing & Siding: Concrete roofing shingles with an appearance similar to cedar shake are acceptable, contingent upon review and approval of an actual sample by the Architectural Board.

[9] Stucco: Exterior textured cement plaster finish is acceptable contingent upon approval of the use in the design by the Architectural Board.

[10] Imitation Stucco: (Also known generically as “Exterior Insulation Finish System”.) A composition material placed over insulation board with a finished appearance of stucco is acceptable, contingent upon approval by the Architectural Board.

[11] Metal Roof: Any prefinished standing seam metal roof – galvanized steel, aluminum, or copper is acceptable, contingent upon approval of design and color by the Architectural Board.

PART 6 – ARCHITECTURAL GUIDELINES – COLOR

All finishes applied to new houses and all pre-finished exterior material applied to new houses must be approved by the Architectural Board. Any color changes on existing houses must be approved by the Architectural Board.

Refinishing in the same colors does not require approval.

It is not the policy of the Architectural Board to dictate colors nor to establish a list of acceptable colors. Review shall be based on the following guidelines.

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

[2] Smooth wood siding shall be finished with oil or latex based exterior house paint.

[3] Vinyl siding 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 Architectural Board) 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, such as used on doors and shutters, should complement the roof and siding 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 not to overpower the house.

[3] Roof styles and slopes shall be similar, i.e., gable roof shed with gable roof house, etc.

[4] Openings may be required in accessory buildings, other than doors, if determined by the Architectural Board.

[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 in materials and style that match those in the existing house. Exceptions may be granted at the discretion of the Architectural Board 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 be of the same style as 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 1 foot above grade but less than one story above grade shall be enclosed with lattice or other screening material.

[11] Decks or balconies constructed above or below the first floor level shall be finished and coordinated with the appearance of the house, except for the deck flooring and joists, 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 prefinished metal consistent with the house exterior color scheme.

[14] Awnings or other sun screen devices must be consistent with the architectural character of the house.

PART 8 – FENCE GUIDELINES

For the purpose of this section, there are 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.

All fences, either landscape or architectural, must be submitted to the Architectural Board for review and approval. The purpose of these guidelines is to promote the appropriate use of each type of fence. The Architectural Board 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 the rear and side yard property lines until they intersect with the rear house corners, and 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 feet to any property line.

[5] The fence style shall be appropriate to the house style.

[6] The Architectural Board 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 Architectural Board) from the street or neighboring properties.

[7] All fences, landscape or architectural, shall be limited to 42 inches in height from the ground to the top of the top rail or picket.

[8] Discontinuous or short sections of fence used solely as an element of a landscape design may be permitted in front yards upon the approval of the Architectural Board. A landscape plan showing the location and length of the fence shall be submitted to the Architectural Board for approval.

[9] Golf ball protection nets shall be submitted to the Architectural Board for review and approval.

PART 9 – PLAY EQUIPMENT

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

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

Play equipment includes, but is not limited to, swing sets, sliding boards, jungle gyms – climbing ramps, play structures, forts, tree houses, play houses, basketball backboards, dog houses, and trampolines.

A. POLICY

Proposed play structures and equipment shall be submitted to the Architectural Board for review and approval or disapproval prior to purchasing and/or installing. Equipment and play structures approved and installed, but subsequently brought to the attention of the Architectural Board by a resident as being a visual nuisance, will be observed and reviewed and may require relocation and/or screening of the object from view.

B. PLAY STRUCTURES VS. ACCESSORY BUILDINGS

Forts, treehouses, playhouses, doghouses, or other enclosed play buildings with an interior height of 6.0 feet or less floor-to-ceiling, and with a total floor area of less than 9 square feet shall be considered to be play structures. Building exceeding either of these limits shall be considered to be accessory buildings regulated under Part 7 of these guidelines.

C. PLAY EQUIPMENT REQUIREMENTS

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

D. SCREENING

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

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

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 Architectural Board a plan and proposed plant types for review.

PART 10 – COMPLIANCE WITH REQUIREMENTS

As of the effective date of these requirements, architectural property components not presently in compliance shall be regulated in the following manners:

[1] Property components in place on the effective date and requiring regular maintenance shall be brought into compliance with the revised requirements at the time of the next maintenance or replacement. These include, but are not limited to: painting doors and shutters, fence replacement, accessory building placement, play equipment, etc.

[2] Property components not in compliance and not in place, but listed in this document, shall be installed within one year of the effective date of these requirements. These include, but are not limited to, noise screens, visual screens, latticework, etc.

[3] Property components considered a structural part of the home shall not be required to comply with the revised requirement if already in place on the effective date. These include, but are not limited to, roof pitch, location of doors and windows, roofing and siding materials, additions, etc.

[4] Structures, including outside showers and HVAC equipment in place on the effective date are permitted to remain. Similar new structures erected after the effective date must comply with these Standards.

[5] Unfinished first floor deck railings in place on the effective date are permitted to remain. First floor railings constructed after the effective date must comply with the requirements.

[6] Property owners in noncompliance with these revised architectural Standards, after written notice of noncompliance and a reasonable opportunity to comply, may be subject to fines and other penalties as permitted by these Standards and the Declaration.

[7] Any property being resold or transferred must have any deficiencies such as, but not limited to, missing lattice work, missing AC covers, unpainted railings, etc., repaired in compliance with these Standards and the Declaration or be brought into compliance prior to the transfer of ownership.

Questions regarding these revised Architectural Standards should be addressed to the Architectural Board, the SPHA Board of Directors, the Salt Pond Management Office. Names of the members of the Architectural Board and the SPHA Board are posted in the community center mailroom, and also can be found in Salt Pond newsletters and on the SPHA website (www.sphamembers.com).

ADOPTED this 21st day of November 2008, by the Salt Pond Architectural Board.

By: _____
Chairman

APPROVED this 21st day of November 2008, by the Board of Directors of The Salt Pond Homeowners Association, Inc.

By: _____
President