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**INDEXING INSTRUCTIONS: Chestnut Hill Subdivision, a subdivision according to the map or plat thereof on file and recorded in Plat Cabinet E, Slides 75A & 75B, Madison County, Mississippi**

**NE1/4 of Section 17, T8N, R1E, Madison County, MS**

**Chestnut Hill Homeowners Association, Inc.**  
**Architectural Review Committee**  
**Amended Design Guidelines**

Cross-References: Declaration of Covenants, Conditions and Restrictions for Chestnut Hill, beginning at Book 2241 and Page 0283 until Book 2241 and Page 0394;

the Declaration of Covenants Supplemental Covenants, Conditions and Restrictions for Chestnut Hill, beginning at Book 3242 and Page 0356 until Book 3242 and Page 0352;

the Supplement to Declaration of Covenants Conditions and Restrictions for Chestnut Hill Part 1C, beginning on Book 3253 and Page 728 until Book 3253 and Page 0732;

the Amended Declaration of Covenants, Conditions and Restrictions for Chestnut Hill, a subdivision, beginning at Book 3263 and Page 0123 until Book 3263 and Page 0160;

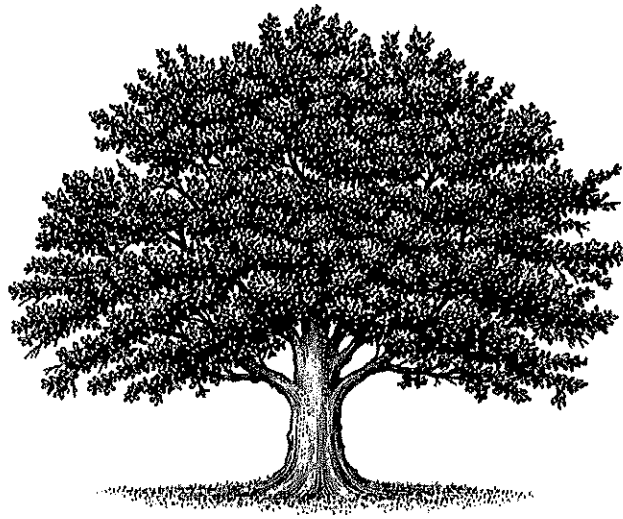
the Declaration of Covenants Supplemental Covenants, Conditions and Restrictions for Chestnut Hill Part 1D, beginning at Book 3367 and Page 0867 until Book 3367 and Page 0872 and again on Book 3390 Page 167 until Book 3390 until Page 0202;

the Amendment to Declaration of Covenants, Conditions and Restrictions for Chestnut Hill, beginning at Book 3490 and Page 0917 until Book 3490 and Page 0974;

the Emendation to Supplement to Declaration of Covenants, Conditions and Restrictions for Chestnut Hill, and Annexation of Chestnut Hill, Part 1E, Phase 2, beginning on Book 3684 and Page 502 until Book 3684 and Page 0510;

and the Amendment to Declaration of Covenants, Conditions and Restrictions for Chestnut Hill, beginning at Book 3861 and Page 0502 until Book 3861 and Page 0505;

all in the property records of the Chancery Clerk, Madison County, Mississippi.



# **Chestnut Hill**

**Chestnut Hill Homeowners Association, Inc.**

**Architectural Review Committee  
Amended Design Guidelines**

**Amendment Effective January 1, 2021**

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## **I. INTRODUCTION:**

### **A. Chestnut Hill Goals and Objectives:**

Chestnut Hill Homeowners Association, Inc. is dedicated to the protection and preservation of the natural landscape and topography within the master planned community. It is the intent of the Declarant and the Chestnut Hill Homeowners Association (the "HOA") to identify and describe various landscape elements and basic principles needed to promote the preservation of the native landscape, blend new landscape materials into the existing forest boundary, and outline planting schemes to accent new improvements.

### **B. Architectural Review Committee Statement:**

The Chestnut Hill Architectural Review Committee (herein after known as the "ARC"), a committee under the HOA, has updated, amended, and restated the following Architectural Design Guidelines (the "Design Guidelines"). These Design Guidelines are in addition to and not a substitute for all restrictions set forth in the Declaration of Covenants, Conditions, and Restrictions (the "CCR") on file in the Office of the Chancery Clerk of Madison County. The design guidelines described herein shall not take precedent over any other Design Guidelines or specifications that may not directly correlate with the CCR filed with the Madison County Chancery Clerk. Lot Owners, Builders, and/or Contractors (collectively, the "Applicant") agree to abide by these Design Guidelines as well as the rules under the CCR, and further acknowledge that the ARC reserves the right to amend these Design Guidelines at any future time as it deems necessary. All amended Design Guidelines must be approved by the Board of Directors (the "Board") for the Chestnut Hill Homeowners Association.

### **C. Intent of the Design Guidelines:**

This document is primarily a reference tool and decision-making guide for the Chestnut Hill ARC. It is the resource by which decisions will be made regarding residential design in general. The intent of these Design Guidelines is not to impose hardship, but to set and maintain a level of respect and professionalism among all builders and homeowners. The Design Guidelines are composed and established to provide Property Owners, Architects, and Contractors with a set of parameters for the preparation of their drawings, specifications, and plans. The Design Guidelines provide a definitive set of rules governing short & long-term development and maintenance of properties in the subdivision and also ensure the adherence to the Chestnut Hill design concept of traditional, high quality dwellings.

Any person owning any lot in Chestnut Hill understands and agrees to the terms and criteria set forth in the Design Guidelines and agrees to be governed thereby. The Design Guidelines will ensure compatibility and continuity with surrounding structures and topography while allowing for personal diversity within the framework of the Design Guidelines, CCR, and design concept for Chestnut Hill.

All parties should take great care in the planning, design, and construction phases to ensure aesthetic harmony within Chestnut Hill. Because of this planning, it is important that this special character not be compromised by architectural designs and site plans improperly conceived, unresolved, or poorly executed. For this reason, the ARC shall review and approve all construction, designs, and plans for:

- Consideration of site design requirements
- Sensitivity to the existing landscape features of each site

- The visual relationship & physical impact on surrounding homesites by the proposed home
- Excellence of architectural design and properly executed and detailed construction documents

By encouraging quality, attention to detail, and adherence to the requirements and recommendations of the ARC and these Design Guidelines, the aesthetic harmony, natural tranquility, and overall property values in Chestnut Hill shall be enhanced and preserved. We appreciate your commitment in making Chestnut Hill a better community.

#### **D. Disclosures**

These architectural design guidelines may be amended or supplemented from time to time. Please verify with the ARC that your copy of the Design Guidelines is the latest version prior to beginning your build process.

Chestnut Hill intends to enforce these regulations for the protection of all Property Owners. Failure to abide by these rules may result in forfeiture of deposit, stoppage of construction, liens being filed against the property and/or prosecution. Attorneys representing the ARC shall be paid from the Property Owner's damage deposit. All expenses of any litigation, arbitration, and/or mediation, including but not limited to attorney fees, which HOA and/or ARC, in their sole discretion, are required to expend in the enforcement of the Design Guidelines shall be paid from the Property Owner's damage deposit as set forth in the Design Guidelines and/or as otherwise determined by a court of law, arbitrator, or agreement between the ARC and a Property Owner. Property Owner shall be responsible for expenses which exceed the funds available from his/her damage deposit.

No statements contained herein shall be construed to invalidate, impair, or supersede any regulations, codes, or rules enacted by the state, city, county, or any other political subdivision encompassing the Chestnut Hill community.

## **II. ARCHITECTURAL REVIEW COMMITTEE - GENERAL INFORMATION**

### **A. Introduction to the Architectural Review Committee:**

The ARC is established in accordance with the CCR for Chestnut Hill and shall consist of three (3) or more individuals appointed by the Board of Directors. The ARC shall have the authority and responsibility to approve or disapprove all residence construction in Chestnut Hill.

All decisions and actions of the ARC shall require an affirmative vote of a majority of its members. The ARC will use the Design Guidelines and the CCR for the general purpose of reviewing proposed construction.

### **B. Function and Authority:**

The ARC shall have the responsibility for maintaining the general harmony of all lot construction within Chestnut Hill. The ARC shall have the authority, but not the obligation, to:

1. Architectural Review:

- a. Conduct a Preliminary Review with lot owners, builder/contractors and advise them of the Design Guidelines, as needed.
- b. Call all scheduled meetings of the ARC. The ARC meets on an as-needed basis within two (2) weeks after complete application submittals are made, acting on the concurrence of a majority of the members.
- c. Collect all submittal requirements such as applications, plans, and fees.
- d. Prepare and direct ARC meetings.
- e. Collect all ARC members' comments and/or changes and compile them into approval letters.
- f. Conduct post-meetings with the Applicant(s) to review comments and/or changes required by the ARC within thirty (30) business days (45 business days in the month of December) after the receipt of the complete application package.
- g. Sign off on plans to formally approve plans for permits.

2. Architectural Control:

- a. Conduct a site meeting with the Applicant(s) to assure all site issues pertaining to the lot are included with the submittal, if needed.
- b. Enforce all Design Guidelines promulgated by the Chestnut Hill ARC.
- c. The ARC will provide a construction status report to the Board of Directors on all new home construction and ARC reviews at the monthly Board meeting.
- d. Conduct a site meeting with the Applicant(s) for site work, home construction, and any other ARC matters.
- e. Request the Lot Owner and Builder/Contractor to halt construction if there is evidence that construction is not in accordance with the approved plans, the Design Guidelines, or the CCR. Applicant will be required to pay a \$150.00 fee for each and every extra site visit necessitated by incomplete data or noncompliance issues, payable prior to permission to proceed with construction.
- f. Should the ARC, at its sole discretion, be compelled or required to employ the services of an attorney in order to address and/or enforce any provisions or conditions and/or terms of these Design Guidelines or CCR, then the Applicant and/or Property Owner shall be responsible for the payment of all reasonable attorney fees and expenses in so doing.
- g. Once construction is back in accordance with the approved plans and fees due are received, the lot owner/Builder/Contractor may commence with the rest of construction.
- h. Conduct site meetings as needed for approval of site work, silt fences, elevations, hardscapes, and any other necessary items.



- i. Conduct a site meeting for final construction approval no longer than sixty (60) days after the Certificate of Occupancy has been filed with the county of Madison. Provide the lot owner or builder with a list of items to complete before final approval is granted.
- j. Approve damage deposit refunds to the applicant.
- k. The ARC may draw information and input from various sources, including governmental regulations, Madison County Codes and Regulations, and any other relevant source materials necessary to make informed decisions.

### **C. Enforcement**

1. The ARC will interpret the Design Guidelines and shall inform homeowners, property owners, and builders/contractors of their decision in a timely manner. Decisions made by the ARC are final, except that any decision may be appealed to the Board of Directors by any Member who is aggrieved by any action or forbearance from action by the ARC or by any policy, standard, or guideline established by the ARC, and upon written request, such Member shall be entitled to a hearing before the Board of Directors. As more expressly set forth in Section VI supra, failure to abide by these rules may result in forfeiture of deposit, stoppage of construction, liens being filed against the property, and/or prosecution.
2. Attorneys representing the ARC shall be paid from the Property Owner's damage deposit. All expenses of any litigation, arbitration, and/or mediation, including but not limited to attorney fees, which HOA and/or ARC, in their sole discretion, are required to expend in the enforcement of the Design Guidelines or CCR shall be paid from the Property Owner's damage deposit and/or as otherwise determined by a court of law, arbitrator, or agreement between the ARC and a Property Owner. The Property Owner shall be responsible for expenses which exceed the funds available from his damage deposit.
3. Property Owners must be in good standing regarding homeowner's dues and other payments required by the HOA at the time the application is submitted and must remain current throughout the building process.

### **D. Definitions**

1. For all purposes of the Design Guidelines, words and terms shall have the same meanings assigned in the Declaration of Covenants, Conditions, and Restrictions for the Chestnut Hill community, unless otherwise specified or the context requires a different construction.
2. Public view shall mean and refer to view by the general public from abutting or nearby streets, including streets other than Neighborhood streets, and to view by Members who own the abutting or nearby lots or who have a right to use abutting or a nearby Neighborhood Street or Lake or other common areas and Neighborhood facilities as determined by the Declarant, Board, or ARC. The Declarant, ARC, or Board, on a case by case basis, shall determine whether any elevation of a dwelling (or part thereof) or any part of a Lot is within public view.

## **E. Use and Approval of Design Professionals and Builders:**

### **1. Design Professionals**

- a. All building plans for new structures and additions to existing structures shall be prepared by or certified by an architect or designer whose qualifications are approved by the ARC. All grading plans shall be prepared by a qualified and licensed architect, landscape architect, or engineer. Landscape plans shall be prepared by a landscape architect or landscape designer. It is highly recommended that a team of qualified professionals be used in the preparation of plans.
- b. Only those plans designed by licensed professionals or designers whose qualifications are approved by the ARC will be accepted. The criteria used in determining the qualifications of a licensed professional or designer will be within the sole province of the ARC.

### **2. Builders**

- a. To become an approved builder in Chestnut Hill, the builder/contractor shall complete, submit, and have approved the Builder Application with appropriate attachments. The Builder Provisional Approval is based on the application with the intent of only the first project in Chestnut Hill being approved. Strictly adhering to Architectural Control shall set grounds for future projects in Chestnut Hill. Failure to comply with the Chestnut Hill ARC, these Design Guidelines, or the CCR may result in further projects being disapproved or revoked. Failure to comply with these items will result in the use of the damage deposit for any repairs, cleanup, or fines incurred pursuant to the Damage Policy.
- b. Additionally, the ARC and Board, on behalf of the HOA, may enforce any of these Design Guidelines to the extent necessary pursuant to the CCR, including a judgment against you and/or the property for the amount expended to remedy the situation and all costs incurred therewith.

## **F. ARC Review Fee and Damage Deposit Policy**

1. The Property Owner or Contractor shall place a damage deposit and ARC Review Fee with the ARC at the time of submittal for design review. This deposit (hereinafter "Damage Deposit"), as established by the ARC, is \$5,000. The ARC Review Fee, as established by the ARC, is \$1,500.
2. Payment of the damage deposit and ARC review fee shall be made with two separate checks, payable to Chestnut Hill HOA, in the amount of \$5,000 for Damage Deposit fee and \$1,500 for ARC Review fee.
3. The ARC Review Fee is used to cover the cost of professional services relating to the review and construction process: This Damage Deposit is for use, if necessary, for any clean up, repair, or fines incurred from the time of plan approval until the construction process is finished and final approval and acceptance by the ARC. In the event intervention is necessary to resolve any job site issue, i.e. noncompliance with any approved submittal, trash or mud removal, silt fence installation or maintenance, access drive conditions, litigation or the threat thereof, or other issues whether addressed under these Design

Guidelines or not, the damage deposit shall be forfeited to the extent these funds are used to resolve the issue or to pay fines.

4. In the event said Damage Deposit is reduced because of some act of, action, or failure to act, or noncompliance by Owner as stated herein, then upon demand of the ARC the Owner shall within fifteen (15) days, restore the balance to the amount set forth in this paragraph. The process of the Property Owner restoring the damage deposit amount (\$5,000) shall continue until such time as all disputed issues are fully and finally resolved and all attorney fees, site fees, and expenses of litigation and/or arbitration and/or mediation have been paid in full.
5. After completion of all work, within sixty (60) days of issuance of certificate of occupancy, the ARC will conduct an observation of the site for final approval. Any items needing attention will be listed and given to the Applicant to be addressed. If the Applicant neglects these items for an unreasonable amount of time, being sixty (60) days from the original request of final approval, the ARC will address the items and deduct the cost from the Applicant's damage deposit.
6. After a satisfactory final inspection, the damage deposit, minus any clean-up, repair, or fines, will be refunded to the original payee unless otherwise noted by a written verification. This damage deposit will only be refunded upon completion of all work, improvements and landscaping, issuance of certificate of occupancy, and upon final approval and acceptance by the ARC, provided there is no damage by the Lot Owner and/or his Contractors or agents to public and private improvements, common areas, roads, or other lots within Chestnut Hill; and all trash and debris have been disposed of on a timely basis according to these Design Guidelines.
7. The Chestnut Hill HOA Board of Directors is not obligated to intervene but can and will intervene if intervention is necessary to protect the interest of other lot owners, Declarant, or the Chestnut Hill Community.
8. The Applicant acknowledges that the ARC has the right to deposit such damage deposit in an interest bearing account as designated by the HOA. The Applicant hereby agrees that all such interest that accrues on the damage deposit shall be earned by the HOA and become the property thereof. Applicant hereby waives any rights in and to the interest so accrued.

### III. DESIGN REVIEW PROCEDURES

#### A. Review of Design Submissions:

1. The ARC has established the following procedures for review of any type of construction activity and the review of all construction documents, plans, and specifications. Prior to the commencement of any type of construction on any residential lot, an application for approval of such work must be submitted by the property owner or their respective agent to the ARC.
2. The complete application package must be received **BEFORE** any plans will be reviewed. In addition, HOA annual dues and any fees must be current at the time the application is submitted, before the application is reviewed, and throughout the building process.

3. The ARC meets on an as-needed basis within two (2) weeks after complete application submittals are made, acting on the concurrence of the majority of members. The ARC shall review the Plans and shall either approve or disapprove all or any portion of the Plans within 30 business days (45 business days in the month of December) after receipt of complete application package. Written notice of such decision shall be given to the builder and homeowner and such notice shall specify the reasons for any disapproval.
4. If, at the time of submitting the application and the presentation of various documents and materials to the ARC in support of owner's project, and such documents and materials are considered inadequate or in some respects do not meet requirements set forth herein for the proposed improvements, the Property Owner shall implement such changes, amendments, or clarifications as necessary to meet and comply with the specifications and requirements of the Design Guidelines as interpreted or recommended by the ARC.
5. If any portion of the Plans are not approved, the homeowner or builder shall amend and modify the Plans and such information to conform to the requirements of, and to cure any objections made by, the ARC. Upon completion of each amendment and modification, the Plans shall be resubmitted to the ARC for review and approval or disapproval.
6. The homeowner and builder must obtain written approval of the Plans from the ARC prior to commencement of any on-site construction, installation, clearing, grading, paving or landscaping, except to the extent the builder or homeowner may receive written permission from the ARC to engage in any or some of such activities prior to the review or approval of the Plans.
7. Final design approval shall be effective for a period of six (6) months from the final approval date; thereafter, commencement of construction shall require re-approval and deposits may be forfeited. Commencement of construction shall begin within that 6 month approval window and be completed within eighteen (18) months. The interior and exterior shall be completely finished, final grading, drainage, foundation landscaping, ground cover, driveway, and concrete apron completed within eighteen (18) months. There will be a \$100 per day fine for every day beyond agreed completion date. HOA will have the right to put a lien on the property to collect this fine.
8. Homeowners, builders, and architects must participate fully in the architectural review process. In addition to the design review procedures, the applicant for design review is encouraged to contact the ARC during the design review procedures for clarification of the Design Guidelines and design review comments and/or changes. It is the sole responsibility of the Property Owner to acquaint his or her architects, designers, advisors, and contractors with the architectural review process and the Design Guidelines, compliance with the design review process and the design guidelines being the joint and several obligations of the Property Owner and his agents and contractual participants. Compliance with all local and state governmental regulations and obtaining all necessary permits and fees shall be the obligation of the Property Owner.
9. It is important to understand that any deviation from this process may cause unnecessary delays and/or additional costs to the Property Owner, as well as revocation of building approval.
10. The ARC shall not consider applications from parties who do not own the proposed lot for which the submittal is to be reviewed.

11. Since all exterior construction projects in the subdivision require a permit, it will save both time and money if you can plan for and include on your initial application any fences, screens, retaining or privacy walls, swimming pools, irrigation systems, etc.

**B. Complete Application Package Requirements:**

1. Submit the \$5,000 Damage Deposit and the \$1,500 ARC Review Fee to cover the cost of professional services relating to the review and construction process. Additional review fees above the \$1,500 review fee may be incurred if multiple changes to plans are submitted during the initial review process or after the final approval has been given. Payment of the deposit and ARC Review Fee shall be made with two separate checks, payable to the order of "Chestnut Hill HOA".
2. Submit Damage Deposit and ARC Review Fee to an ARC specified person as posted on the Chestnut Hill website.
3. Submit the ARC Review Application documents and 3 sets of Full Plans to an ARC specified person. All plans must include lot number, as well as contact information for the homeowner and the professional who created the plans.
4. Submit PDFs of all plans (house, site, grading, & landscape) via email to [chestnuthillarc@gmail.com](mailto:chestnuthillarc@gmail.com).
5. Submit all items as requested on the Plan Submittal Checklist.

Applicant and builder must make sure each item on the checklist is shown on the plans and all requested items are submitted with the application. Each item on the checklist must be initialed as confirmation that each item is shown on the plans. Initialed checklists must be returned with the application package. Do not submit checklist unless all items are addressed on plans. Incomplete checklists and plans may result in the submittal being rejected and not reviewed.

**C. ARC Review and Approval Process:**

1. To Submit a New Construction Plan, the Applicant/Builder must submit for review all design materials, including but not limited to the following, bound together, and submitted in a properly labeled shipping tube:
  - a) Checklist for Design Review (FORM A)
  - b) Design Review Application (FORM B)
  - c) Builder Information (FORM C)
  - d) Home Specifications Color Palette (FORM D)
  - e) Builder/Contractor Verification (FORM E)
  - f) Copy of Filed Deed to the Lot
  - g) Site Plan
  - h) Grading/Drainage Plan
  - i) Landscape Plan
  - j) House Plan (includes floor plan, all elevations, & foundation plan)
  - k) Proposed Construction Schedule

- l) Check for \$1,500 made payable to Chestnut Hill Homeowners Association, Inc. for the ARC fee to review new construction plans
  - m) Check for \$5,000 made payable to Chestnut Hill Homeowners Association, Inc. for the damage deposit for new construction plans
2. Chestnut Hill ARC will conduct a site meeting to:
    - a) Review flagged location of house and driveway, etc.
    - b) Review flagged trees that will be removed 15' outside the perimeter of the house & driveway locations
  3. ARC will review submitted Plans:
    - a) ARC will give One (1) set of ARC marked plans or review notes back to builder/applicant to make corrections (if applicable). Three (3) final sets of plans printed, to be resubmitted for final approval.
    - b) If approved, the ARC will stamp with a Chestnut Hill red stamp.
  4. ARC Inspections required during Construction process – Builder/applicant to contact the ARC at the following stages. An ARC representative will perform a site inspection to confirm all work is completed per the approved plans, Design Guidelines, & CCR.
    - a) Site pad and grading – Once the Dirt work is completed and before digging footings
    - b) Framing completed
    - c) Prior to pouring any concrete for the concrete apron
    - d) Final inspection once Certificate of Occupancy is issued

**D. Review Procedure:**

1. The Applicant must inform the ARC of the Applicant's intentions to build prior to commencement of any construction activity of any type on any residential lot.
2. The builder of the property must submit the builder application (FORM B) and must be approved by the ARC. As part of the application, the builder must also submit the following:
  - a) Copy of Mississippi Builder's License
  - b) Copy of Liability Insurance (minimum of \$1,000,000 per occurrence). Chestnut Hill Homeowners Association, Chestnut Developers, LLC, and Livingston Holdings must be added as additional insureds. The additional insured certificates should be emailed to the ARC at [chestnuthillarc@gmail.com](mailto:chestnuthillarc@gmail.com).
  - c) Provide full disclosure of any litigation pending, active, or within the past 24 months
3. The ARC will provide approval/disapproval within thirty (30) business days (45 business days in the month of December) after the receipt of the complete application package. If disapproved, the Applicant should consult with the ARC on the procedure to bring the plans within the Design Guidelines and CCR.

4. The applicant/homeowner and builder/contractor must comply with all Construction Regulations and Restrictions).

#### **IV. CONSTRUCTION REGULATIONS & RESTRICTIONS**

##### **A. Notice:**

Failure to comply with any of the following regulations and restrictions will result in the forfeiture of damage deposits, for any repairs, clean up, or fines incurred without notice to the Applicant. Additionally, the ARC/Board, on behalf of the HOA, may enforce any of these Design Guidelines to the extent necessary pursuant to the CCR, including a judgment against you for the amount expended to remedy the situation and all costs incurred therewith. The Property Owner is charged with giving the required notice of the terms and conditions hereof to his or her Builder/Contractor, laborer, or service personnel, and shall be responsible for and ensure their compliance with the conditions set forth herein.

##### **B. General Regulations:**

1. Builder/contractor shall comply with all rules and regulations under Madison County, in addition to these Design Guidelines and CCR.
2. In no instance is construction to commence without written approval of the ARC.
3. Prior to commencement of any work, the Builder/Contractor must obtain the proper building permits and post them onsite at a visible location that can easily be seen.
4. The Applicant/Builder must perform the following:
  - a. Prior to any construction, install proper silt fences buried a minimum of 6" below grade and lined inside with staked hay bales and have wire enforcement at concentrated access points as needed. For lakefront lots, 2 silt fences must be installed at the water shoreline.
  - b. After house pad is completed, install a temporary limestone construction drive to garage to keep mud out of the street during construction and to provide a hard base when the drive is installed.
  - c. Provide a dumpster no smaller than 10 cubic yards in size on the lot under construction. Dumpster must not be on a common area, street, or neighboring lot.
  - d. Provide a temporary facility (Porta-John) and temporary utilities per the Madison County ordinances.
5. Any changes to an approved structure (complete or incomplete, and including all additions, alterations, etc.) must be approved in writing by the ARC prior to commencement of construction.

6. Lot Clearing Approval is available only for clearing an undeveloped lot of undergrowth and trees with a trunk diameter of less than six inches (6"), measured at four feet above the ground. A Lot Clearing Approval is not required in connection with a building approval. Any removal of trees or areas of understory that are six inches (6") or more in diameter, measured at 4 feet (4') above the ground requires the prior approval of the ARC.
7. The ARC shall be notified prior to any changes to approved plans. Then the ARC must approve the changes prior to any work commencing. The Applicant shall pay a re-submittal fee pursuant to the ARC Schedule of Fees.
8. In the event construction in the field differs from that which has been previously approved, the ARC will address solutions as quickly as possible by conferring with property owner and Contractor as a first step. A halt to construction and/or withholding final approval are steps available to the ARC and the Board. The ARC and the Board will aggressively enforce these Design Guidelines.
9. Inasmuch as the Builder is aware of and informed as to all terms and conditions of the Design Guidelines, any variance of construction from the approved plans will be presumed intentional by the Builder, and in addition to the remedies set forth above, that the Builder and principals thereof may be prohibited from subsequent construction projects in Chestnut Hill. Whether or not a variance is material will be within the sole and unfettered discretion of the ARC or Board.
10. The builder/contractor and lot owner must use Chestnut Hill approved signage at all times.
11. No burning of trash or debris is allowed. The ARC or Board must be notified and permission given prior to any burning associated with lot clearing. If permission is not obtained prior to such fire, there will be a minimum fine of Two-Hundred and Fifty Dollars (\$250.00). Madison County burn laws must be followed including any temporary burn bans in effect.
12. All previous and current projects for construction must be in compliance before a new project may be approved.
13. The Board of the HOA reserves the right to levy fines for any other violation in any amount they deem appropriate under the circumstances in order to protect and preserve the natural landscape and topography and to maintain continuity throughout the master planned community.
14. Any willful violation of these rules may result in a fine and/or further action by the Board of the HOA including, but not limited to, legal action to enforce any of these Design Guidelines as provided for in the CCR and any supplemental amendments thereto.
15. The speed limit within Chestnut Hill is 20 miles per hour. This must be obeyed at all times.
16. Builder/Contractor and or lot owner must put street back in the condition it was before construction.

### **C. Trash and Waste**

1. Builder/contractor shall provide a dumpster no smaller than 10 cubic yards in size on the lot under construction, unless deemed unnecessary by the ARC. Dumpster may not be placed on another lot, common area, or street.



2. All builder/contractors are required to keep their job sites as clean as possible. All discarded daily trash and building materials will be removed on a weekly basis.
3. All trash and building material stockpiled for removal shall be located on the lot only. There will be no stockpiling or dumping of any trash or building materials onto the adjacent lots, streets, common property or into the lakes. If permission is not obtained to use the adjacent lots or Common Properties, the area will have to be cleaned up and sod placed on the disturbed area. There will be a minimum fine of \$500.
4. Any mud or debris brought or washed into the street must be cleaned immediately by the builder/contractor or the builder/contractor will be fined per man/equipment hour for remedying the issue.
5. Operators of vehicles are required to see that they do not spill or allow any spill of any polluting, contaminating, or damaging materials while within Chestnut Hill. If spillage of a load occurs, operators shall report any spill and shall be responsible for immediate clean up. Such cleanups done by the Board or the ARC will be billed to and paid by the responsible party or, at the Board's option, deducted from the Damage Deposit.
6. All personnel working in the community are to ensure that they will keep all areas in which they work, or through which they travel, free of discarded materials such as lunch bags and refuse materials. Objects shall not be thrown out of cars and trucks. Litter violators will be subject to a fine of up to \$500.

**D. Use of Chestnut Hill Roads**

1. The speed limit within Chestnut Hill is 20 miles per hour. This must be obeyed at all times.
2. Parking at construction sites is limited to one side of the road to prevent impeding the flow of traffic.
3. The streets shall be kept clean and free from mud, rocks, and debris from the building site on a daily basis.
4. Any damage to the street or within the street right-of-way must be promptly repaired. Builder or lot owner must repair street back to original condition.

**E. Use of the Lot**

After a permit for any work has been issued, the side and rear lot lines shall be defined with string, surveyors tape, or other means.

If any of the following are not adhered to, the Applicant may incur a fine of up to Five-Hundred Dollars (\$500.00) for each violation:

1. The builders/contractor and/or lot owner must not use adjacent lots or common areas for any purpose without written permission of such lot owner and the ARC. If permission is not obtained, the disturbed area will have to be cleaned up and sod placed on the disturbed area.

2. Any and all property pins must remain in designated location. If any property pins have been removed during the process of construction, the Applicant assumes responsibility for the replacement of same.
3. Each site must supply a "concrete wash out" in order to properly remove concrete, dirt and mud onsite without damage or polluting adjacent properties or roads. There will be no washing out of any truck on the adjacent lots, streets, common property, etc. Any concrete delivery, or dump truck "left-overs" that are washed out must be disposed of properly on the lot which received the material, a process which shall be approved by the Property Owner since the Property Owner is ultimately responsible.
4. No trailers or vehicles (trucks, vans, cars, etc.) may be left on the streets or public areas in Chestnut Hill overnight. All construction equipment and vehicles may be left on the site while needed, but must not be kept on the street or public areas.
5. No temporary storage trailers or buildings are allowed except as may be a necessary adjunct to construction.
6. Only bona fide workers are allowed on property. Wives may drive workers to the site and pick them up, but shall not remain on the property unless they are actual employees of the subcontractor.
7. No children will be permitted on the property unless they are bona fide workers properly and legally engaged in work at the site.

#### **F. Utilities**

1. All builders/contractors will use only the utilities provided on the approved lot for construction.
2. All grades around existing utilities shall not be modified. If these are modified the owner/builder shall be responsible for all costs to bring the grades back to conformity and meet all regulations for underground or above-ground utilities.
3. Any damage done to utility services, streets, curbs, drainage inlets, street lights, street signs, mailboxes or common areas will be addressed by the Chestnut Hill HOA at the cost of the builder/contractor.
4. If any telephone, cable TV, electrical, water, or other lines are damaged or cut it is the responsibility of the owner/contractor to report any such accident to that Service Company personnel within one (1) hour of such occurrence.
5. All Porta-Johns must be hidden from the street view as best as possible.

#### **G. Erosion Control**

1. The builder/contractor must, at all times control erosion with properly installed and maintained silt fences (see County of Madison and MS Department of Environmental Quality requirements for silt fencing).

2. Properly installed silt fences should be buried a minimum of 6" below grade and lined inside with staked hay bales and have wire reinforcement at concentrated access points as needed. For lakefront lots, 2 silt fences must be installed at the water shoreline. All disturbed soil must be seeded and covered with hay.
3. Failure to stabilize soil and control erosion of any lot adjacent to public rights of way, waterfronts, or common areas will result in a fine of Five Hundred Dollars (\$500.00).

#### **H. General Restrictions:**

If any of the following restrictions are not adhered to, the Applicant may incur a fine of up to Five-Hundred Dollars (\$500.00) for each violation:

1. All alcoholic beverages prohibited on site.
2. All firearms prohibited on site.
3. All fishing is prohibited except for lot owners or their guests. Lot owner must be present with guests. (See Chestnut Hill Lake Rules & Regulations.) No Contractors or Contractors' personnel will be permitted to hunt, fish or bring pets or boats, inside Chestnut Hill.
4. All animals are prohibited on site.
5. Loud radios or noise is prohibited within the Chestnut Hill community.
6. No trailers or vehicles (trucks, vans, cars, etc.) may be left on the streets or public areas in Chestnut Hill overnight. All construction equipment and vehicles may be left on the site while needed, but must not be kept on the street or public areas.
7. No temporary storage trailers or buildings are allowed.
8. No shortcuts across lots are allowed.

#### **V. DESIGN GUIDELINES**

##### **A. Special Focus Lots:**

Special Focus Lots are typically located at street and lane intersections, at the end of a street intersection or view corridor, and/or against a street edge that defines common property or public outdoor space. Special Focus Lots and all lots in which the proposed improvements will or may have a greater impact upon the character of the community will receive more intense review in all aspects.

1. **Corner and Multiple Frontage Homes:** Homes on corner lots where two or more facades will be visibly exposed to the street or common open space, as determined by the ARC, shall be designed specifically to respond to these more predominant locations. The homes will have appropriate massing and/or other treatments on all publicly visible facades. All exposed facades will be treated with the same architectural quality and detail. The primary orientation of the buildings for the purpose of establishing front entries will be determined by the ARC.

2. Homes Terminating Views: Homes on lots that are located at the termination of a view corridor, vista, or street axis, as determined by the ARC, shall be considered Special Focus. Appropriate design and consideration will be required for building form and architectural treatment to enhance and emphasize the focal point of the streetscape.
3. Homes Defining Public Areas: Homes on lots that are adjacent to street edge, that define common property or public outdoor space, as identified by the ARC, shall be designed with porches or other elements massing to both the street and the public space.
4. Special Focus Houses: These houses have the potential to have a significant visual impact upon the overall community and architectural character of Chestnut Hill. Typically, these houses are located at intersections of streets, located so they terminate a view from the street, or located so they define a street edge along a public area.

The form, scale, and massing for the Special Focus houses should be composed so the main body, secondary wing, porches and entries compliment and emphasize the appropriate character required by the site's location. The houses should be sited toward and relate to the street, both functionally and visually, to the greatest extent possible. The main body of these houses will generally be located parallel to the front "build-to" line to establish a compatible streetscape image. These homes may also reinforce the streetscape with projecting porches, shade trees and other visual elements, such as garden walls or hedges and fences, which will define the front yard and street edge.

## **B. General Architectural Design:**

### 1. Variety:

A variety of individual architectural designs with their respective appropriate details, materials, and colors are encouraged to create a unique overall "timeless" streetscape character. While no one single element on an individual house design shall overpower the composition, the same will be true for the streetscapes. No one house should stand out in the streetscape, either overtly or covertly. The goal is to create a streetscape and neighborhood of well-designed and crafted homes that compliments each other and the whole. Building footprints including porches and entry locations should generally vary from adjacent buildings. The exterior appearance of a dwelling shall not substantially duplicate the exterior appearance of another dwelling on the same street or within view.

### 2. Building Orientation:

Buildings will be located to front toward and relate to the street, both functionally and visually, to the greatest extent possible. The major building orientation will be toward the main street and not toward parking areas.

### 3. Scale, Proportion, and Massing:

The overall scale, form, massing, and basic proportions of building will be compatible with its overall architectural style. Home designs will generally be composed of a primary form or mass with secondary forms, wings, or porches that complement each other, and maintain similar character. The primary mass and

composition will be composed in an understandable and time-tested manner. Buildings will avoid long, monotonous, uninterrupted walls and roof planes, overly complex or contrived forms, offsets, projections and multiple roof lines with excessive height. Front entrances will be appropriate in scale and massing to the overall style and character of the building architecture.

In general, doors, windows and porches will be vertically scaled and proportioned. The scale and proportion of the overall home and the elements thereof will not be that which are typically found on lesser quality 'tract' or modular homes.

#### 4. Size Requirements for Dwellings:

The minimum square footage of all heated floor areas per residence dwellings is 3,500 square feet, exclusive of open porches and garages. For two story dwellings, the floor at street grade shall contain at least one-half (1/2) of the minimum square footage, exclusive of open porches and garages. If any dwelling having more than one story consists in part of a story situated below the natural grade of the lot at the dwellings front exterior wall, the floor space in such story, whether heated or not, shall not be considered in determining whether the dwelling complies with the size requirements.

#### 5. Corner and Multiple Frontage Buildings:

Buildings with two or more facades visibly exposed to a street or common open space or located on "Special Focus" lots as identified specifically, or determined by the ARC, will be designed to respond to these more prominent locations. Such buildings will have massing and/or other treatments on all exposed facades which will be treated with the same architectural quality and detail. The primary orientation of such buildings for the purpose of establishing front entries shall be toward the main or primary street or as determined by the ARC.

#### 6. Exterior Materials:

- a. Exterior surfaces must be constructed principally of brick veneer or stucco. Other materials, which may be used for accenting, include: wood, stucco, natural stone, fiber cement siding (HardiPlank), cypress, cedar, wood shakes, and man-made stone siding or shakes as approved by the ARC. No concrete block, clay block, asphalt siding, asphalt shingle siding, aluminum or vinyl siding, E.I.F.S. or "soft coat stucco" will be allowed. Materials may be combined on a single house, but a single material should cover the majority of the home. Any change in materials must occur only at an appropriate inside corner.
- b. Standard sized brick should be used. "Queen" and other non-modular brick sizes are strongly discouraged. The use of brick and brick colors must be appropriate to the architectural design of the house. All brick must be reviewed and approved by the ARC. The use of natural stone, the color, and pattern must be appropriate to the architectural design of the home. All stone must be reviewed and approved by the ARC.

- c. Roof shingles shall be architect grade fiberglass shingles (30 yr minimum warranty), treated wood or cedar shakes or shingles (18" lone with a 6" exposure) with a minimum 25 year warranty, or slate (new, used, or synthetic). No solid metal, solid copper, or colored clay tile roofs are permitted. Pre-finished standing seam metal may be allowed for an accent roof but must be approved by the ARC. Any material other than those listed will be approved only at the discretion of the ARC.
- d. Low pitched porch and bay roofs of a grade of 4:12 or less will only be pre-finished standing seam metal or copper unless otherwise approved by the ARC.
- e. All entry and window trim, soffits, fascia, cornices, and similar architectural trim elements will be constructed of painted wood or an alternate material approved by the ARC. No aluminum or vinyl will be allowed.

#### 7. Color Palette / Home Specifications:

The palette of materials and colors for any building or improvements will be submitted for approval to the ARC prior to construction (Form D). All exterior colors shall be neutral and/or soft tones and blend harmoniously with the neighborhood. Exterior components such as front doors and shutters may be an accent color if such color(s) complement the exterior colors.

#### 8. Gutters and Downspouts:

Half round and ogee shaped gutters with round or rectangular downspouts will be used where appropriate for the architectural design of a home. All Gutters and downspouts will be of copper or painted galvanized metal only unless otherwise approved by the ARC.

#### 9. Chimneys:

Chimneys will be appropriate to the architectural design of the building. Overly expressive or massive projected terminations are not appropriate. Chimneys will be brick, stone or hard coat stucco. Siding on chimneys is strictly prohibited. In all events, the chimney should extend to the ground. Prefabricated spark arrestors must be screened with a decorative chimney cap that has been approved by the ARC.

#### 10. Flashing:

All visible flashing will be copper or painted galvanized metal only unless otherwise approved by the ARC.

#### 11. Height and Roofs:

No dwelling shall exceed forty feet (40') in height measured vertically from the natural ground surface at the front exterior wall of the dwelling unless approved

by the ARC. The roof form and architectural embellishments such as cross gables, dormers, belvederes, masonry chimneys, cupolas, and other similar elements must be appropriate to the architectural design of a home. The minimum roof pitch will be 7'V:12'H or steeper for the main structure of the house and appropriate with the architectural style proposed. Other roof pitches are subject to approval by the ARC. Rafter bearing heights, overhang dimensions, and cornice and rake details should be carefully studied and crafted to comply with the appropriate style. Fascia boards shall be on a 45-degree angle. No plumbing vents or mechanical flues shall be visible from any public views. All roof penetrations for venting should be located away from dominant views of the structure and must be painted to match the existing roof color unless otherwise approved by the ARC.

#### 12. Facade:

The front facade or elevation of a home will face and be generally parallel to the primary street. While it is acceptable for the front facade to exhibit a greater degree of detail and importance, the side and rear facades must also embody a similar level of care. The compatibility of front, side, and rear facades of homes located on highly visible lots will be closely reviewed.

#### 13. Columns, Column Base, and Cap:

The use of an appropriate selection, detailing, and implementation of columns along with their relationship to the frieze board or beam is critical in obtaining approval for an appropriate house design. Whether square, round, milled, masonry, or built-up columns are appropriate to the design of the house, the details from the grade to the roof shall be properly designed.

The construction documents shall contain details, and sections which clearly illustrate the style, components, size, and location of any column, and the relationship to the frieze board or beam. The outside face of any Column shaft will align with the outside face of the frieze board or beam above.

The column cap shall project beyond the face of the frieze board or beam, both at the inside and outside face of the column shaft and beam above. The column base is typically larger than the capital and will be, or "appear" as, solid stone, brick, or wood. With special attention to detail, a design can maintain the desired image while providing proper ventilation as required.

Visible aluminum vent blocks are inappropriate and are strictly prohibited. The foundation or porch edge shall be extended beyond the edge of the frieze or beam above to allow proper column alignment. This shall be properly detailed on the construction documents. All columns should be of wood, masonry, or a composite material and properly flashed to allow for a long-lasting waterproof condition.

All facades or elevations visible from any public way or area will have a defined "base" and "cap." The base can be conveyed by clearly defining the main floor level of the home. A masonry material from the grade to the floor line or slightly projected masonry detailing on a home with a masonry veneer is recommended. The cap will consist of a fascia, frieze, cornice, eave, rake, or parapet at the

intersection of the wall and the roof. All such details will be appropriate to the character, style, scale, and proportion of the home.

#### 14. Finish Floor and Ceiling Heights:

The finished floor of the main house shall be a minimum of 18" above grade along the main front facade. Front façade porches shall have a minimum finished floor elevation of no less than 18" above grade at the front "build to" line. Exceptions may be granted on a case per case basis by the ARC.

First floor ceiling heights are required to be a minimum of 10'- 0" and second floor ceiling heights are required to be a minimum of 9'- 0" unless otherwise approved by the ARC.

Finished floor elevation, ceiling height, and finish grade elevations for the main house and porches are to be indicated and illustrated during all phases of documentation reviewed by the ARC.

#### 15. Entries:

The primary entrance (the front door) to a home will embody the character, scale, proportion, and detail of the overall house and its appropriate architectural style. The entry will be easily identifiable from the street. A sidewalk of an approved material will extend to the front entrance of dwelling (steps, stoop, or porch of the entry). Exposed exterior steps will be finished with a material approved by ARC. Unless a porch design is utilized, the entry should provide at least minimal protection from the elements. Over scaled, out of proportion, over bearing or deeply recessed entries are inappropriate. Each dwelling shall have affixed thereto its street number, clearly visible from the street which abuts the Lot, and numerals approved by the ARC.

#### 16. Porches:

Porches are encouraged when appropriate to the overall architectural character and style of the home. Porches will serve as either a part of an entry element and/or as an outdoor living space.

#### 17. Doors, Sidelights, and Transoms:

Front entrance doors will be designed or selected to complement the design, style and character of the entry and the overall home's architecture. Entrance doors are required to be a minimum of 8'- 0" tall. If used, sidelights must match the design of the entrance door. Transoms must have a minimum glass height of 12" and will be incorporated as a single door/transom unit with continuous casing trim. Metal or fiberglass doors may be allowed for other door entrances. All doors must be approved by the ARC. The specifications and a picture of the front door must be submitted with application.



Doors are required to have muntin bars unless the ARC deems them not necessary due to the design and style of the home. Window muntin bars must be true or simulated divided lights which are appropriate to the architectural style of the house. Snap-in or removable mullions/grids are strictly prohibited.

#### 18. Windows:

Windows must be wood or metal clad windows only as approved by the ARC. NO EXCEPTIONS. A thick sash is desirable. No vinyl or vinyl clad windows will be approved. Window types, sizes, style, trim, and location will be appropriately designed and selected to be compatible with the homes overall design, style, and character. All window types (double-hung, casement or awning) may be incorporated into the design as long as the proportion of each individual window type is vertical. The intent of this requirement is to create a more traditional or classical design direction, as best fits with the architectural style of the structure.

Windows are required to have muntin bars unless the ARC deems them not necessary due to the design and style of the home. Window muntin bars must be true or simulated divided lights which are appropriate to the architectural style of the house. Snap-in or removable muntin bars/grids are strictly prohibited. Windows will be vertically proportioned and head heights will be in proper proportion to the scale and mass of the house.

Under sized, short or 'trendy' multi-arched or shaped windows are not acceptable. Window size, style, and type should be consistent on all sides or facades. Typical brick mold casing will only be used when appropriate to the architecture. Wider casing, head trim or special molding will be appropriately sized and detailed.

All window sizes, styles, and types must be clearly shown on all submitted plans.

For houses constructed after the effective date of this amendment, all window treatments or curtains that are visible from the street or public view shall be white or lined with a white material. All garage windows that are visible from the public street shall be treated with full length closed inside shutters/blinds, pulled curtains with white lining, or tint to screen the view of the inside of the garage from public view.

#### 19. Shutters:

When shutters are used, they must be appropriate to the architectural design and style of the home. Shutters must be sized to match the window opening and will be mounted on hinges and held in place with hold backs or shutter dogs located along the bottom rail. All shutters will be constructed of wood or other approved material.

"False" decorative shutters which mount directly to the wall and shutters which do not match the height and one-half ( $\frac{1}{2}$ ) the width of the window opening are not acceptable. False shutters are acceptable but, must be recessed and appear to be operable with proper false hinges and shutter dogs. Shutters for doubled or grouped windows are not acceptable unless they are actually sized to match the total width of the opening.

## 20. Dormers:

Dormers will generally be composed as a secondary architectural element or form used in a functional or nonfunctional fashion to compliment the primary form of the main structure. The mass and composition will be composed in an understandable and straight forward manner and should maintain the character and style of the design. Overly complex and contrived forms, offsets, projections, and the resulting roof forms are unacceptable. Rafter bearing heights, overhang dimensions, cornice, and rake details should be carefully studied and crafted to comply with the appropriate style. Typically, dormer roofs will be hipped, gabled, shed, or arched depending on the characteristics of the main house style.

In general dormers will be vertically scaled and proportioned and should tightly frame an appropriately sized and styled window. Dormer overhangs and rakes should be tight to the main body of the dormer and should be consistent on all four sides.

## 21. Cornice and Rakes:

The use of and appropriate selection, detailing, and implementation of cornices and rakes is critical in obtaining approval for an appropriate house design. All cornice and rake returns shall be 45 ° fascia boards unless otherwise approved by the ARC.

No triangular boxed builder (pork chop) soffits are allowed.

The construction documents must contain details and selection which clearly illustrate the style, components, sizes, and location of any cornice and rake. Care should be taken to assure the details proposed are appropriate for the style, materials, and overall design of a home unless otherwise approved by the ARC.

## 22. Garages

Each dwelling shall have a minimum of (2) permanent garaged parking spaces. Garages must be finished inside and have doors equipped with automatic garage door openers.

Garage doors must not face the street to which the front of the dwelling is oriented. All garage doors, which when closed can be seen from a street, shall be kept closed except during periods of the actual use thereof. Unenclosed garages and carports shall not be permitted.

The location, massing, and scale of a garage will not compete with or overwhelm the primary body of the house. Garage forms, design, materials, and detailing should be similar in quality to the house. A garage which is visible from the street or public view will receive careful design attention and should complement the primary facade unless otherwise approved by the ARC.

Entry to garages on lakefront lots will be from the side or via side-entry motor court.

Garage doors may be either steel or wood construction. If steel, the door will be of a paneled design. False garage door hardware may be required when the door is visible from the street or public view, as determined by the ARC.

Where possible, garage doors will be 8'-0" tall minimum. Garage doors will be recessed within the wall plane.

## C. Site Development Guidelines

### 1. Site Planning

**TOPOGRAPHICAL SURVEY:** One of the first steps in preparing a site analysis is obtaining a Topographical and Boundary Survey for the property. This survey must be at 1" = 20'-0" scale and should include the following:

1. Recorded property lines, easements and setbacks.
2. The topographical contours of the lot (2' contour).
3. Any prominent natural features of the site.
4. Utility locations and other easements.
5. Contour lines at 2 foot intervals.

**PROPOSED SITE DEVELOPMENT:** This analysis should be drawn on a copy of the Topographical Survey and should include, but is not limited to the following:

1. Building footprint, pool, walks, driveways, etc.
2. Existing drainage patterns
3. Site access from right-of-way
4. Dumpsters and portable toilets
7. Site lighting
8. Relationship to adjacent site features i.e.: lake edge, etc.

These Site Development Guidelines provide site planning suggestions and community element guidelines to set common standards for the development of exterior spaces throughout Chestnut Hill. The site plan must include an accurate grading and drainage plan and show the location on the lot of each and all site improvements, all proximate existing or proposed utility service lines and facilities, the points of discharge from the lot of all surface storm and irrigation water run-off, the areas within the lot to be disturbed or remain undisturbed, and those best management practices to be implemented to control erosion.

The siting of a house is a critical and important design decision. The site plan concept developed for each homeowner should reflect functional needs, but also be sensitive to the site's unique characteristics and inherent design opportunities. Buildings will be located to front toward and relate to the street, both functionally and visually, to the greatest extent possible.

The ARC will consider each site independently but will give extensive consideration to the impact that each individual's plan may have upon the adjacent

home sites and view corridors. Care must be taken to locate each structure, whenever possible, so as not to infringe upon view corridors, adjacent structures and home sites, and natural amenities of the area. Because various soil materials and conditions exist, property owners are strongly encouraged to have the soil tested. Considerations will include, but not be limited to:

- Physical terrain of the site
- Views from project site and street
- Views to the Lakes and the project site from adjacent lots and lake view lots
- Natural amenities, including trees, landscaping, existing lakes, water and drainage channels/swales
- Driveway access
- Height of structures
- Fences and opening devices
- Service areas and screening methods for garbage cans, utilities and/or outside storage

## 2. Setbacks

The site plan will establish the minimum front, side, and rear setback distances. The front setback line will be used as a "build to" line and in most cases the front of the building should align with this identified "build-to" line. The main body of the building should generally be located parallel to the front setback line to establish a compatible streetscape image. The streetscape may also be reinforced by projecting porches, shade trees, and other vertical elements, such as walls, hedges, and fences, which define front yards and street edges.

If there is any question as to the appropriate siting of the dwelling, the ARC should be consulted prior to development of any plans.

Building setback limits are often lot specific. Lot specific building setbacks are available from the ARC and should be verified by the owner prior to advancing with the design process due to the difference in CCR setbacks and plat setbacks on some lots.

Although these setback limitations are site specific, unless a greater setback is required for a particular lot as delineated on the Plat or is required because of the existence and location of any easement, each dwelling shall be located and constructed with the following required minimum yards and setbacks, as measured perpendicular from the appropriate property lines:

- Sixty (60) feet front setback
- Twenty (20) feet side setback, Forty (40) feet if on street side (corner lot)
- Fifty (50) feet rear setback
- Forty (40) feet lake setback

In order to preserve the grandeur and aesthetics of the lake and lake shore and to

protect water quality for the enjoyment of all Chestnut Hill residents, lakefront lots are subject to a lake shore easement which refers to the area within twenty feet (20') of the edge of the lake's surface at its normal pool elevation. No wall or fence shall be erected or permitted to remain in or on the lake or lake shore nor shall a solid line of shrubbery over three feet (3') tall be erected or permitted to remain on the lake shore. No construction or erection of impervious structures or surfaces is allowed within the lake shore easement. Piers, boat docks, and sea walls are permitted per the approved specifications and plans stated in these Design Guidelines.

### 3. Secondary Structures, Pavement, or Improvements

Any structure, pavement, or improvement of any kind whatsoever, including but not limited to garden structures, gazebos, storage buildings, basketball goals, batting cages, pool houses, and other facilities and structures, require prior written approval of the ARC before they are erected, and, unless the ARC permits and/or conditions otherwise on a case by case basis, must be located behind the dwelling. Storage spaces, garages, and other uses for secondary structures should generally be included in or attached to principle structure. However, consideration will be given to granting approval for a secondary structure if the shape or size of a lot requires such consideration for either new home construction or additional space for an existing home. No prefabricated storage buildings are allowed.

The following guidelines will be considered in reviewing the application for approval:

The secondary structure shall coordinate with the architectural style and design of the home.

The secondary structure's exterior material composition shall be consistent with all items of the main home including but not limited to veneer, roofing, colors, and style.

Site built secondary structures are preferred.

Shielding public views by an initial planting of suitable evergreens may be required.

Garden structures, gazebos, pool houses, guesthouses and similar secondary structures require the same setbacks from the property lines as that of the residence. However, these setbacks may be reduced or adjusted if approved by the ARC and Madison County. All requests for setback variances on secondary structures will be made on a case-by-case basis.

### 4. Guest House

A Guest House must be a part of the Master Plan, including plot plan, drainage plan,

and master residence as submitted to and approved by the ARC. The minimum heated and cooled square footage of a Guest House is 700 sf. The maximum heated and cooled square footage of a Guest House is 1500 sf.

#### 5. Temporary Structures

No structure of a temporary nature, tent, shack, mobile home, garage, barn, camper, motorhome, or other out-building will be used at any time as either a temporary or permanent residence on any residential lot or common parcel in Chestnut Hill Subdivision.

No structure or facility of a temporary character including but not limited to a camper, travel trailer, trailer, tent, storage building, shack, barn, outdoor clothes line or dryer, swimming pool filter system component, fuel or similar tank, playhouse, swing set, fire pit, shed, or other building shall be erected, used or maintained on any lot unless it is screened from public view and/or screened from the view of another member from his dwelling or yard with suitable evergreen plantings.

#### 6. Drainage

Drainage considerations for individual sites play an important part in the overall ecological balance of the site. Water runoff for each individual building site must be handled by adequately sloping all areas so that runoff can be directed to the natural drainage areas or to storm drainage facilities. Swales & arrows denoting all existing & proposed surface water flow must be shown on grading plan. Silt Fences and other appropriate erosion control measures are required during construction. All erosion control devices are to be installed as per the Mississippi Department of Environmental Quality's Storm Water Pollution Prevention Plan (SWPPP). Silt Fences and other erosion control devices will be maintained until all landscaping is in place and the land is stable with natural vegetation.

#### 7. Site Grading:

All grading plans shall be prepared by a qualified and licensed architect, landscape architect, or engineer. The site plan must include an accurate grading and drainage plan.

Grading shall be designed to maintain natural drainage patterns and not to shed water onto neighboring lots. Runoff shall be maintained on subject lot until discharged at development storm drainage provisions or natural discharge point. Runoff shall not be concentrated as to create issues downstream. Proposed erosion control measures are to be shown on the grading plan at time of submittal. A separate erosion control plan can be submitted if needed for clarity. All disturbed soil must be seeded and covered with hay.

All Grading Reviews will be subject to the jurisdiction of the ARC and will be considered individually for each lot. Recommendations or demands will be based upon individual lot location, terrain, soil conditions, drainage, cuts and fills, and whatever other conditions the ARC believes impacts the site and community grading design. Soil tests conducted by competent professionals are strongly recommended to all property owners.

The site analysis should take into consideration the natural ground forms. The critical decision is how to adapt existing grades so they will be a cohesive part of the individual and overall site development, relate to functional uses of the site as well as relate to the architectural character of the house design. Conversely, the architectural character of the house design should relate strongly to the existing site grades rather than "force" the melding of the two. The primary requirement with appropriate site development is to maintain enough of the existing elevations, forms, and shapes of the land so that the overall design stays in harmony with adjacent or other nearby landforms.

Site grading shall adhere to existing drainage patterns of the area. Care shall be taken not to impact adjacent properties by concentration of site or house drainage. Finish grades and elevations must be compatible with neighboring sites, particularly with regards to drainage. Mature plant material to be retained shall be protected by safety fencing prior to beginning of grading. Silt fencing is required and must be maintained in all areas that may negatively impact adjacent sites, lakes, and roadways.

Prior to alteration of any grade, or other "dirt work," or construction (see other spot where mentioned) every lot shall have installed a temporary limestone construction drive to garage and proper silt fencing buried a minimum of 6" below grade and lined inside with staked hay bales and wire enforcement at concentrated access points as needed. For lakefront lots, 2 silt fences must be installed at the water shoreline to protect the lake and keep silt out of the lake in the event the primary silt fence fails.

The Contractor and Property Owner are jointly responsible for maintaining erosion control on the lot throughout the construction process and at all times thereafter.

In the event the ARC becomes aware of an erosion problem or that silt fencing has not been installed as described herein or is not being properly maintained, or hay bales are not placed to stop erosion at access points in a good faith effort, the ARC may either (a) notify Contractor to correct the problem, or (b) if the situation or condition mandates same, the ARC or the Board may correct the problem without notice or liability to Contractor or Property Owner. In the sole and unfettered discretion of the ARC or the Board, it is agreed that the damage deposit may be used to the extent necessary to affect a cleanup of streets, lakes or nearby lots and/or common areas, resulting from improper lot erosion controls and such may be performed by the Board or the ARC, with the expense of cleanup assessed to the Property Owner of the lot causing damage. Forfeiture of the deposit shall not limit

Property Owners' liability for any cost or expense associated with securing compliance with these requirements or any other terms and/or conditions of these Design Guidelines or CCR. Non-compliance and/or lack of cooperation by Contractor or Property Owner with these erosion control guidelines or any other terms and/or conditions of these Design Guidelines or CCR may result in stoppage of construction and/or resort to any other remedy available to the HOA at law or in equity.

#### **D. General Landscape Design:**

##### **1. Landscape Design:**

Each house in Chestnut Hill must be landscaped appropriately, as determined by the overall size for the house. Landscaping often becomes an afterthought or area that requires severe cuts, due to overspending on the dwelling. Proper planning should be taken to avoid this situation.

In general, the landscaping should attempt to protect and preserve the natural landscape and topography of the site. The landscape design should present a maintained, yet 'natural' appearance. Existing trees should be saved whenever practical. Use of shrub masses and understory trees, balanced with larger canopy trees shall be used with an emphasis on delineation of open spaces and planting areas with natural appearance.

The design and development concepts of the Chestnut Hill community call for maintenance of the environment in as much of the original condition as possible. As the inherent beauty of Chestnut Hill is the land and its natural features, all plans should be designed to complement and enhance rather than compete with or destroy this beauty.

The ARC is particularly conscious of site utilization and requires that site, design, and plant materials for building sites reinforce the natural character of the woodland quality of the surrounding area and requires that whenever possible, the existing trees and natural terrain not be disrupted. The ARC requests that all structures be designed to fit the unique attributes of the specific lot, so that the natural terrain of the area is preserved rather than compromised.

Any removal of trees or areas of understory that are in excess of 6 inches (6") in diameter, measured at 4 feet (4') above the ground requires the prior approval of the ARC. Proposed tree removal and understory clearing required for proper execution of the proposed improvements should be clearly represented on preliminary drawings, as part of the design review process. Clearing limits and tree protection during construction is critical to maintaining the health and natural condition of the lot vegetation. The ARC reserves the right to require additional trees to replace those removed during construction and to provide a vegetative buffer. A minimum of two-thirds of the replacement trees should be of native



species for the purpose of reforestation. Landscape plans shall show and label species and sizes of proposed trees. Any trees to be removed that are in excess of 6 inches (6") in diameter, measured at 4 feet (4') above the ground outside a 15' perimeter of the house pad location must be flagged on site.

Pruning or selective clearing during construction or upon occupancy should be conducted carefully to balance the need for improved views and maintenance of sensitive edge conditions. Alteration to existing tree line and understory vegetation must be approved by ARC prior to the activity.

The landscape design should place emphasis on blending the proposed building into the natural landscape. The landscape planting should complement the architecture without hiding the building. Consideration should be given to the type, size, and location of plant material, both at installation and when fully mature, so as not to hide the architecture. Landscaping and Planting Plans must be submitted with construction documents. Plans should show all plant material and bed designs, as well as areas to be sodded. The entire site must be documented. If areas are to remain natural, it should be indicated as such on the plan. All landscape plans must be prepared by an approved licensed Landscape Architect or Landscape Designer.

It should be noted that approval of a landscape plan is conditional, pending a field review of the in-place installation. Additional landscaping may be required then.

Cleared areas (front, sides, rear) shall be adequately landscaped with trees, shrubs, ground cover, and lawns native to the region and designed to complement the character of the proposed house in form, location, and scale. The use of plant material with advanced maturity and of the highest quality shall be used to give the property a finished and established character. The design and type of plant materials should take into consideration the overall character of the individual house while softening the horizontal and vertical lines of the architecture. A design, which emphasizes balance and integration of new planting and existing plant material, should be utilized to create a comprehensive planting scheme reflective of the natural environment.

Foundation plantings are required around the entire dwelling. All primary foundation shrubs shall be a minimum size of three gallons. The ARC may require larger material (6'-8' in height) to be planted to reduce the scale of tall foundations. Foundation plantings may be required to be at least one-third the height of the foundation at time of installation. Straight-line plantings (hedges) along the property lines are not allowed. Planting beds near side property lines are encouraged to blend with adjacent properties in both plant material and design. Native plants are also encouraged.

NOTE: The shape, configuration, and size of planting and flower beds should be appropriate and responsive to the form of the building or yard. Overly contrived, undulating, 'snake-like' edges or shapes are discouraged. Landscape design should attempt to present an overall maintained, yet 'natural' image.

All yards must be sodded. Sod will be used in areas close to the dwelling, pool, other structures, and for shoreline stabilization on all lakefront lots. The majority of the front yard should be sodded or landscaped. Sodding is required on both sides of the driveway for a minimum distance of twenty feet (20').

Seeding of lots may be allowed in large open areas, outside the areas around the dwelling, driveway, pool, other structures, or shoreline. Great care should be taken to make sure that seeding is done properly and mulched to assure good cover. Natural mulching will be allowed as part of the landscaping plan. However, a definition of "natural" does not allow for uncontained growth and unsightly weeds. Roadside rights-of-way disturbed during construction must be re-graded and re-grassed where grass preexisted. Likewise, areas of nearby lots damaged during construction must be returned to their previous condition.

2. Streetscape:

Building will define the streetscape through the use of generally consistent setbacks. No one house should stand out in the streetscape, either overtly or covertly. The goal is to create a streetscape and neighborhood of well-designed and crafted homes that compliments each other and the whole. The streetscapes will also be reinforced by appropriate elements, which define front yards and street edges.

3. Clear Sight Triangle:

On corner lots facing two or more streets, no structure or other vision obstructing object, including landscaping greater than 12" high will be placed within the triangular area formed by measuring 25'-0" along each curb line from the point of intersecting curb lines at such corner and connecting such points to form a triangle.

4. Driveways, Aprons, and Sidewalks:

The homeowner will be responsible for construction of a suitable driveway and driveway apron that complies with attached detail. The driveway apron can only be constructed of broom finished concrete. No colored, pattern sawed, stamped, or stained concrete allowed on apron.

Each dwelling shall have a driveway of concrete or other approved material. Any colored, pattern sawed, stamped, or stained material must be approved by the ARC. Driveways shall be a minimum of twelve (12) feet in width. Check apron detail.

All driveways, aprons, guest parking, and back outs must remain a minimum of ten (10) feet from any property line for drainage purpose, unless otherwise approved by the ARC. Each lot is permitted to have only one driveway access from the street, unless otherwise approved by the ARC.

The Site Plan should indicate the location of a properly sized culvert under the driveway unless deemed unnecessary by the ARC or Madison County. All driveways shall be designed and constructed so as to not interfere with and/or block road drainage.

The design of the driveway should take into account the topography, existing trees and design of the house. Long linear driveways along the side of the dwelling and back to the garage, with no consideration for guest parking or the front entryway, should be avoided.

All parking areas will provide off-street parking adequate to accommodate the parking needs of the homeowner, members of his immediate family who reside with him, and a minimum of two (2) guests and provide adequate driveway space for access to the street and space for the movement of vehicles.

A walkway/sidewalk of an approved material will extend to the front entrance of dwelling (steps, stoop, or porch of the entry).

All final designs and materials are subject to approval by the ARC.

An ARC representative must approve all driveway aprons prior to pouring/placing any concrete. (APPENDIX F -- 2)

5. Building Orientation:

Buildings will be sited toward and relate to the street upon which the front entry is located. The primary orientation of corner and multiple frontage sites, for the purpose of establishing front entries, will be determined by the ARC. Garage doors must not face the street to which the front of the dwelling is oriented.

6. Utility/Equipment:

All utility meters and A/C compressors will be unobtrusively located to create minimal negative impact on adjoining properties and will be screened from public view by evergreen plant material or appropriate fencing.

7. Refuse/Storage:

Upon the completion of each residence, the homeowner and/or occupant will purchase and use trash containers. Refuse (garbage or storage) containers, wood pile, etc. will be stored within an enclosed storage area or garage, appropriately fenced, walled, or screened by landscaping from public view.

## 8. Exterior Lighting:

Exterior light fixtures in public view will be of a style, size and material that is appropriate to the home's architectural character. The quantity, lamp, type, location, and mounting height must be reviewed and approved by the ARC. All accent and security lighting should utilize sharp cutoff designs or low-voltage, direct-task type fixtures and should be as close to grade as possible. Large flood lights or spot lights attached to the cornice or eaves of the home are not allowed. Lighting in these areas should be recessed or of a low-profile design in order to not be seen at a distance.

- (a) All outdoor lighting, including pool and landscape lighting, shall be directed so as to avoid glare and excessive light spillage on adjacent property and fronting streets. All questions pertaining to "glare" and/or "excessive light spillage," shall be determined in the sole discretion of the ARC. All light sources shall have a natural white color within the color temperature range of 2,700 degrees to 4,500 degrees. Colored light sources shall not be permitted except when incorporated into exterior holiday lighting during the times as set forth in subsection (c) below. Any violation may be subject to a fine of One Hundred Dollars (\$100.00) per day until remedied.
- (b) No exterior light(s) will be installed or maintained on any lot which light is found to be objectionable by the ARC at their sole discretion. Upon being given notice by the ARC that any exterior light is objectionable, the Owner of the lot on which same is located will immediately remove said light or have it shielded in such a way that it is no longer objectionable. Any violation may be subject to a fine of One Hundred Dollars (\$100.00) per day until remedied.
- (c) Holiday style Christmas decorative lighting shall not be installed or maintained earlier than November 1 and must be removed by the next following January 15. Any other holiday style lighting (Memorial Day, July 4<sup>th</sup>, Labor Day, Halloween, Thanksgiving, etc.) shall not be installed or maintained earlier than thirty (30) days prior to the date of the holiday and must be removed within one (1) week following the date of the holiday. Any violation may be subject to a fine of One Hundred Dollars (\$100.00) per day until remedied.

## 9. Fences and Walls:

All fence and wall designs must be approved by the ARC. Fences and walls will be architecturally compatible with the design, materials, details, and colors of the principle house on the same lot. All fences and walls will be designed so that a finished side faces outward from the property on which it is located. No wooden fence shall be installed in a manner that would impede the natural flow of water between adjacent properties. No fence or wall shall be built out of vinyl, chain link, chains, galvanized metals, concrete blocks, barbed wire, chicken wire, woven wire, unfinished metals, cord wood, gravel rubble, rip-rap, brush, refuse, or other objectionable materials. Overly detailed or awkwardly detailed fences are

prohibited.

No stain and paint color fences. All wood material should be left natural or coated with a clear waterproofing agent. Periodic maintenance of fences is required, i.e., pressure washing, replacement, etc.

Fences must be either the ARC approved, cedar wood fence design with decorative cap detailing and shall be six (6) feet in total height (Appendix F-6) or must be an approved 5' iron fence design. For lakefront lots, fences should be five feet (5') tall iron fencing and the design should be submitted to ARC for approval. All other fence designs must be submitted to ARC for approval.

A secure restrictive fence no less than five feet (5') high shall enclose the pool or spa area or larger area in which the pool or spa is located. Gates must be self-latching in accordance with Madison County requirements.

All neighborhood perimeter fences are subject to approval by the ARC.

No fencing will be allowed within twenty feet (20') of water's edge. No fence or wall shall be built closer than one (1) foot to a property line unless the ARC application includes documented consent by the adjacent property owner, and, the survey line is adequately staked to eliminate property line disputes. Owners are responsible for locating their property lines.

If a retaining wall is required, it must be faced with one of the following materials: stone, brick, stucco, natural stone, or marine grade lumber. Crossties are not acceptable; nor can a concrete block retaining wall be left exposed. Finishes for retaining walls shall be in neutral tones.

If required, handrails of a design appropriate to the design of the house and the design, materials, details, and colors of the retaining wall will be reviewed and approved by the ARC.

Exposed block foundations must be properly faced with stucco or brick. Poured concrete foundation walls shall be properly finished with paint or brick. All finish colors shall be in neutral and/or soft tones. No bright or fluorescent colors are permitted.

#### 10. Landscape Ornaments and Structures:

Landscaping ornaments installed on an owner's lawn should be restricted to a limited number of small to medium objects that are tasteful and are in harmony with the neighborhood and surroundings. These types of ornaments require approval from the ARC. Examples of acceptable ornaments are arbors, flagpoles, lawn and/or home exterior lighting systems, water fountains, and waterfalls with collection pools. The design, color, and choice of materials must blend in with the

natural landscape and be of a design, size, and style that compliments the home and is consistent with the traditional style of the neighborhood. Excessively large fountains will not be approved.

Landscaping structures are defined as objects that require purchasing of building materials and either constructing, erecting, or assembling the materials on-site. These types of items require a landscaping structure permit.

#### 11. Sidewalks:

Public sidewalks are not required in Chestnut Hill. Where applicable, all sidewalks are subject to approval by the ARC.

#### 12. Mailboxes:

Mailboxes are required to be installed adjacent to the concrete apron of the lot owner's driveway. See attached detail for a copy of the appropriate mailbox design and ordering information. (Appendix F-5)

#### 13. Swimming Pools, Spas, Hot Tubs, and Sports Courts

Pools, spas, and accessory structures will match or compliment the home design. The shape, color, and placement of swimming pools, sport courts, or tennis courts shall be carefully considered to achieve a feeling of compatibility with the surrounding natural and man-made elements.

No swimming pool or part thereof, including aprons and walks, shall protrude into any front yard, construction setback line, or easement and detailing must be approved by the ARC. Any private residential swimming pool and/or spa unit shall be constructed in the rear of the dwelling. The actual pool or spa (not surrounding patio or deck) may not be built closer than twenty (20) feet from either side yard lot line or twenty (20) feet from the rear property line.

A secure restrictive fence no less than five feet (5') high shall enclose the pool or spa area or larger area in which the pool or spa is located and must comply with the Design Guidelines provided herein for fences and walls. Gates must be self-latching in accordance with Madison County requirements.

Discharging of backwash water shall not be permitted into the holding tank or any other part of the sewer system and shall be controlled so that it will not wash across the adjoining lot or into any of the lakes.

Spa units shall be screened from the street and constructed in locations and according to plans and specifications approved by the ARC. No above-grade pools, tubs, or the like shall be approved.

External lighting on sport courts or tennis courts is generally prohibited, but may be considered by the ARC on a case-by-case basis.

14. Satellite Dishes, Antennas, Play Equipment, Trampolines, and Fire Pits:

Satellite dishes, antennas, play equipment, trampolines, and fire pits should be located behind the dwelling, screened with suitable evergreen plantings, and approved by the ARC on a case by case basis.

**E. Lakefront Lots:**

1. Any lakefront landscape design, fencing, pier, boat dock, sea wall, or shoreline improvement must be approved by the ARC. No owner shall allow any shoreline improvement or any area comprising the lake shore to lapse into or remain in any condition other than a sound, safe, attractive, and/or natural condition. No person may enlarge or diminish the surface area of a lake or withdraw and use water from the lake without the approval of the Board of Directors.
2. No garbage, trash, construction debris or refuse, landscaping debris or refuse, other solid materials or potentially harmful or toxic solvents, paints, fuels, fertilizers, insecticides, herbicides, chemicals, or other substances hazardous to people, animals, wildlife, or fish shall be thrown or placed into a lake or placed, used, stored or permitted to remain where they may drain into or be washed or blown into a lake during inclement weather.
3. In order to preserve the grandeur and aesthetics of the lake and lake shore and to protect water quality for the enjoyment of all Chestnut Hill residents, lakefront lots are subject to a lake shore easement which refers to the area within twenty feet (20') of the edge of the lake's surface at its normal pool elevation.
4. No wall, fence, structure, or solid line of shrubbery over three feet (3') tall shall be erected or permitted to remain in or on the lake or lake shore. No construction or erection of impervious structures or surfaces is allowed within the lake shore easement. Piers, boat docks, and sea walls are permitted per the approved specifications and plans as stated below.
5. Pier, Boat Dock, & Sea Wall Placement – Piers, boat docks, and sea walls may not be approved on a particular lot depending on their width, length, and shoreline impact on neighboring lots. In some cases, piers may be required to be less than twenty feet (20') in length as to not create gridlock and to minimize shoreline impact due to close proximity to neighboring lots and minimal lakeshore frontage (i.e., lots 14-20).
6. Piers and Sea Walls are allowed by the CCR, with the general restrictions of:
  - a) No expanse greater than 20' into the lake
  - b) No raised buildings or roofed structures
  - c) Limitation of structure height to 3' above shoreline
  - d) Structure setbacks from property lines shall abide by covenant setbacks for construction.
  - e) Normal pool water line levels for construction reference:
    - i. Upper Lake – 329.7722'
    - ii. Lower Lake – 279.8499'

iii. Private Lake – 298.5025’

7. Pier Requirements, Specifications, and Details:

- a. Pier construction shall be in respect to the covenants.
- b. Piers shall be constructed of Trex or similar approved composite decking, and shall be appropriately maintained at all times by the owner. Material color must be natural wood tones.
- c. Piers shall be built to an elevation of 18” above normal pool water line.
- d. Piers may be scaled to smaller, but not larger, dimensions than the approved Architectural Plans.
- e. Approved pier construction options:
  - i. Option 1- “Fishing Pier”- a pier no greater than 20’ in length by no more than a recommended 8’ in width, flat with no rails, benches, or other raised structures above the pier flooring. In no instance shall a fishing pier be more than 20’ in width by 20’ in length.
  - ii. Option 2- “Seating Pier”- a pier no greater than 20’ in length by 20’ in width, with a seating bench surround. The seating bench surround shall be no greater than 18” in height and shall be 18-19/20” in width. The seating bench is to have a trim board creating a finished look.

8. Boat Dock Requirements, Specifications, and Details:

- a. A “keyhole” boat dock is allowed, cut into the lot, and must be accompanied by a sea wall surround, as defined below and on architectural plans.
- b. Boat docks shall be constructed of maximum treated pine (i.e. “Naturewood”).
- c. Dimensions of the dock are to be at minimum 12’ x 12’ and at maximum 20’ x 20’.
- d. The origin of the boat dock shall be no closer than 2’ and no further than 6’ in distance from a constructed pier.
- e. Boats shall not be secured to piers, and shall only be secured in the water by placement in a boat dock.
- f. Note: Boat docks are NOT required, but are optional if so desired, built to the preceding specifications.
- g. If a boat dock is constructed to the preceding specifications, an owner may also elect to construct a “kayak” launch, not to exceed four feet (4’) from the boat dock itself, alongside either length of the dock.

9. Lakeshore Sea Wall Requirements, Specifications, and Details:

- a. In order to maintain a more natural appearance of Chestnut Hill lakeshores, a sea wall is not to be constructed unless in accompaniment with a pier and is required as the surround of a boat dock.
- b. Sea walls shall be constructed of maximum treated pine (i.e. “Naturewood”).
- c. Sea walls must be built to a height not more than 24” above normal pool water line.
- d. Sea walls must occupy not more than 30% of a lot’s total shoreline in footage.
- e. Note: Sea walls are NOT required, but are optional with a pier, if so desired,



built to the preceding specifications. Sea walls ARE required as the surround for boat docks (see boat dock construction).

\*See the pre-approved pier, boat dock, and sea wall plans for construction specifications. (Appendix F-4)

#### 10. Lakeshore Site Plan Inclusions:

Plans must be submitted to the ARC prior to commencement, on a professionally designed to scale site plan in both electronic and paper form with the following information noted on site plan:

- a. Placement of each item to be constructed.
- b. Pier design to be built and it's dimensions.
- c. Dimensions of boat dock & sea wall if applicable.
- d. Label the 20' side setbacks. All structures must be within the 20' side setbacks from side property lines.
- e. Label the sea wall location if applicable. Sea wall must not be more than 24" above normal pool water line. Sea wall cannot occupy more than 30% of the lot's total shoreline.
- f. Type and color of composite material to be used for pier. Trex is preferred.
- g. Flag the exact location of all structures on site for inspection.
- h. Submit name of contractor & his contact info.

## VI. ENFORCEMENT OF COVENANTS AND ASSOCIATED PENALTIES FOR VIOLATION(S) OF GUIDELINES

Upon discovery or notification regarding an alleged violation of the CCR or these Guidelines, the Board, through the ARC or a representative of its choosing (the "Representative"), shall investigate the alleged violation. The intent of this process and any said penalties is to create a uniform fine structure whether the property owner during construction and during occupancy of a property. If further action is deemed warranted, at the sole discretion of the Board and/or its Representative, the following actions will be taken:

### A. Notification:

Upon discovery or notification regarding an alleged violation of the CCR (or these Architectural Guidelines during construction), the Board will notify the property (and general contractor, if during construction) by certified mail of the violation(s), allowing ten (10) calendar days to correct the violation to avoid penalty.

### B. Penalty:

If an owner fails to correct the violation of the CCR and/or these Guidelines within the time provided in a manner satisfactory to the Representative and/or Board, within the Representative's and/or Board's sole discretion, the Representative and/or Board shall notify the owner in writing (the "Second Notification"), at which time a one hundred dollar (\$100) fine shall be assessed against the owner. The owner shall then have no more than ten (10) additional days to pay the fine and take all necessary actions to remedy the violation(s).

After this time, if the owner fails to correct the violation, the Board or its Representative shall notify the owner in writing (the "Third Notification"). At which time a range a two hundred fifty dollar (\$250) fine shall be assessed against the owner. The owner will be given ten (10) days after "Third Notification" to correct the violation.

In the event the owner fails to remedy the violation after its Third Notification, the Board or its Representative shall notify the owner in writing (the "Fourth and Final Notification") at which time a range starting at an additional five hundred dollar (\$500) fine shall be assessed against the owner. The owner will be given ten (10) days after "Fourth and Final Notification" to correct the violation.

For each thirty (30) day period that a violation goes on after "Fourth and Final Notification" without remedy by the owner, the fine imposed against the owner shall double and will be assessed with no further notification to the owner, except an invoice for the outstanding fine balance due.

**C. ARC Approval Revocation:**

For a house under Construction, upon failure to correct the violation(s) after the "Fourth and Final Notification," the ARC approval will also be revoked until the violation is corrected and assessed fines are paid in full.

**D. Lawn Maintenance:**

For a violation of any covenant obligation related to lawn maintenance and cleanliness, if the owner fails to act within ten (10) days after "Second Notification" to correct the violation, the Board or its Representative may contract for the mowing and/or cleaning to be carried out by entering the property as many additional times as necessitated, and the owner will be assessed for the cost of the work in addition to the fine structure provided above until the costs and fines are paid in full [\$100 after Second Notification, \$250 after Third Notification, \$500 after Fourth and Final Notification, and then the monthly doubling of fines as set forth above].

**E. Recurring Violations:**

If an owner is found to have violated a Covenant or Guideline within one (1) year of having been fined for previously violating the same or similar covenant, the fine structure may begin without an initial notice and the fine process may begin at the Second Notification may be imposed without further notice or fine may be instituted. In the event an owner violates the same or similar CCR or Guideline(s) a third time within one (1) year, a Five Hundred Dollar (\$500.00) fine will thereupon be assessed against the owner, and the owner will be required to appear before the Board.

**F. Association's Right to Lien/Recover Costs and Fees:**

These Guidelines may be enforced by the HOA in the same manner as any violation or threatened violation of the CCR, including, but not limited to, the Association's right to pursue injunctive relief against the offending owner, and/or to assess a lien against the subject property. By submitting to the ARC process, an owner agrees that any violation herein shall constitute a harm which is irreparable to the Association and legally warrants immediate injunctive relief. The Board reserves the right to take any legal action necessary to remedy a violation, and to recover fines and penalties assessed herein and to enforce and recover on said lien. In addition to the fine or penalty structure, the Association shall be entitled to recover all costs deemed necessary in the assessment and/or collection of such fines, including, but not limited to, attorneys' fees, court costs, expenses, and interest and late payment penalties not to exceed the limits allowed under Mississippi law. Further, the provisions for

enforcement of the CCR and/or these Guidelines and the associated penalties provided herein shall not act to limit any other rights and privileges granted to the Association, through its Board, to enforce the CCR and/or assess penalties for the violation of same, including, but not limited to, the Board's right to pursue injunctive, liens or other legal relief against owners.

**G. Owner's Right to Hearing:**

An owner against whom a fine has been assessed may appear before the Board at any regular Board meeting to request waiver of the fine or suspension of common area use. The owner shall be given ten (10) minutes to present his or her case, and will be provided five (5) minutes to rebut any presentation made by the Board and/or its Representative.

**H. Association's Right to Waive or Modify Penalty:**

The Board, in its discretion, may waive any fine assessed against any owner. The provisions for enforcement of CCR and associated penalties provided herein shall not act to limit any other rights and privileges granted to the Board to enforce CCR and/or assess penalties for the violation of same, including, but not limited to, the Board's right to pursue injunctive or other legal relief against owners.

**I. Board Decisions are Final and Unappealable;**

All decisions made by the Board regarding fines and penalties under this section are final and unappealable.

The Initial Guidelines went into effect the 1st day of July, 2017. They are hereby amended, this the 18th day of December, 2020 upon the signature below and filing of these Guidelines in the land records of the Chancery Clerk, Madison County, Mississippi.

Witness my signature, this 21<sup>st</sup> day of January, 2021.

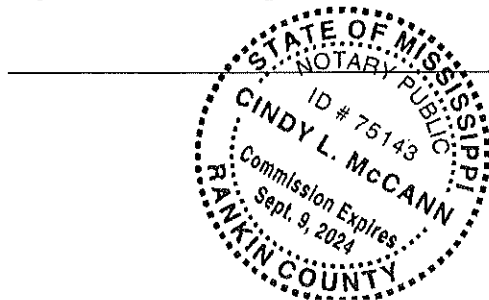
CHESTNUT HILL HOMEOWNERS ASSOCIATION, INC.  
a Mississippi corporation

By: [Signature]  
Its: President

SWORN TO AND SUBSCRIBED before me, this the 21<sup>st</sup> day of January, 2021.

Cindy A. McCann  
NOTARY PUBLIC

My Commission Expires:



FORM A

CHECKLIST FOR DESIGN REVIEW SUBMITTAL FOR NEW CONSTRUCTION

NO CONSTRUCTION IS TO BEGIN PRIOR TO RECEIPT OF FINAL APPROVAL BY THE ARC. CHESTNUT HILL HOA DUES & ASSESSMENTS MUST BE CURRENT AT THE TIME THE APPLICATION IS SUBMITTED AND THROUGHOUT THE BUILDING PROCESS.

Please initial beside each Numbered Item.

- 1. Builder & Owner acknowledges that they have the current copy of the Chestnut Hill Architectural Design Guidelines in effect at the time of submittal.
2. Shall have completed Design Review Application (FORM B) with the Architectural Statement.
3. Builder's Application Form (FORM C) on file with the Chestnut Hill ARC.
4. Shall have a copy of the filed Deed to the Lot (Proof of Ownership to Lot).
5. Shall have completed Home Specifications Color Palette (FORM D).
6. Shall have completed Builder/Contractor Verification (FORM E).
7. Shall have checks for the following (See ARC Schedule of Fees for various types of submittals):
Architectural Review Committee Design Review Fee: (\$1,500 new construction)
Damage Deposit (\$5,000 for new construction)

Make Checks Payable to Chestnut Hill Homeowners Association & mail to:

Specialty Management Services, LLC
P.O. Box 1305
Ridgeland, MS 39158-1305

\*Damage Deposit and ARC Review Fee may be mailed to Specialty Management Services. Plans will not be reviewed until Specialty Management Services has confirmed receipt of review fee and damage deposit.

- 8. Shall submit (3) sets of All Plans (New Projects, Additions, etc.) in hard copy, along with the all application documents to an ARC specified person, in a 3" x 36" shipping tube. All plans must include lot number, as well as contact information for the homeowner and the professional who created the plans.
9. Shall submit electronic copies (PDFs) of all plans (house, site, grading, & landscape) via email to chestnuthillarc@gmail.com.
The (3) sets of Construction Drawings shall include, but not be limited to the following:
Site Plan Grading/Drainage Plan
Landscape Plan Floor Plans (Including Foundation Plan)
Elevation & Plans (All Elevations)
10. Proposed Construction Schedule:

Months to Complete House from this Date

Homeowner (print name) Signature Date

Builder (print name) Signature Date

**FORM B**  
**BUILDER APPLICATION**

**GENERAL INFORMATION:**

COMPANY NAME: \_\_\_\_\_  
CONTRACTOR NAME: \_\_\_\_\_  
MAILING ADDRESS: \_\_\_\_\_  
E-MAIL ADDRESS: \_\_\_\_\_  
MOBILE NUMBER: \_\_\_\_\_  
OFFICE OR HOME PHONE NUMBER: \_\_\_\_\_

**LIST CUSTOMER REFERENCES:**

NAME	ADDRESS	PHONE #
1. _____	_____	_____
2. _____	_____	_____

**MUST ATTACH ALL OF THE FOLLOWING:**

1. Copy of your Mississippi Builders License
2. Copy of your Liability Insurance (**MINIMUM OF \$1,000,000 PER OCCURRENCE**). Chestnut Hill Homeowners Association, Chestnut Developers, LLC, and Livingston Holdings must be added as additional insureds. The additional insured certificates should be emailed to the ARC at [chestnuthillarc@gmail.com](mailto:chestnuthillarc@gmail.com).

Are there any pending, active litigations or any litigations within the past 24 months against you or your company?      YES      NO

I CERTIFY THAT THE ABOVE INFORMATION PROVIDED IS TRUE AND ACCURATE.

SIGN: \_\_\_\_\_ DATE: \_\_\_\_\_

PRINTED NAME: \_\_\_\_\_ TITLE: \_\_\_\_\_

**FORM C**

**DESIGN REVIEW APPLICATION**

**APPLICANT INFORMATION**

Builder/Owner Name: \_\_\_\_\_ Lot #: \_\_\_\_\_ Date: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Heated & Cool Sq. Ft.: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Phone: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

---

**BUILDER INFORMATION**

Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Address: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

---

**ARCHITECT / DESIGNER INFORMATION**

Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Address: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

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**LANDSCAPE ARCHITECT / DESIGNER INFORMATION**

Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Address: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

**FORM C**

**DESIGN REVIEW APPLICATION (cont'd)**

**TYPE OF REVIEW**

(check all that apply)

\_\_\_\_\_ Initial Construction Review Fee

\_\_\_\_\_ Re-submittal Review Fee

\_\_\_\_\_ Post-Construction Review Fee

\_\_\_\_\_ Residential Addition Review Fee

**Heated & Cooled Living Area Square Feet** \_\_\_\_\_

**Spec Home** \_\_\_\_\_

**Custom** \_\_\_\_\_

New Home \_\_\_\_\_

Residential Addition \_\_\_\_\_

Pool & Spas \_\_\_\_\_

Structures \_\_\_\_\_

Fireplaces \_\_\_\_\_

Fire Pit \_\_\_\_\_

Arbors \_\_\_\_\_

Sea Wall \_\_\_\_\_

Pier \_\_\_\_\_

Boat Dock \_\_\_\_\_

Play Equipment \_\_\_\_\_

Trampolines \_\_\_\_\_

Fence \_\_\_\_\_

Change Exterior of House \_\_\_\_\_

Landscaping \_\_\_\_\_

Other \_\_\_\_\_

## FORM C

### DESIGN REVIEW APPLICATION (cont'd)

1. **Notice:**

The Chestnut Hill ARC meets on an "as needed" basis. The ARC will not meet without your complete plans, specifications, and other applicable submittal material as required "in hand." See FORM A Checklist for further information. OR

All submittal requirements must be submitted to the Chestnut Hill ARC **no later than 4:00 p.m. the Thursday 2 weeks prior to the ARC meeting.** The Chestnut Hill ARC meets on the 3<sup>rd</sup> Thursday of each month unless otherwise noted by the ARC.

ARC Contact Information: see Chestnut Hill website

Email: [chestnuthillarc@gmail.com](mailto:chestnuthillarc@gmail.com)

2. **Builder Requirements:**

1. Builder's approval:

To become an approved builder in Chestnut Hill, the builder/contractor must complete, submit, and have approved a Builder Application (see Form B). The Builder Provisional Approval is based on the application with the intent of only the first project in Chestnut Hill being approved. Strictly adhering to Architectural Control will set grounds for future projects in Chestnut Hill. Failure to comply with the Chestnut Hill ARC, these Design Guidelines, and the CCR may result in further projects being disapproved or revoked.

Additionally, the ARC, on behalf of the HOA, may enforce any of these Design Guidelines to the extent necessary pursuant to the CCR, including a judgment against you and/or the property for the amount expended to remedy the situation and all costs incurred therewith.

2. Lot Owner's Approval:

To build a home on your intended lot, the lot owner must have an approved builder on file with the Chestnut Hill ARC. The lot owner must follow all steps in the Design Review Procedures and in the Construction Regulations and Restrictions.



### 3. Plan Requirements:

#### 1. Site Plan Requirements:

- a. \_\_\_ All site plans are to be drawn at 1"= 10' scale; Estate lots 1"= 20' only
- b. \_\_\_ Owner's contact information
- c. \_\_\_ Architect/Designer's contact information
- d. \_\_\_ Lot Number
- e. \_\_\_ North Arrow and scale
- f. \_\_\_ Orientation of house on lot
- g. \_\_\_ Property boundaries & building setbacks must be labeled properly
- h. \_\_\_ All easements must be labeled properly
- i. \_\_\_ Finish floor elevation & garage finish floor on lot
- j. \_\_\_ Critical dimensions to layout house on lot
- k. \_\_\_ Adjacent streets should be noted
- l. \_\_\_ Adjacent lakes or common areas should be noted
- m. \_\_\_ Topo Contour lines on two-foot (2') intervals based on actual field survey
- n. \_\_\_ Bearings and Distances shall be based on an actual field survey, not copied from the Record Plot
- o. \_\_\_ Impact on the surrounding lots/homes
- p. \_\_\_ Tree survey - show location of existing trees (over six-inch (6") in diameter, measured at 4 feet (4') above the ground) and any tree that is to be removed
- q. \_\_\_ Proposed location of silt fence (must be located within lot lines)
- r. \_\_\_ Show & label location of temporary limestone gravel drive to garage
- s. \_\_\_ Service yard/screening: garbage, meters, firewood, a/c condenser units, antenna, etc. Must be screened by proper evergreen planting or approved fencing
- t. \_\_\_ Walkway to front entrance of home
- u. \_\_\_ Driveway & walkways-location, material, finish, and dimensions
- v. \_\_\_ Proper driveway and apron details (see attached Apron detail)
- w. \_\_\_ Driveways shall be a minimum of ten (10) feet in width
- x. \_\_\_ Driveways, aprons, guest parking, and back outs must remain a minimum of ten (10) feet from any property line, unless otherwise approved by the ARC.
- y. \_\_\_ All exterior hardscape materials, finish, and slope
- z. \_\_\_ All existing & proposed structures, features, walks, drives, seawalls, piers, boat docks, etc.
- aa. \_\_\_ Retaining walls, courtyard walls - location, materials, finish, and dimensions, shape, color, siting, architecturally related
- bb. \_\_\_ Fences, privacy, open space - location, materials, finish and dimensions, shape, color, siting, architecturally related
- cc. \_\_\_ Pools, spas, courts - elevation of pool, location, materials, finish, and dimensions, shape, color, siting, architecturally related.
- dd. \_\_\_ Pools, spas - may not be built closer than twenty (20) feet from either side yard lot line or twenty (20) feet from the rear property line
- ee. \_\_\_ Pools, spas, - in the rear of dwelling
- ff. \_\_\_ Pools, spas - secure, restrictive fence, no less than five (5) ft tall - submit picture of fence design
- gg. \_\_\_ Pools, spas - discharge of back wash will not be permitted into the holding tank or any other part of the sewer system and must be controlled so that it will not wash across the adjoining lot or into any of the lakes

- hh. \_\_\_ Free standing structures - Fireplaces, fire pit, arbors, play equipment, trampolines, etc. - location, materials, color, siting – located out of public view, behind the dwelling, and screened with suitable evergreen plantings
- ii. \_\_\_ Stake house corners (4-6) points
- jj. \_\_\_ Flag all trees outside a 15' perimeter of the house pad that are to be removed (any tree over six-inch (6") in diameter, measured at 4 feet (4') above the ground)
- kk. \_\_\_ Flag driveway location – must be at least 10' from property line, unless otherwise approved by the ARC.

## 2. Grading / Drainage Plan Requirements

- a. \_\_\_ All grading plans shall be prepared by a qualified and licensed architect, landscape architect, or engineer.
- b. \_\_\_ All site plans are to be drawn at 1"= 10' scale; Estate lots 1"= 20' only.
- c. \_\_\_ Owner & Landscape Architect contact information
- d. \_\_\_ Topographic plan by registered land surveyor with existing contours
- e. \_\_\_ Plans must show two-foot (2') contour lines and finish floor elevations
- f. \_\_\_ Proposed contour plan showing cut and fill requirements
- g. \_\_\_ Grading intentions with spot elevations at streets and property corners
- h. \_\_\_ Spot elevations at the front and corners of the house, shown to reflect the amount of drop brick ledge. Any steps shown should accurately depict the changes in grades and the needed number of treads and risers.
- i. \_\_\_ The finished floor of the main house shall be a minimum of 18" above grade along the main front facade. Front façade porches shall have a minimum finished floor elevation of no less than 18" above grade at the front "build to" line.
- j. \_\_\_ Show and label all retaining wall locations, materials, finish, and dimensions, shape, color, siting, architecturally related
- k. \_\_\_ Show and label existing & proposed drainage features
- l. \_\_\_ Drainage pipe showing location, material, size, and invert elevations
- m. \_\_\_ Driveway location and grade - Driveways, aprons, guest parking, and back outs must remain a minimum of ten (10) feet from any property line, unless otherwise approved by the ARC.
- n. \_\_\_ Swales & arrows denoting all existing & proposed surface water flow
- o. \_\_\_ Proposed location of silt fence (must be located within lot lines)
- p. \_\_\_ Silt fences on lakefront lots – 2 silt fences must be installed at the water shoreline

## 4. Architectural Plan Requirements:

- 1. Floor Plan:
  - a. \_\_\_ Contact information for Owner & Architect/Designer
  - b. \_\_\_ A floor plan drawn at 1/4"=1' - 0"
  - c. \_\_\_ Plan should note conditional square footage
  - d. \_\_\_ Overall dimensions of the structure should be noted clearly, including area of the structure and overall height dimensions
  - e. \_\_\_ Must meet neighborhood 3,500 minimum square footage requirement
- 2. Building Elevations:
  - a. \_\_\_ Color palette/home specifications of brick, trim, & roof materials
  - b. \_\_\_ Elevations drawn at 1/4"=1' - 0"

- c. \_\_\_\_\_ All exterior materials noted on plans
- d. \_\_\_\_\_ Elevations should be noted with respect to their direction on the compass or their relation to the street
- e. \_\_\_\_\_ Roof: main structure at front 7'V: 12'H or steeper
- f. \_\_\_\_\_ Vertical dimensions (ceiling heights): 10' minimum for first floor, 9' minimum second floor)
- g. \_\_\_\_\_ Exterior millwork: all divided windows and doors shall be true divided light
- h. \_\_\_\_\_ Window design, type, and brand must be shown
- i. \_\_\_\_\_ Shutters: must be shown
- j. \_\_\_\_\_ Gutters/downspouts/flushing to all be of copper or painted galvanized metal only
- k. \_\_\_\_\_ Dormers must be shown - must be traditional or classical proportions
- l. \_\_\_\_\_ Chimneys
- m. \_\_\_\_\_ Exterior Lighting
- n. \_\_\_\_\_ All cornice and rake returns shall be 45 degree fascia board. See attached cornice detail.

**5. Landscape Plan Requirements:**

- a. \_\_\_\_\_ Contact Information for Owner & Landscape Architect/Designer
- b. \_\_\_\_\_ North arrow and scale
- c. \_\_\_\_\_ Lot Number
- d. \_\_\_\_\_ Planting plan drawn at 1" = 10' ; Estate lots 1"= 20' only
- e. \_\_\_\_\_ Complete foundation planting required – plantings on all sides of the home
- f. \_\_\_\_\_ Minimum 3 gallon planting
- g. \_\_\_\_\_ Adjacent streets should be noted
- h. \_\_\_\_\_ Property boundaries & building setbacks must be labeled properly
- i. \_\_\_\_\_ Proposed plant material location, species, quantity, and size
- j. \_\_\_\_\_ Lawn variety, areas designated as lawn must be sodded
- k. \_\_\_\_\_ Naturalized areas, and sod limits; if left naturalized
- l. \_\_\_\_\_ Tree survey - show location, genus, and species of all existing trees (over six-inch (6") in diameter, measured at 4 feet (4') above the ground) and any tree that is to be removed
- m. \_\_\_\_\_ Landscape Lighting
- n. \_\_\_\_\_ All exterior hardscape materials, finish, and slope
- o. \_\_\_\_\_ All existing & proposed structures, features, walks, drives, etc.
- p. \_\_\_\_\_ Retaining walls, courtyard walls - location, material, finish, and dimensions; shape, color, siting, architecturally related
- q. \_\_\_\_\_ Fences, privacy, open space - location, material, finish, and dimensions; shape, color, siting, architecturally related
- r. \_\_\_\_\_ Pools, spas, courts- pool elevation, location, material, finish, and dimensions; shape, color, siting, architecturally related
- s. \_\_\_\_\_ Free standing structures - fireplaces, fire pit, arbors, play equipment, trampoline, etc.; location, material, finish, and dimensions shape, color, siting, architecturally related
- t. \_\_\_\_\_ Irrigation system water source – noted on plan. No person may withdraw and use water from the lake without approval of the HOA Board of Directors.

**FORM D**  
**HOME SPECIFICATIONS COLOR PALETTE**

If you have any questions, please contact us before submittal. Also if you are using any special mortar joints - please note below for approval. Brick Mortar Smear should cover the entire brick area with a consistent finish or be noted as well.

**EXTERIOR:**

**Brick:**

Name : \_\_\_\_\_ Old \_\_\_\_\_ New \_\_\_\_\_ (check one)

Size: Queen \_\_\_\_\_ Modular \_\_\_\_\_ Other \_\_\_\_\_ (check one)

Mortar Color: \_\_\_\_\_ Special Notes If Any \_\_\_\_\_

Smear: Yes \_\_\_\_\_ No \_\_\_\_\_ Color: \_\_\_\_\_

Style of smear: (Heavy or Light) \_\_\_\_\_

Painted Brick: Yes \_\_\_\_\_ No \_\_\_\_\_ Color: \_\_\_\_\_

**Paint/Stain:** Include Brand Name, Number, Color, and Sample Paint Chip

(Example: Sherwin Williams #5778 Super White)

Trim Color: \_\_\_\_\_ Garage Door Color: \_\_\_\_\_

Siding Color: \_\_\_\_\_ Shutter Color: \_\_\_\_\_

Door Stain or Paint Color: \_\_\_\_\_ Columns: \_\_\_\_\_

**Window Brand:** \_\_\_\_\_ **Window Type:** \_\_\_\_\_ **Color:** \_\_\_\_\_

(Windows must be wood or metal clad as approved by ARC. No vinyl or vinyl clad windows will be approved.)

**Roof Brand:** \_\_\_\_\_ **Color:** \_\_\_\_\_

**Metal Roof (accents only):** Yes \_\_\_\_\_ No \_\_\_\_\_ **Color:** \_\_\_\_\_

**Column Materials:** Old Pine timbers \_\_\_\_\_ New Cypress timber \_\_\_\_\_ Other List: \_\_\_\_\_

**Courtyard:** Yes \_\_\_\_\_ No \_\_\_\_\_ **Material (Brick or Stucco):** \_\_\_\_\_

**Color / Finish (Smear, Paint or Unpainted):** \_\_\_\_\_



## Appendix F-1 - ARC Schedule of Fees:

### 1. Initial Construction Fees

- a. New Home Construction Review Fee: \$1,500 (initial fee may include all post fees below)
- b. Damage Deposit: \$5,000
- c. Re-submittal: \$150 (For Architectural, Site, and Landscape alterations) - Additional review fees above the \$1,500 review fee may be incurred if multiple changes to plans are submitted during the initial review process or after the final approval has been given. All changes must be approved in writing by the ARC prior to commencement of construction.

### 2. Post Construction Fees

\*If not included w/ New Home Construction submittal, the following fees will apply:

- a. Residential Addition Plans (heated & cooled or non-heated & non-cooled areas) (Must include site, landscape, & fence plan) – Review Fee \$350, \$2,000 Damage Deposit
- b. Pool & Spa (Must include site, landscape, & fence plan) - Review Fee \$250, \$1,000 Damage Deposit
- c. Outdoor Structures, Retainer Walls, Courtyard Wall. (Pigeonniere, Open air structure, Arbors, Fireplaces, Fire Pits, etc.) (Must include landscape & fence plan) – Review Fee \$250, Damage Deposit
- d. Play Ground Equipment (Play Houses, Trampolines, & Etc.) – Review Fee \$50
- e. Waterfront Fee (Sea Walls, Boat docks, & Piers) – Review Fee \$250, Damage Deposit ?
- f. Fence, Change the Exterior of Home, and Etc. – Review Fee \$250
- g. Satellite Dish and Basketball Goals - Please contact the ARC to review your plans and discuss any comments and/or changes.

\*Payment of the damage deposit and ARC review fee shall be made with **two separate checks**, payable to Chestnut Hill HOA.

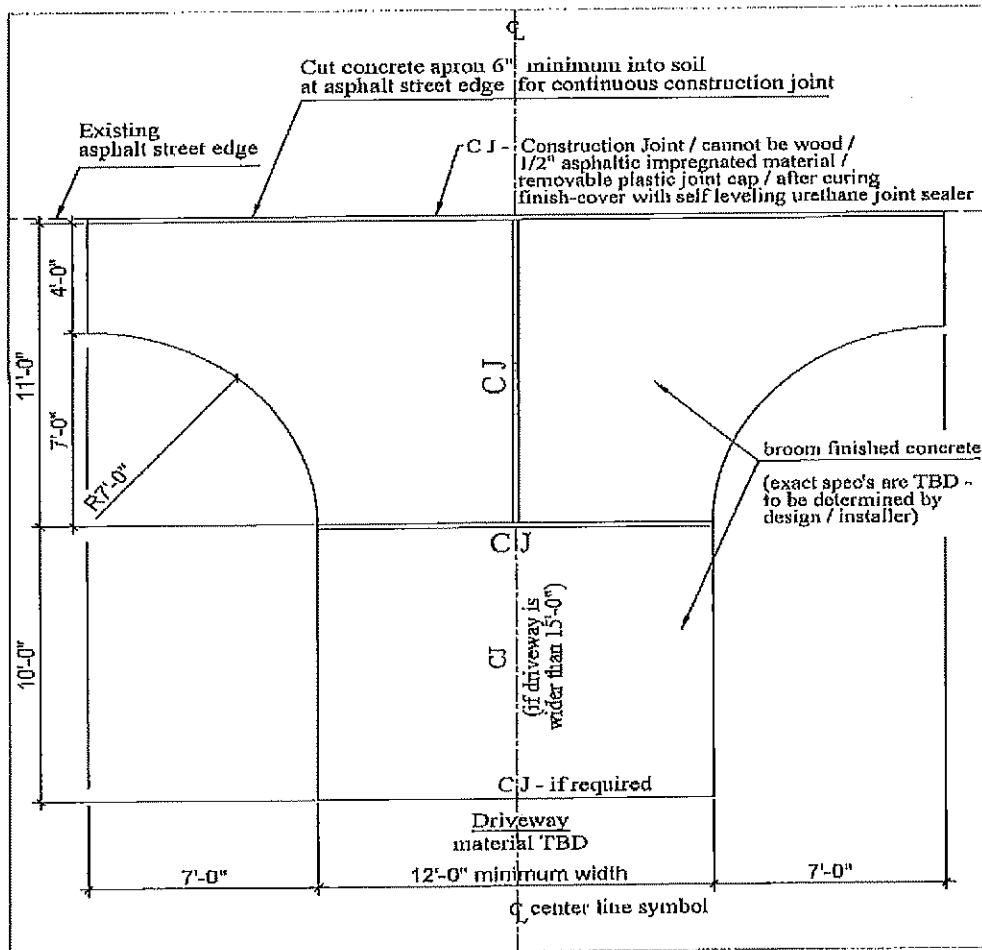
## APPENDIX F-2 – Apron Detail

1. No wood expansion joints allowed.
2. All expansion joints shall be 1/2" asphalt impregnated.
3. Provide removable plastic expansion joint cap for all expansion joints.
4. After proper curing time – remove plastic and fill with self-leveling urethane joint sealer.
5. All contraction joints shall be scored at a depth of 1/4 concrete thickness.
6. All concrete driveways and aprons shall be 4" thick, 3,000 psi concrete. Or say exact specs TBD by designer/installer as stated on our detail – once ARC decides, update the plan detail if needed.
7. All aprons shall broom finished concrete, perpendicular to the street.
8. Cut concrete apron 6" minimum into soil at asphalt street edge for continuous construction joint.
9. All edges to be tooled with 1/2" radius edge tool.
10. 12' minimum driveway width (per plan detail)
11. Driveway Material to be approved by the ARC

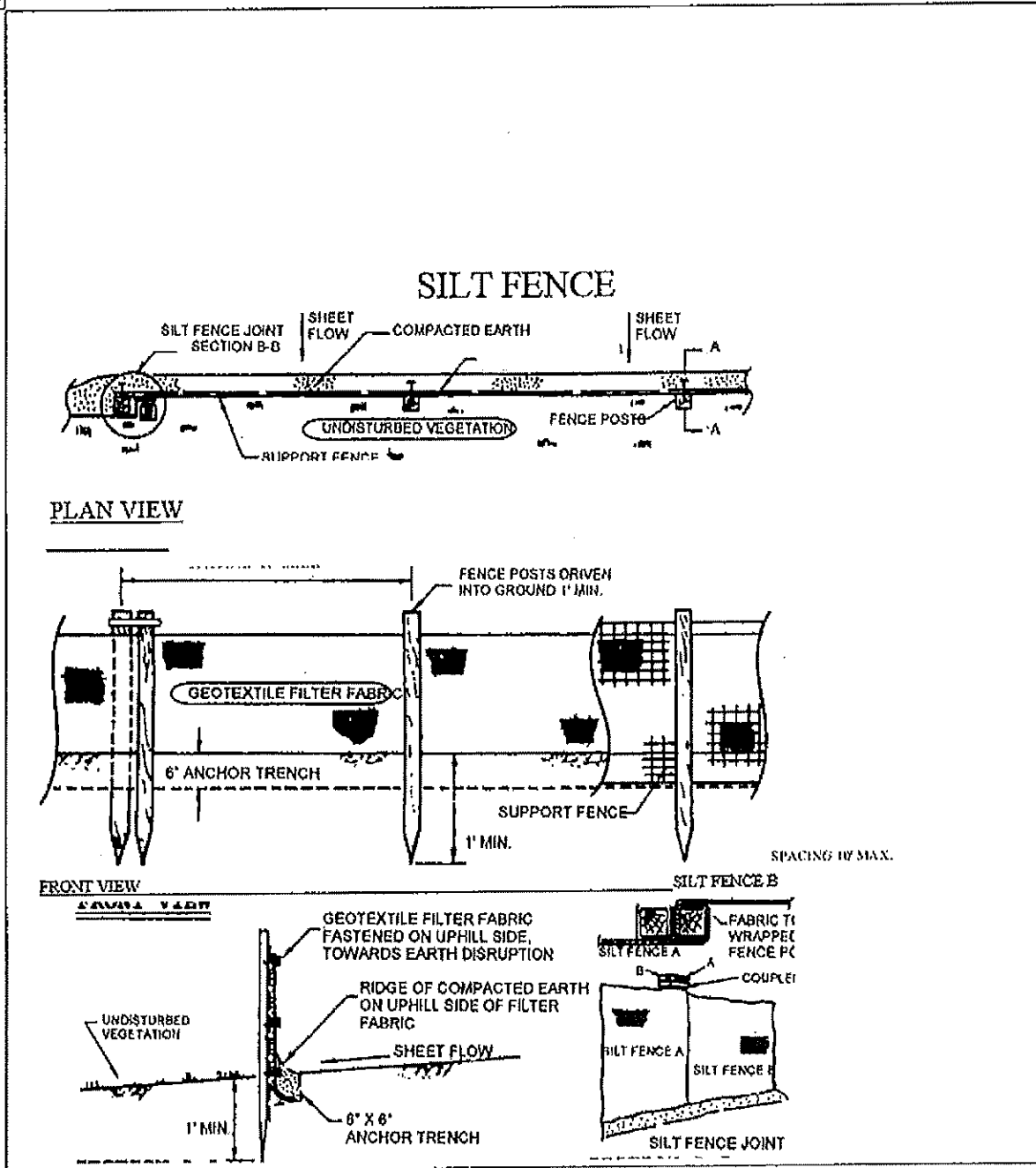
### Chestnut Hill

### Appendix 3 Apron Plan Detail B

scale 1/4" = 1"-0"



# APPENDIX F-3 TEMPORARY SILT FENCE WITH WIRE FENCE DETAIL



**MDEQ Silt Fence Detail**





## Appendix F-5 - Mailbox Information

Below is a picture of the approved mailbox for Chestnut Hill. Mailboxes shall be placed adjacent to the driveway concrete apron.

The mail box itself is copper as is the sign that hangs above it with the street number. Copper Sculptures in Flowood, MS designed the current mailbox and it can be purchased directly from them. This mailbox retails for \$750 plus tax and \$75 for installation plus tax. Price subject to change. Contact Copper Sculptures for current pricing.

5230 Highway 25  
Flowood, MS 39232  
[info@coppersculptures.com](mailto:info@coppersculptures.com)

601-992-9955 (phone)  
800-235-6725 (toll-free)



## APPENDIX F- 6 - WOOD FENCE DETAIL

