

ARC Procedures

Swann Estates Homeowners Association, Inc. (SEHOA)
P.O Box 283
Frankford, DE 19945
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ARCHITECTURAL REVIEW COMMITTEE

I. Prelude

Although the Architectural Review Committee has existed since 1987, a formal process was not documented. The procedures outlined below reflect practices that have been in place, with the exception of how to obtain a request form.

II. Purpose

The Architectural Review Committee (ARC) was established in accordance with Article IX, Section 1 of the SEHOA by-laws and Article VI, Section 6 of the SEHOA Declaration of Covenants, Conditions and Restrictions on the 15th day of April 1987, by James Swann, the developer.

The purpose of the ARC is to ensure that any dwelling to include it's construction, structural changes, modifications, or property enhancements in Swann Estates are of a nature that conforms to the protective covenants and restrictions and are consistent with the attractiveness and betterment of the community as a whole.

This document provides the basic procedures to be used and followed by lot owners of Swann Estates in obtaining required approval of proposed construction. As provided in Article VI, Section 6 of the Declaration, this includes any new building or an addition to an existing building, structure, fence, wall bulkhead, or other improvement. Lot owners are hereby requested to obtain and read the pertinent sections of the declaration prior to considering structural changes.

A Sussex County permit is required for all original structures and may be required for subsequent improvements. Approval by the ARC does not exempt Lot owners from State or County permit requirements.

III. ITEMS REQUIRING SUBMISSION TO AND APPROVAL BY THE ARC

1. A DWELLING (See form SEHOA ARC APPROVAL FORM – NEW RESIDENCE)

As soon as it is known that a dwelling is to be built, proposed plans and a copy of the survey/plot plan shall be presented to ARC, usually via the BOD President who is notified by the owner or realtor, in sufficient detail to identify the size, type of construction, materials, exterior color selections, and location on the lot of proposed construction, including the position of the driveway. All roofs shall not be less than 5 ½ roof pitch.

2. AN APPENDAGE (SHED, FENCE, GAZEBO ETC.) (See SEHOA ARC APPROVAL REQUEST "Home Enhancements" form)

Additions must match the siding/exterior and roof of the existing home. The roof pitch should also be the same. Always check to see if a permit is required from Sussex County, if it is required ARC approval is also required. There are cases when approval by ARC is required and a permit is not. Residents should always check with ARC Chairperson if they are unsure.

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IV. PROCEDURE FOR APPROVAL

Use the appropriate ARCHITECTURAL REVIEW COMMITTEE (ARC) form to submit items to the ARC for approval. Give as much detail as possible and attach any other material such as blueprints or schematic sketch to better assist the ARC in the approval process.

The ARC approval request forms are available under **Documents** on the left side of the Swann Estates “Nextdoor” website and in **Member** area of our HOA website swannestateshoa.com. They can also be obtained through the Associations Secretary via our email account: sehoa.news@gmail.com or by contacting the ARC Chairperson.

Once the proper form and relevant sketches/drawings etc. are complete, refer to the SEHOA Organization Chart for the name of the ARC chairperson to deliver your request.

V. ARC MEETINGS

The ARC meets as requests are received or as deemed necessary by the committee chairperson.

VI. RECORD OF ACTION

Once an application has been submitted for approval, the ARC will review the material and notify the applicant of results.

The ARC will make a record of its review and indicate their approval/disapproval and any additional comments on the form provided for this purpose. Once the ARC has taken final action, the review report form will be provided to the applicant. Requests that are disapproved will include a letter detailing the reasons and suggested actions to the applicant. The original request will be filed in the Association’s records along with any other notations or supporting material as the official record.

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ARC Regulations Quick Reference Guidelines

New Homes (Article VI – Sections 1, 6, 19 & 20 (pgs. 8-13))

- 1.) Furnish two lot surveys (site plans) showing location of house, driveway, and landscaping. Also, detailed building and foundation plans showing size, shape, location, color and materials for proposed development. All plans must be submitted a minimum of two weeks prior to anticipated construction.
- 2.) The following building materials are not acceptable, asbestos, T-1-11 siding, block and any substandard building material. Final decision is with the Board of Directors.
- 3.) Main dwellings must face street. Setbacks minimums are 30 feet in front, 20 feet in rear, & 15 feet on each side.
- 4.) Two-story houses are to have a minimum of 850 square feet living space on first floor. All homes shall have a minimum of 1500 square feet of living space. Open decks and garages are not considered living space.
- 5.) All homes must have a minimum of a two car attached garage and cannot be separated by any means from the main home.
- 6.) Lot owners shall provide a surety (Bond/Cash) in the amount of \$1,000 prior to start of construction being made payable to Swann Estates Homeowners Association, Inc. Surety shall be held until final inspection and approval is given by the Architectural Review Committee & Board of Directors certifying that the construction has met the requirements of the covenants and this document, and that landscaping requirements are met and any damage to road or easement has been satisfied with the Board of Directors.

Additions – Sheds, Gazebo etc. (Article VI Section 22 (pg. 14))

Section 22. Other Appurtenances and Appendages. - No exterior appendage or apparatus, by way of illustration and not limitation, the following: towers, clothes lines, flag poles, statutes, monuments, storage sheds and any other manmade facility shall be installed or maintained unless approved in writing by the Architectural Review Committee.

Building Restrictions and guidelines for **sheds will be strictly enforced:**

1. Single story shed limited to maximum dimensions of 12 ft. in width X 16 ft. in length
2. The siding/exterior walls and shingles must be the same color as the main residence.
3. Cannot be located in front of the main residence
4. Must be landscaped
5. No metal sheds
6. No storage external to shed
7. If a shed is placed on a permanent pad i.e. concrete you must comply with State/County regulations regarding set backs
8. Plans are to be submitted to the ARC a minimum of 14 days prior to installation & include exact location of shed placement
9. Limit one shed per lot/and one gazebo
10. The final approval/disapproval decision rests with the Board of Directors

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Article VII - Section 5 (pg. 16); Article VI Section 20 (pg. 13)

The temporary storage of recreational use boats/watercraft will not be prohibited. However, the following conditions will be strictly enforced:

- From the period of April 15th to October 15th boats/watercraft may be kept in the driveway.
- Any boat/watercraft must stay on the driveway or in the garage and with the trailer at all times.
- No boat/watercraft may be placed on grass areas.
- All boats/watercraft must vacate the community by the 15th of October, after which time it will be considered "STORAGE".
- Failure to comply with the above vacate by date will result in the following action by the Board of Directors:
 - 1st Infraction – Warning Letter
 - 2nd Infraction – One Year Ban
 - 3rd Infraction – Permanent Ban

FENCES - Article VI Section 14 (pg.11); Article VII Section 5 (pg. 16)

- No chain link, dog runs, or snow fences are authorized
- All fencing requests shall be submitted using the ARC "Home Enhancements" form.
- Lot owners with pets may retain their pets with coated metal wire (green or black) attached to the inside of the fence. In the event that a pet no longer resides with homeowner, the wire mesh shall be removed.
- No fence can be more than 4 feet in height.

PONDS - Article VII Section 5 (pg. 16); Article IV Section 3 (e); Article IV Section 5 (e)

- Ponds are for residents and guest use only.
- Residents observing non-residents utilizing our ponds should notify a member of the Board of Directors immediately.
- All activity on the ponds is restricted from sunset to sunrise.
- No motorized boats allowed on ponds.
- Swim at your own risk.
- Clean up the area prior to leaving.

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FLAGPOLES - Article VI Section 22 (pg. 14); Article VII Section 5 (pg. 16)

Lot owners may construct/erect a flagpole with the following restrictions:

- Submit the request using the ARC Home Enhancements form
- Cannot exceed 16 ft. in height
- Must be landscaped and maintained by the homeowner
- There will be no flagpoles authorized for any common areas, entrances, ponds, etc.
- The only flags approved are: American, State, sports, military or beach orientated. No foreign or derogatory flags shall be authorized.

TV/RADIO ANTENNAS, CLOTHES LINE POLES

Article VII Section 5 (pg. 16)

- Clothes lines – NOT AUTHORIZED IN ANY FORM
- Antennas/Satellite dishes are permitted in accordance with FCC Regulations.