

THE FOX BAY ARCHITECTURAL  
GUIDELINES AND RESOLUTIONS

February 14, 1989

I. ARCHITECTURAL GUIDELINES: Purpose and Function

A. The Fox Bay Architectural Guidelines and Resolutions will provide the property Owner with a concise and definitive set of rules governing the development of property. The Guidelines will insure architectural compatibility and continuity while allowing for personal diversity within the framework of rules.

B. This document is primarily a reference tool and decision-making guide for the Fox Bay Architectural Review Committee. It is the resource by which decisions will be made regarding residential design in general, aesthetic decisions, and all general decisions regarding the development of property within Fox Bay.

II. THE ARCHITECTURAL REVIEW COMMITTEE:

A. The Architectural Review Committee (hereinafter referred to as the ARC) shall be organized and shall operate in the manner as set forth in the Declaration of Protective Covenants, Conditions and Restrictions for Fox Bay. The ARC will conduct its business of overseeing the architectural development of Fox Bay subject to the Declaration and to the rules and regulations of the Fox Bay Owners Association as may be amended from time to time.

B. The ARC will utilize the following plan review process:

(1) The ARC meets once weekly to act upon submissions for property improvement. All submissions must be made a minimum of one (1) day prior to the Committee meeting date. During periods of excessive construction starts, the ARC will meet more frequently to promptly review all submission requests.

(2) Final plans and all specifications must be submitted to the ARC in order to receive approval. The amount of total heated square footage of the residence and setback requirements will be checked by the ARC at this time.

(3) Three complete sets of documents as listed below are to be submitted to the ARC at the applicant's expense:

- (a) Construction plans and building specifications;
- (b) A drainage plan;
- (c) A site plan with accurate grading which shall show the location of all improvement;
- (d) A landscape plan.

(4) A plan Review Fee shall be submitted with the plans as follows:

- (a) Preliminary plans \$ 50.00
- (b) Final Plans and Specification \$100.00

(5) Approved plans will be so noted on the front sheet of each set of plans. Approval by the ARC is contingent upon approval of the District. Decisions regarding approval or disapproval will not be unreasonably delayed.

(6) If the applicant desires to materially modify or change the plans after approval of the plans, but not including modifications or changes of or to the interior design, then the applicant shall submit three complete copies of such proposed changes to the ARC for review and approval or disapproval.

(7) Approval of any particular plans shall not be constructed as a waiver of the right of the ARC to disapprove all or any portion of the same plans if such are subsequently submitted for use in any other instance.

(8) The Pearl River Valley Water Supply District is the agency for the State of Mississippi whose jurisdiction is the Ross Barnett Reservoir and its adjacent environs. It is the responsibility of the District to oversee improvements to reservoir properties in much the same manner as would a city building and permit department. As such, a building permit must be obtained from the Pearl River Valley Water Supply District.

### III. ARCHITECTURAL RESOLUTIONS:

A. No residential Lot shall be further subdivided and no more than one single-family Living Unit shall be constructed or permitted on each Lot.

B. Plans and specifications for all residences should be designed to take advantage of views, vistas, and wooded environment of Fox Bay. Privacy walls, or fences are not allowed to obstruct major view of the water.

C. Plans and specifications for all residences should be designed to conform to the natural terrain and beauty of Fox Bay. Every effort should be made to save major trees or other unique site features.

D. Plans and specifications for residences shall be developed to allow for minimum cutting and filling of property. To insure compliance with this strategy, all residences will be built with a maximum of two (2) feet of fill above the highest point on the Lot within the building lines. In instances where more than two (2) feet of fill is required, a conventional foundation will be built. In those instances where less than two (2) feet of fill is required, a slab foundation may be used. Site plans must indicate all changes in original elevation contours as a result of the proposed construction.

E. The living, finished floor elevation for any permanent structure shall be established at one (1) foot above 100 year flood plain.

F. Nothing shall be done on any Lot or in or on the Common Area which may impair the structural stability of any other Lot.

G. Front building lines for conventional single family homes shall be positioned so as to alternate a minimum of five (5) feet from adjoining structures. Front building lines for zero lot line homes shall be positioned so as to alternate a minimum of three (3) feet from adjoining structures.

H. An Owner in building, or causing to be built, the original residence on any Lot in Fox Bay shall not substantially duplicate the exterior elevation, in design or architecture, of any other Living Unit existing on the same street within two hundred (200) feet of said Lot. For the purpose of this Paragraph, a Living Unit shall be considered in existence from the time excavations for the foundations are begun until said Living Unit is removed from the Development or is destroyed.

I. No television antenna, satellite dish, radio receiver or similar device shall be attached to or installed on any Lot or any Living Unit or other structure on the Lot or any portion of The Properties, unless contained entirely within the interior of a building, and no radio or

television signals or any other form of electromagnetic radiations shall be permitted to originate from any Lot which may unreasonably interfere with reception of other signals within The Properties. If cable television services are not available to a Lot, and adequate television reception is not otherwise available or possible, then upon an Owner's request the ARC may, but is not required or obligated to, permit an Owner to install a television antenna on his Lot or Living Unit or other structure on his Lot.

J. Once property is cleared, the residence must be completed in conformance with the approved plans (including the Landscape Plan) and specifications within one (1) year, unless an extension is granted by the ARC.

K. All buildings and other structures and improvements shall be designed, located and constructed to permit all vehicles entering upon any Lot to be parked, maneuvered, loaded or unloaded entirely or completely on such Lot. All driveways and parking areas shall be equivalent to or better than asphalt or concrete, unless otherwise approved by the ARC. No parking on streets shall be permitted.

L. Accessory buildings are specifically prohibited from any residential Lot within the Subdivision. Portable buildings or similar structures are permitted during construction. Gazebos, pool houses, or similar structures may be constructed pending approval from the ARC and are not considered to be accessory buildings.

M. Any changes to an approved structure (complete or incomplete to include additions, alterations, etc.) must be approved by the ARC prior to the commencement of construction.

N. In the interest of uniformity, appearance, and to insure that all residences shall be of a quality of workmanship and materials substantially the same or better than that which can be produced on the date these guidelines are enacted, the color and kind of paint, roofing, and finished materials on the exterior of any Living Unit shall not be changed or replaced from that as specified in the original design unless such changes are submitted to and approved by the ARC.

O. Landscape or plant materials shall not be planted or placed so as to obstruct traffic visibility or otherwise cause hazardous traffic conditions.

P. All telephone, electrical, cable television and other similar lines located outside and between any building and any power transmission or other lines or poles shall be underground and shall conform to existing electrical codes.

Q. It is suggested that no trees of ten (10) inch diameter or larger may be removed from within ten (10) feet of the rear property line of any Lot without approval of the ARC. In the instances involving irregular-shaped Lots, tree removal in the rear of Living Units will be approved by the ARC according to the configuration of each irregular-shaped Lot to insure the maintenance of adequate buffers. Provided that an adequate buffer can be maintained on each side of a Lot, generally approval will be granted for the removal of trees located near the Living Unit or accessory buildings unless such removal will substantially decrease the beauty of the aesthetic characteristics of the Lot or The Properties.

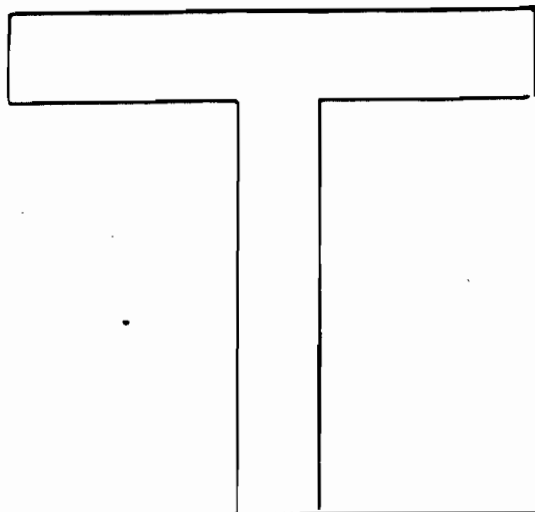
#### IV. COMMUNITY ELEMENTS GUIDELINES:

The community elements guidelines component of the Fox Bay Architectural Guidelines sets common standards for all community elements and other general use items and structures. The intent of these standards is to insure a continuity of specific elements at the shoreline and streetscape.

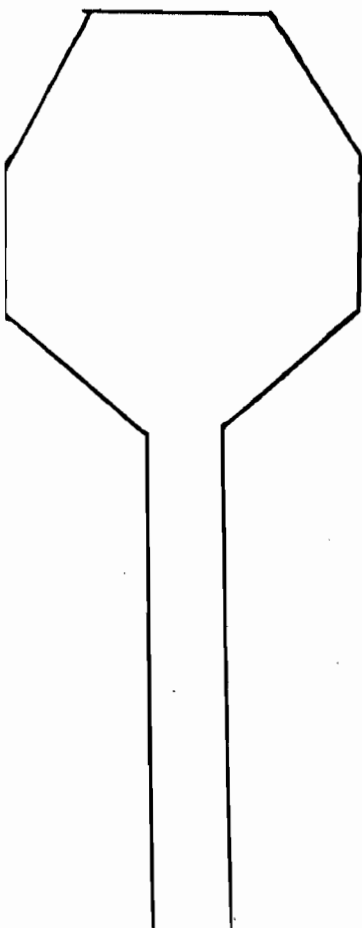
IV. COMMUNITY ELEMENTS GUIDELINES: (Cont'.)

A. Boat Docks:

(typical drawings)



(T-Shaped Pier)



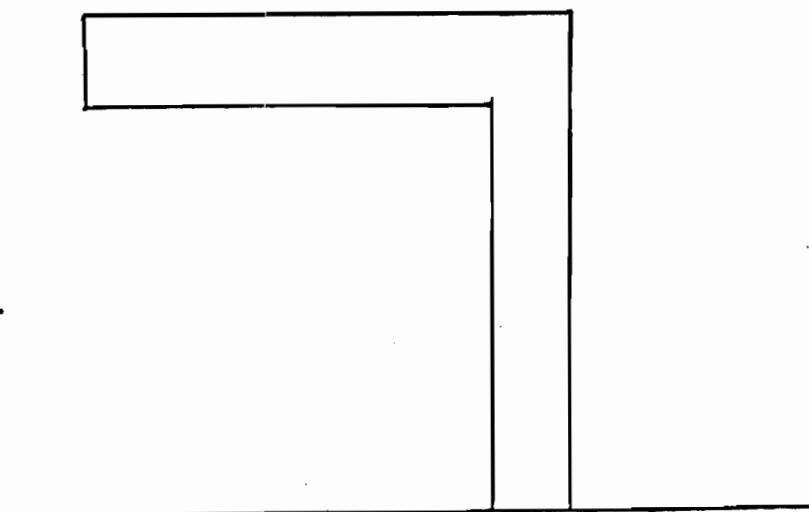
(Gazebo)

All boat docks must be constructed parallel to the shoreline and built from treated pine decking material as indicated in the sketch. The dock itself must be supported by piers (CCA treated wood) driven into the reservoir bottom. "L" or "T" shaped piers, boathouses and gazebos may be constructed.

The boat dock must be linked to the shoreline with a perpendicular walkway as shown in the sketch. The length of this element may vary depending upon the water depth at the specific area it is being built. However, if possible it should align with adjacent boat dock Piers may not extend out more than 50 feet from the shoreline.

The summer elevation of the reservoir water level is 297.5 feet, m.s.l. Consequently, the finished deck elevation of the dock should be constructed to 298.5 feet, m.s.l. This allows a 1'0" differential between the water level and the top surface of the dock.

In the event of a steep slope leading to the dock, a transition patio area may be built. This area should have a brick, treated wood deck, slate, or similar surface with appropriately located retaining walls. The retaining walls may be constructed either from brick or 6'x6' treated pine



(L-Shaped Pier)

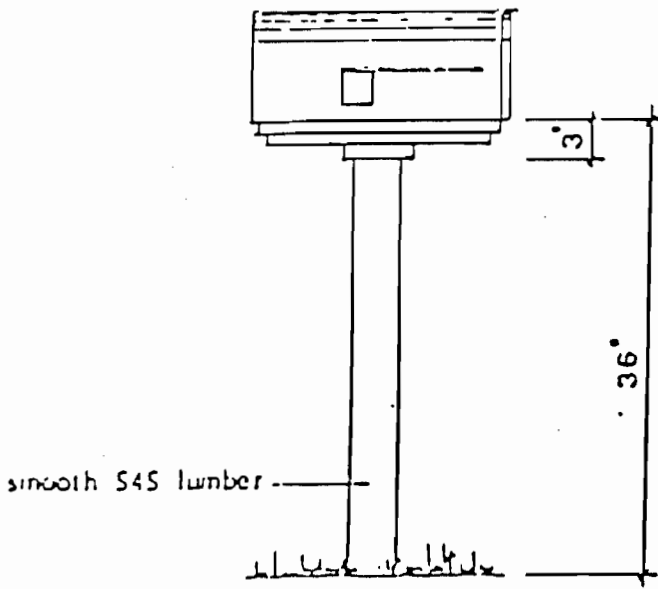
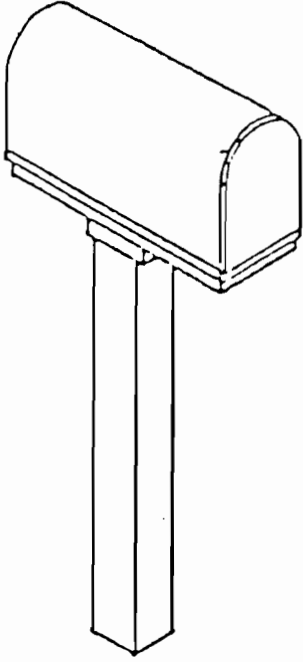
B. Boat Dock Construction Rules & Regulations:

Construction of all piers, boathouses, and gazebos are subject to the specifications, conditions, and regulations as described by the Corps in a Public Notice (File No. LMKOD-FE 1522-15-GPM(PRVWSD)-45), issued by the Corps on January 8, 1987.

Dredging and filling are specifically excluded from shoreline construction.

C. Mail Boxes:

All mail boxes in Fox Bay should be built to the specifications as described in the sketch. The box must be a standard receptacle for U. S. mail as approved by the Postmaster General with rounded top and outside dimensions of 8-3/4" height, 6-1/2" width, and 19-1/4" length.



The base of the mail box must be 36" above the curb height and supported by a 5-1/2" x 5-1/2" painted post. The base must be built as described in the sketch.

It is suggested that the mail box and post are to be painted the following colors:

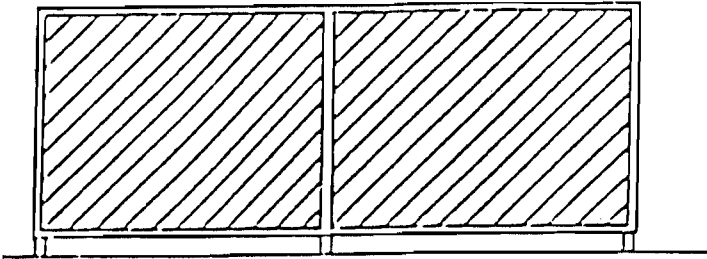
- Post - Woodland Green
- Base - Colonial White
- Box - Colonial White
- Flag - Woodland Green

However, variations of materials and colors of mail boxes will be accepted subject to approval by the ARC.

D. Walls and Fences:

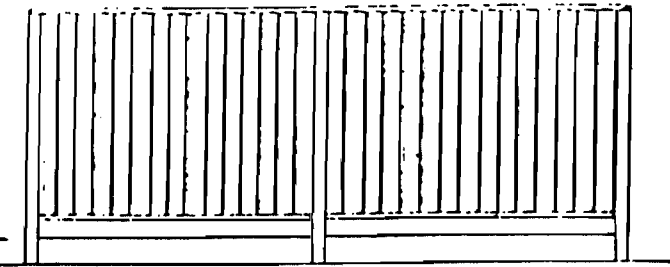
All walls or fences should follow the criteria as shown. Several material options are recommended. They are:

1. Brick
2. Brick and wood
3. Wood
4. Lattice Screen



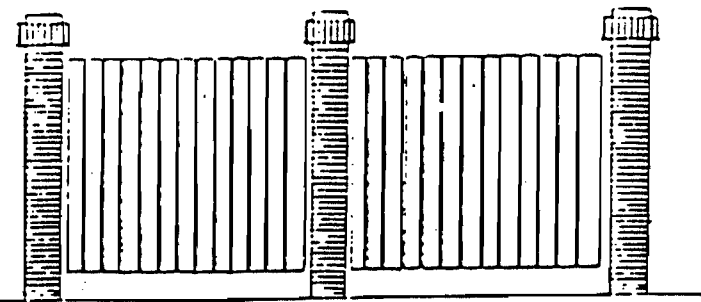
Length shall be in 8'0" modules

\* All wood fence material should be left natural or coated with semi-transparent stain. All options and their dimensional specifications are shown in the sketches.



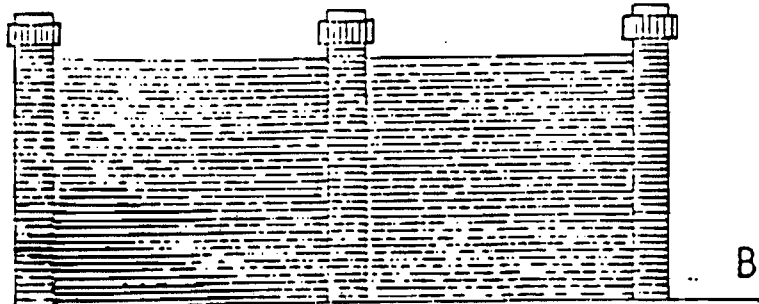
Wood

Care should be taken to insure that compatible fence materials are used at common or adjacent Lot lines. Consequently, if a property Owner has built a fence of brick and wood, the adjacent property Owner should make every effort to build his adjacent fence in a compatible manner.

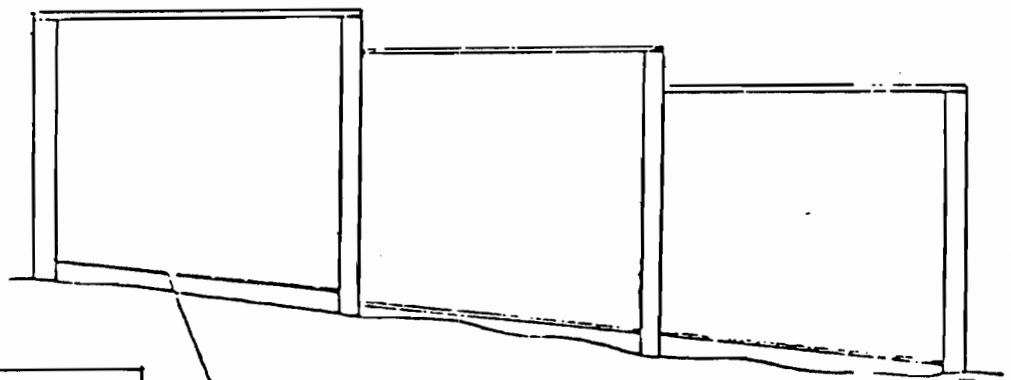
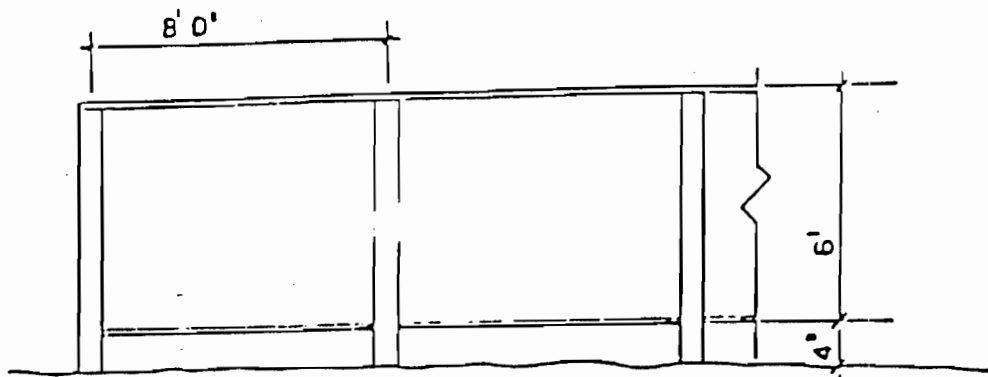


Wood & Brick

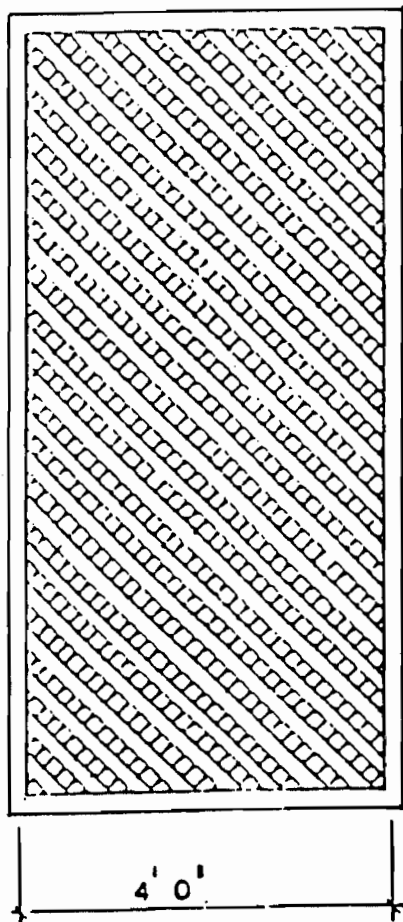
No chain link or other wire mesh-type fences shall be permitted within Fox Bay.



Brick



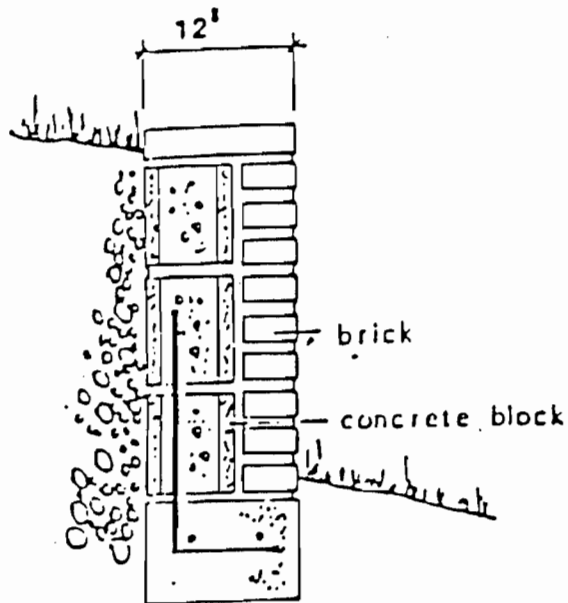
Fences must remain parallel;  
elevation changes to be handled  
as shown.



Lattice screens must be built in  
modules of 4' 0".

LATTICE SCREEN

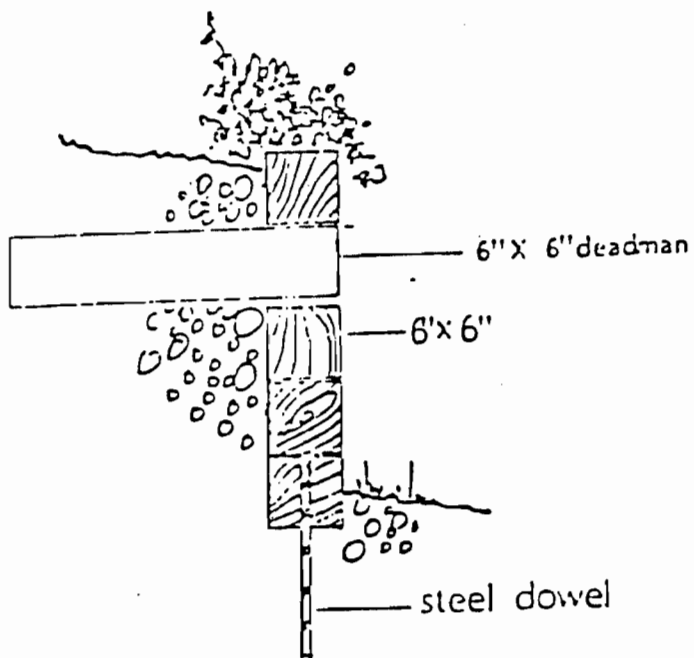
E. Retaining Walls:



Retaining walls should be 12" thick with a single 12" rollock brick top. Walls may be constructed of concrete block and faced with brick. The concrete block unit may not be visible on either side of the wall. The sketch shows a typical usage of the wall with dimensional specification provided.

As an alternative, retaining walls may be constructed from 6" x 6" treated pine members as demonstrated in the adjacent sketch.

BLOCK



Variations from these methods are to be submitted to the ARC for review and approval.

WOOD



V. HOUSING TYPE REQUIREMENTS:

A. Single family homes require building setbacks from the Lot lines as listed on the plat on page 10 of these Guidelines.

(1) On the aforementioned setback plat, all distances are measured in feet and, in all instances where eight (8) feet is shown as a side setback directly on a line shared by two Lots, it is interpreted as an eight (8) foot side setback for both lots which share the common line.

(2) Setback requirements for Lots 96 and 97 of Fox Bay, Part 1-D, will be established at a later date by the Developer.

(3) Due to the natural terrain, Lot configurations and/or proximity of adjacent structures, the enforcement of setback requirements stated on the setback plat on page 10 of these Guidelines may be impossible or inadvisable. Therefore, specific deviations to such setback requirements, if determined to be beneficial to a specific homesite or to adjacent homes, may be approved and permitted subject to the Rules and Regulations of the Declaration of Covenants.

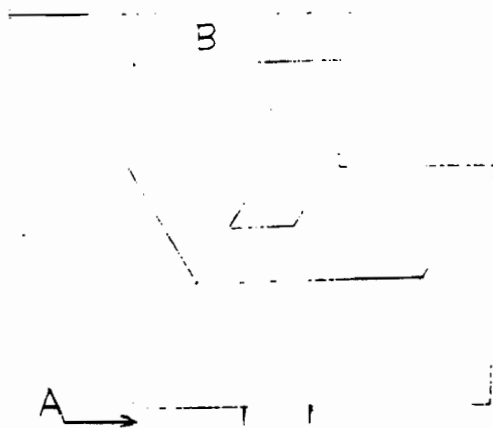
(4) Special setback variances will be allowed by the ARC on Lots which possess street front widths of ninety (90) feet or less. On these specified Lots, houses can be constructed along a zero Lot line criteria. The setback requirements on Lots where the zero Lot line construction is implemented will be established at that time by the Developer.

(a) In no case shall any two houses share a common zero Lot line, or otherwise become attached or semi-attached structures.

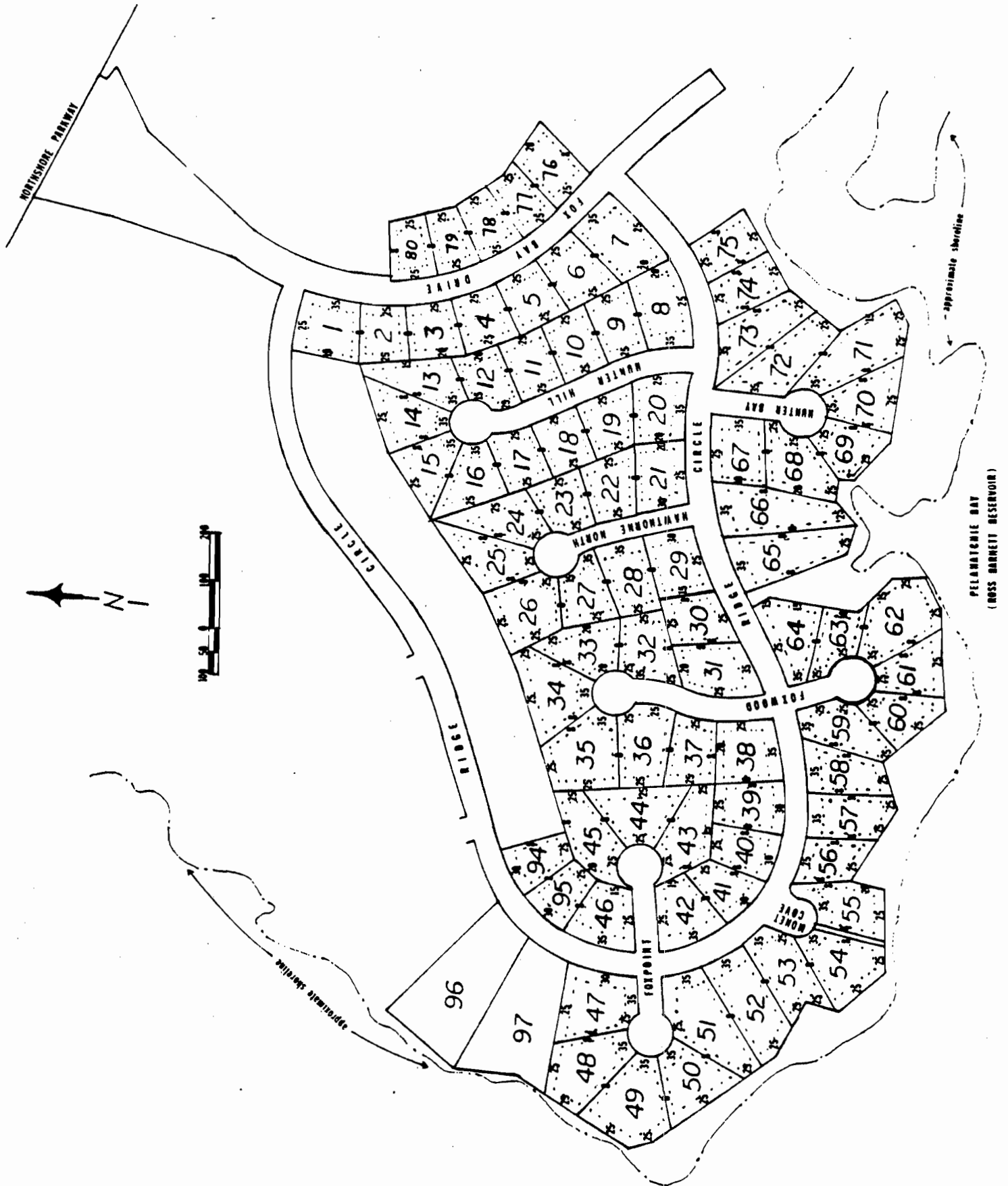
(b) No fences shall be erected on any zero Lot line Lots between the wall of the house and the side Lot line on Side A of the Lot. A fence may be constructed on the front and rear of Side A, but must adjoin the exterior wall of the house at the front and rear corners on that side.

(c) In order to insure maximum privacy and full utilization of the zero Lot line concept, no views will be allowed into courtyards and side yards of adjacent houses.

Zero Lot Line  
Concept

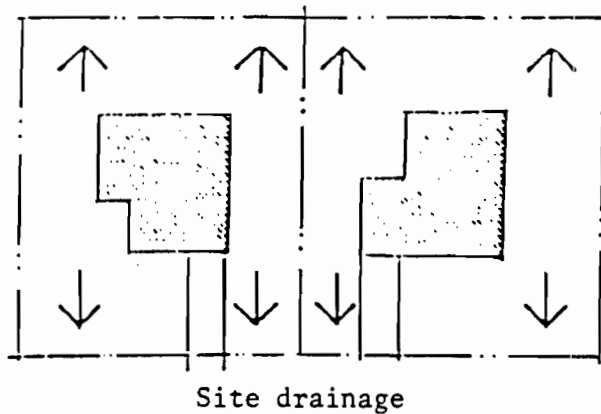


FOX BAY  
PARTS 1-A, 1-B, 1-C, 1-D  
SETBACK REQUIREMENTS



B. Drainage and Runoff:

All runoff of storm water from the roof of each residence shall be directed to the front and/or rear of the property with no runoff allowed to fall on any adjacent Lot. In situations where the roof form forces water in the direction of adjacent property, drainage swales must be utilized to insure runoff is directed to the front and rear of the property. Gutters should be used to minimize roof water runoff in such instances.



C. Swimming Pools:

All private residential swimming pools should be screened from the street and constructed in the rear yard. The actual pool (not surrounding patio or deck) may not be built closer than 15' from either side yard Lot line or 15' from the rear property line provided the property abuts other residential property at the rear. In the event there is no adjacent residential property at the rear (as with waterfront Lots), there is no rear yard setback for swimming pools.

D. Minimum Square Foot Requirements:

- (1) Square Footage - Fox Bay Part 1-A, 1-B, 1-C, 1-D.

Exclusive of porches and garages, the living area of each Living Unit, main house or residential structure constructed on a Lot shall have at least the following area:

Lots number 1 through and including Lot 46: 2,000 sq. ft.  
Lots number 94 through and including Lot 95: 2,000 sq. ft.  
Lots number 47 through and including Lot 75: 2,200 sq. ft.  
Lots number 76 through and including Lot 80: 2,000 sq. ft.

(2) The above square footage requirements may be waived for extraordinary design conditions at the sole discretion of the Architectural Review Committee.

VI. CONSTRUCTION GUIDELINES.

A. Construction guidelines have been established to insure continuity within Fox Bay Subdivision. It is not the intention of these criteria to limit flexibility; however, by defining a range of materials, colors, and unit choices for the individual Living Units, a general framework will be established from which individual decisions may be made. The criteria which follow establish the overall aesthetic order and decision-making framework for all residential areas of Fox Bay.

(1) Outside decks should be made from 2 x 4 redwood, cedar, cypress, or treated pine. The structural under carriage should be treated pine;

(2) It is recommended that all patios be constructed of brick pavers or similar material such as slate, flagstone, quarry tile, or a washed aggregate finished concrete surface. Pavers should be atop a 3-1/2" thick concrete slab. However, broom finish concrete patios will also be accepted at Fox Bay;

(3) Walkways should be constructed in a manner similar to that selected for the patios in order to insure consistency and continuity;

(4) Landscape planters should be constructed from brick, stone, treated pine, or from some other lumber acceptable to the ARC;

(5) All walls and fences must adhere to criteria as established in the Community Element Guidelines Section of this document (Section IV. D.).

B. Construction Components:

(1) All roof materials must be a fiberglass shingle of a quality equal to or greater than Prestique II Shingles, manufactured by Elk Roofing Products. Cypress and cedar shingles or shakes will also be accepted.

(2) It is recommended that exterior wall surfaces be a maximum of three materials:

- (a) Brick
- (b) Stucco
- (c) wood siding

(3) Brick should be tastefully chosen to compliment the natural beauty of Fox Bay and can be painted or natural.

(4) Colors for various components of all residential structures should be chosen with regard to the relationship to the color of the brick.