

EXHIBIT C

**THE VILLAGE  
IN  
BURNS HARBOR**

THE VILLAGE DESIGN CODE

EFFECTIVE MAY 21, 2013  
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# The Village Design Code

The Village Design Code is provided by the Association for use by owners, builders, architects, landscape architects, landscapers and remodelers. The Village Design Code is designed to give a comprehensive but not exhaustive listing of items that the Village Architectural Review Committee (VARC) will use in reviewing your property design review submittal. Architectural definitions and drawing submittal requirements to the VARC can be found in the glossary located at the end of this Code.

## **Design Requirements for the Village in Burns Harbor**

### 1. Site Design

- a. A site drawing created by a professional engineer licensed in the State of Indiana drawn to an engineering scale shall be submitted to the VARC. This site drawing shall locate all building(s) on the lot, showing dimensions from the structure(s) to all four sides of the lot.
- b. The site drawing shall also locate and dimension all hardscape elements including drives, all sidewalks, including the sidewalk extension to the back of the street curb, patios, decks and porches.
- c. The first floor elevation of the principal structure on a lot shall be stated on the plot plan indicating that the first floor of the structure will be built a minimum of 3'-0" to a maximum of 5'-0" above top of curb of the front street.
- d. ALLEY LOTS: (garage doors facing the alley)
  - i. Front building setbacks on alley lots are required to be a minimum of 10'-0" from the street right of way but should blend with existing structures built along the street.
  - ii. Rear setbacks on alley lots will vary per site easement conditions but a consistent electric and utility easement of at least 7'-0" deep will occur on all alley loaded lots.
  - iii. Alley lot side yard setbacks are recommended to be 5'-0" minimum for primary structures and 3'-0" minimum for secondary structures.
  - iv. Other situations and setbacks may be considered on a case by case basis.
  - v. Side yard setbacks shall not be less than required by local and State codes for fire rating compliance and will be the responsibility of the builder to maintain such compliance.
- e. FRONT LOADED LOTS: (garage doors facing the front street)
  - i. Front building setbacks on front loaded lots are required to be a minimum of 10'-0" from the street right of way to the main structure and 20'-0" to the face of garage from the back of street right of way.
  - ii. Rear setbacks on front loaded lots shall be a minimum of 20'-0".
  - iii. Front loaded lot side yard setbacks are recommended to be 5'-0" minimum.
  - iv. Other side yard setbacks may be considered on a case by case basis.
  - v. Side yard setbacks shall not be less than that required by local and State codes for fire rating compliance and will be the responsibility of the builder to maintain such compliance.

## 2. Architectural Design

- a. Submitter is to adhere to current editions of The State of Indiana Building and Energy codes, Burns Harbor town code, and the Village in Burns Harbor Design Code.
- b. Submitter is encouraged to build to a certified Green Building Standard of choice. A third party verifier shall provide verification stating that the Green Building Standard of choice has been achieved and shall be submitted to the Association for their records.
- c. The front edge of the foundation facing the street shall be faced with a decorative masonry finish appropriate to the architectural style of the building being built.
- d. Such decorative finishes shall include but not be limited to stone veneer, brick, stucco, or parging as approved by the VARC. If other decorative finishes are proposed, the VARC has the option of considering their merit on a case by case basis. Other materials must have a physical sample available prior to consideration by the VARC.
- e. The street facing edge of the masonry foundation wall shall have a minimum of 1'-4" of vertical exposure above finished grade. This exposed foundation wall shall be finished in a decorative finishes described in item d above.
- f. The decorative foundation finish shall be returned around the front corners of the structure a minimum of 4'-0" on mid-block lots and shall be returned down the entire side of a corner lot structure when said side of structure faces the side street of the corner lot.
- g. For front loaded lots (garage facing street), the front of the garage shall be faced with a decorative masonry finish, returning a minimum of 4'-0" on mid-block lots and shall be returned down the entire side of a corner lot structure when the side faces the side street. If the garage is attached to the home structure, the masonry finish shall be installed on the area extending between the front of the house and the garage for the minimum 1'-4" vertical exposure. The entire exposed vertical wall between the two furthest points of the front elevation shall have the minimum vertical 1'-4" finish described above.
- h. Porches are required on front elevations of buildings and shall be elevated as the first floor elevation of the structure to give a sense of privacy to the street.
- i. Minimum roof slopes on front to back roof pitches shall be 7/12 and side to side roof pitches shall be 10/12. Side to side roof pitches lower than 10/12 may be considered by the VARC if lower pitch is appropriate to the architectural style of the building being submitted. Any variation must be specifically approved by the VARC. Shed roof dormers and porches will also be considered by the VARC if appropriate to the architectural style of the building.
- j. Main floor ceilings shall be a minimum of 9'-0" tall and upper levels shall be a minimum of 8'-0" tall (nominal heights)
- k. All main floor window and door head heights shall be a minimum of 8'-0" tall, and must align. All upper level window and door head heights shall be a minimum of 7'-0" tall, and must align. (nominal heights)
- l. All exterior doors shall have matching head heights for their respective floor levels which shall be achieved by transoms, oversized doors, or trim applications above the doors as required to match taller head heights.

- m. All windows shall have a vertical proportion and window mullion patterns appropriate to the architectural character of the structure.
- n. All front, side and rear building eaves shall be composed of fascia trim, soffit trim, and sub rake or frieze board trim at a minimum. Such trim elements shall be of a size and detail appropriate for the architectural style of the structure. The VARC may specify additional trim requirements, if necessary. Additional trim elements such as brackets, crown molding, etc. are encouraged as appropriate for the architectural style of the structure.
- o. All buildings will have corner board trim as appropriate for the architectural style of the building. Interlaced lap siding or shake shingle corners will be considered if appropriate to the style of the structure.
- p. All buildings shall be articulated at their siding base (just above the foundation wall) with a band board trim detail of a scale and detail appropriate to the architectural style of the building.
- q. Window and door surrounds shall be articulated with head, sill and base trim appropriate to the architectural style of the building.
- r. Porches shall have a dropped beam and detailed columns appropriate in scale and style to the architectural style of the structure.
- s. Exterior wall materials above the decorative foundation wall finish may include lap siding, board and batten, shake shingle in fiber cement, composite, or vinyl of .46 gauge or greater thickness. All materials must be submitted to the VARC and are subject to VARC approval. Material submissions must include manufacturer, product line and color selections.
- t. Masonry wall materials such as stone, brick, and manufactured stone may be considered in areas above the foundation of the building as appropriate to the architectural style of the structure. All proposed masonry materials shall be submitted to the VARC for review and approval.
- u. Steel roofing materials may be considered only on architectural elements of a home. Only low reflective materials and colors will be considered.
- v. Garage structures shall maintain the same design, material palette and color as the main home structure.
- w. Garage wall heights shall match the home. For detached garages, an 8'-0" minimum wall height may be considered.
- x. Garage doors shall be a style appropriate to the architectural style of the home.
- y. Garage doors on front loaded lots shall include glass in a design appropriate to the architectural style of the house.
- z. Sheds in a design appropriate to the style of the house may be considered. Cladding and roofing material shall be similar to the primary structure.
- aa. Concrete driveways are required. Other materials may be considered, but must be approved by the VARC.
- bb. Satellite dishes, antennae, or other telecommunication devices must be located behind the main home structure. On corner lots, the equipment must be located on the side away from the public street.

- cc. Solar installations may be approved by the VARC on a case by case basis.
- dd. Mailboxes placement and type shall be standardized.
  - i. The POA will contract for the installation of each mailbox. The cost of the mailbox is the responsibility of the builder of each new construction or in their absence, the homeowner.
  - ii. When replacing a mailbox, a standard regulation black metal mailbox shall be used. The door of the mailbox shall display the address numbers in 1" black vinyl numbers with white background above the street name.

### 3. Fencing

- a. Decorative and privacy fencing must be approved by the VARC.
- b. Vinyl fencing material must be at least .030 gauge and of an appropriate color. It is the owners' responsibility to provide information on any comparative material measurements.
- c. Other fencing materials may be submitted to the Property Owners Association for review by the VARC as long as the material is the equivalent of at least .030 gauge.
- d. Privacy fencing shall be at least 4'-0" behind front of building, unless a picket fence utilizing the design requirements found in item g below is desired.
- e. On corner lots, side yard privacy fencing shall be placed at least 15'-0" from the back of sidewalk on the side-yard that faces the side street. Pickett fencing may be placed 5'-0" from the back of the sidewalk.
- f. For front yard fencing, white 30" high traditional picket fencing with pickets projecting above the top rail will be the accepted standard fence design. Ornamental post caps will be required.
- g. Rear yard fencing may be a continuation of the front picket style fence in either a 36" or 48" height in white, or a 6'-0" high privacy style fence with ornamental post caps may be used from the transition point which is located 4'-0" behind the front of the house structure. A 6'-0" high privacy fence with the top portion being open lattice will also be acceptable.
- h. Other fencing styles may be submitted to the Property Owners Association for review by the VARC as long as the material is the equivalent of at least .030 gauge and of an appropriate color. Submitter must provide material equivalency information.
- i. For mid-block lots, side yard fencing installations in adjoining lots shall be placed a minimum of 3' from the property line.
- j. A property owner may request approval from the VARC to install fencing on the property line after obtaining a written agreement with the adjoining property owner.
- k. If a fence will be installed on the property line, the property line must be verified.
- l. The adjoining property owner may request a future fence installation abutting the existing fence. If approved, the second fence must have corner posts. The space between adjoining corner posts must be narrow enough to prevent animals from passing between the posts and be shielded with appropriate landscape material.
- m. A continuous hedgerow or flowerbed will be required to be planted along the base of the privacy fence on the faces of the fence line that face the front, side street, or alley.

#### 4. Landscaping

- a. Landscaping shall be limited to planting beds at the base of a building in front yard areas. When a structure is on a corner lot, the side yard facing the side street shall also have landscaping limited to foundation planting beds at the base of the structure.
- b. The landscaping is to abut the base of the house and prevent the sod from touching the base of the house.
- c. If a planting bed is preferred at the edge of the front yard behind the public front sidewalk, planting shall reinforce the public edge of the walk in a uniform manner.
- d. Decorative fences no more than 30" high may be used in lieu of this landscape edge next to the public walk or in concert with the planting area described in c above.
- e. Landscaping in front yards shall at a minimum contain 9 two gallon container plants or 24" balled and burlap shrubs and one flowering, shade or evergreen tree of 1 ½" diameter trunk size.
- f. Landscaping on corner lots shall include the minimum materials listed for front yards plus at least one plant of the sizes indicated above per every four linear feet of street frontage. Planting beds shall extend to at least the back corner of the home.
- g. Street trees shall be placed in the tree lawn area between the street back of curb and the public walk that parallels the public street at a 40'-0" on center spacing along a public street.
- h. Street trees shall be selected from the current Village in Burns Harbor street tree list and shall have a minimum 2" caliper trunk 12" above root flare of the base at planting.
- i. If privacy style fencing is proposed in the rear property areas, the areas of the fence that will be in public view (not adjacent to the next property) shall have a continuous hedgerow or landscape bed planted along its base to soften the stark privacy fence line.
- j. Landscape materials, including street trees, shall be maintained so as to not encroach on the public space, including sidewalks and the public street.
  - i. Tree branches shall not be lower than 7'-0" above the sidewalk.
  - ii. Plant materials, not including sod or turf grass, must be planted 2'-0" from the public sidewalk.

## 5. Remodeling

VARC review is required for any exterior remodeling project that:

- a. Requires a building permit
- b. Changes the exterior footprint or color of the originally approved construction
- c. Changes can be seen from a public area, such as the street or alley.
- d. If a modification includes a permanent structure or installation,
  - i. A site plan is required.
  - ii. The property lines must be verifiable.
  - iii. A professional survey may be required.
  - iv. Placement of new installation must be shown.
  - v. All distances to property lines and existing structures must be noted
  - vi. The new structure must be able to be verified to be built as per the submitted site plan drawings when inspected.



## **Drawing Submittal Requirements for the Village in Burns Harbor:**

The following documents shall be submitted to the Village in Burns Harbor VARC for review. Electronic copies are preferred (PDF's). If electronic copies are not available, (4) copies of the documents in 11x17 paper size minimum are required for filing.

1. A to scale engineered site drawing locating the home on the lot and showing dimensions of the structure(s) to all four sides of the lot.

The drawing shall indicate:

- a. The drive location and design as well as the sidewalk locations and design.
  - b. The first floor of the structure will be built a minimum of 3'-0" to a maximum of 5'-0" above top of curb of the front street.
  - c. The site plan shall indicate that the grade of the front yard will be elevated as much as possible (up to 2'-0" above sidewalk) to give a raised dooryard to the front of the property.
  - d. When constructing slab on grade units instead of a crawl or basement condition, the finished floor elevation of the first floor shall be a minimum of 3'-0" above top of curb.
2. Noted and dimensioned floor plan(s) indicating window sizes and structural information necessary to construct the home.
  3. Noted and dimensioned foundation plan indicating materials and structural information necessary to construct the home.
  4. Noted and dimensioned exterior elevations of the home rendering all exterior faces of the home and any garage structures if part of the application.
    - a. These drawings should indicate
      - i. wall heights,
      - ii. window configurations,
      - iii. window and door installation heights,
      - iv. mullion patterns in windows,
      - v. materials to be used.
    - b. All trim element sizes should be identified on the elevation drawings.
    - c. The elevations should also indicate that the first floor, whether on a crawl space or a basement, is elevated above grade a minimum of 3 feet to a maximum of 5 feet above top of curb, with a minimum vertical foundation exposure on the front face of 1'-4".
  5. A typical wall section shall be submitted indicating structural information necessary to construct the home as well as indicating all materials that will be part of the wall construction.
  6. All exterior materials shall be submitted for review.
  7. Color selections shall be submitted for all exterior materials to insure that neighboring building colors in the area of the proposed construction will be compatible.
  8. Garage structures shall maintain the same design and material palette and color as the main home structure.
  9. If fencing will be part of the submittal, the color and style shall be submitted along with a site plan indicating the location of the fence. If a mix of styles will be used, the location of the different styles shall be noted on the site plan.
  10. A landscape plan shall be required, conforming to the minimum landscape design guidelines for mid-block or corner lot conditions as is appropriate for the lot being submitted for review.
  11. Builders may submit plans for pre-approval as outlined in the Builder pre-approved plan review policy.
  12. If the VARC approves the aforementioned documents subject to conditions, the Submitter shall resubmit the required documents with revisions to the VARC for approval.

## Glossary

Definitions: Unless otherwise stated, the following words and terms shall for the purposes of this Design Code, have the meanings shown in this glossary. Where terms are not defined in this glossary, such terms shall have ordinarily accepted meanings such as the context applies.

1. **Band Board:** A flat horizontal trim board located at the base of an exterior wall.
2. **Fascia Trim:** A board used to cap the end of roof rafter tails. Rain gutters are typically attached to the fascia board.
3. **Frieze Board Trim:** A flat horizontal trim board located at the top of an exterior wall located just below the soffit.
4. **Head Height:** The height at which the top of a door or window opening is rough framed above the finished floor elevation for that floor level.
5. **Parging:** A cementitious coating that is not color tinted and has a stucco type texture and finish. The natural color is cement gray. The coating applied to the visible (above-grade) portion of your home's foundation walls. It may be applied to both poured-concrete and concrete-block foundations to hide surface imperfections, marks from formwork and the like, so its role is essentially decorative.
6. **Soffit Trim:** The horizontal trim below a roof overhang or eave.
7. **Street Trees:** Trees that are planted in a green lawn strip (tree lawn) between the top of curb of a street and the public sidewalk that parallels the street.
8. **Street Right of Way:** The legally defined edge of a public thoroughfare which is most often the front property line of a property that abuts the back edge of a public sidewalk.
9. **Sub Rake Trim:** A trim board that parallels and is below the main rake trim board trim. The Sub Rake is typically mounted to the top of a gable wall while a rake trim is typically located on an overhanging rake rafter board.
10. **Window Mullions:** Trim that divides a window sash into smaller segments often called window grids.
11. **Window and Door Surround Trim:** Trim that wraps the perimeter of window and doors which consists of a defined head (top of window or door) trim; jamb (sides of window or door) trim and sill (bottom of window) trim.