

DARIEN CLUB DESIGN MANUAL RULES & REGULATIONS

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SECTION 1: INTRODUCTION

1.1 Forward

The Darien Club Design manual has been created to provide the members of Darien Club Owners Association (“Darien Club”), their architects, engineers, landscape architects, building contractors and landscape contractors the information necessary to design and construct the quality Homes that comprise Darien Club.

It is imperative that every party involved in the design, construction, and improvement of a Home, as that term is defined in the Association Declaration for Darien Club, in Darien Club read the entire Design Manual and become thoroughly familiar with all the material contained herein.

The Darien Club Design Review Committee will encourage and gladly participate in preliminary discussions to assist in clarifying the concepts and content of the Darien Club Design manual.

The information In the Darien Club Design Manual is proprietary in nature and is for the sole use of the Darien Club residents and their appointed agents. Reproduction of the manual in whole or in part without the express written permission of the Darien Club Board of Directors is unlawful.

1.2 The Site

Darien Club is located within the City of Darien bounded by Cass Avenue to the east and Fairview Avenue to the west.

Darien Club features rolling terrain with dramatic views of water and natural areas. The Home sites of Darien Club range in size from 10,000 to over 24,017 square feet. The unique characteristics and beauty of each Home site will be carefully considered in order to conserve and enhance Darien Club.

1.3 Master Plan

The concept of the Darien Club has been to create a development of fine custom Homesites that equal or exceed anything presently available in the area. This has been achieved by the implementation of the following criteria.

1. The introduction of open water and natural wildlife habitat and wetland areas for aesthetics as well as storm water management.
2. Increased average Lot size well above the minimum. (Approximately 73% of the lots are 1/3 acre or larger.)
3. The creation of "island" landscaped areas at all cul-de-sacs.
4. The establishment of a Design Review Committee to oversee all home design submittals.

1.4 Schedule of Fees

Design Review Fee: At the time of submission and review of plans with the Design Review Committee, the Owner shall remit to Darien Club the amount of \$300.00 if the project will require the review of external consultants. Any funds not spent in the review shall be refunded to the homeowner. If the project will not require the review of external consultants, the Owner need not remit a fee to Darien Club.

Owner's Performance Deposit: Upon approval of the completed construction documents, the Owner(s) shall be required to remit to Darien Club a deposit in the amount of 10% of project cost up to \$5,000.00 with a \$500 minimum deposit. Such funds shall be held in an account to assure the Owner's compliance with all the requirements of the Darien Club Design Review Committee.

In the event the Owner shall fail or refuse to comply with said requirements, funds shall be used from the account as required to remedy the deficiency. The owner shall be held responsible for restoring the account to its original amount within fifteen (15) working days.

After successful final inspection by the Design Review Committee, the unused balance of such funds shall be returned to the Owner.

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SECTION 2: GOVERNING REGULATIONS

2.1 Applicable Laws, Ordinances, and Regulations

The City of Darien has established Building and Zoning Ordinances which regulate the safety and quality of construction within the city. These regulations are fully in effect at Darien Club. Copies of these ordinances are available at City Hall. Further, the State of Illinois, County of DuPage, and other regulatory agencies have regulations which may affect the design and construction of a residence in Darien Club.

It is the responsibility of each Owner and his architect, engineer, and contractor to become thoroughly familiar with the applicable ordinances pertaining to the development within Darien Club.

2.2 Darien Club Design Manual

The Darien Club Design Manual is intended to be a supplement to the existing local and state ordinances governing the development of Darien Club. Further and more importantly, the Manual is intended to set forth the goals, guidelines and regulations which shall govern the development of the fine, distinctive Homes of Darien Club. The Darien Club Manual may contain restrictions, which are more stringent than correlating City, County or State regulations. Such restrictions shall take precedence over the lesser City, County or State regulations. However, the Darien Club Manual shall not be construed under any circumstances to permit the design of construction or any structure or portion thereof which is not in conformance with any or all applicable codes.

In the event that a discrepancy exists in the Manual, the Design Review Committee reserves the right to review and clarify such discrepancy. The decision of the Design Review Committee shall be considered final in all such matters.

2.3 Owner's Declaration

The document entitled "Design Manual Rules & Regulations" contains information, which is supplemental to the Declarations for Darien. The Declaration shall by reference be included herein as if set forth in full.

All terms used within this Design Manual shall have the meanings set forth in the Declaration for Darien Club.

2.4 Design Review Committee

The Declaration for Darien Club calls for the establishment of a Design Review Committee whose purpose and goal are "to preserve the architectural and aesthetic appearance of the premises and the natural beauty of the land."

Accordingly, the Developer has vested this Committee with the sole responsibility to review, revise, approve or disapprove of the submissions, plans, drawings and specifications of each and every proposed structure or development in Darien Club. The decision of the Design Review Committee shall be final and binding.

In order to preserve the architectural and aesthetic appearance of the Premises and the natural beauty of the land, no:

1. construction of improvements including, without limitation, Homes, driveways, walkways, patios, decks, antennae, mailboxes, satellite dishes, outbuildings, fences, or sheds;
2. changes in existing improvements, including, without limitation, a change in color or appearance of the exterior surface of a Home;
3. cutting, removal or alteration outside of normal maintenance and trimming or normal removal of diseased or dead vegetation of any trees, shrubs, bushes, or other vegetation in violation of tree and vegetation preservation requirements established from time to time by the Design Review Committee or the Board;
4. grading, excavation, filling of any nature or planting of trees, shrubs or bushes that significantly alter the appearance of a Home whatsoever;

shall be commenced or maintained by any Owner other than Declarant, with respect to or affecting the exterior appearance of any Lot, Home, Home Exterior or Community Area unless and until three (3) copies of the plans and specifications and related data containing such information in respect to the proposed

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improvements or landscaping as required by the Standards have been submitted to and approved, in writing, by the Design Review Committee.

The Design Review Committee reserves the right to grant variances to the architectural restrictions, regulations, and guidelines provided in this design manual. Such variances must be approved by two-thirds (2/3) of the voting members of the Design Review Committee. Each variance will be reviewed and approved on its own merits and will not be deemed to create a revision to the architectural restrictions, regulations and guidelines contained herein.

Each Design Review Committee member is committed to providing courteous, prompt, cooperative and equitable service to each architect, engineer, builder, landscaper, and Owner in Darien Club.

SECTION 3: SITE PLANNING

3.1 Concept of Darien Club

The basic concept of Darien Club provides that the natural beauty of each individual site be conserved and enhanced by the location of the dwelling to be built on it. Toward that end, it is the objective of the Design Review Committee to establish the following controlling guidelines and standards.

3.2 Driveway Locations and Configurations

Driveways for Lots which have front yards (as defined by Lot setbacks) fronting cul-de-sacs shall connect only to such cul-de-sac.

The locations, size and configuration of driveways shall be subject to approval of the Design Review Committee.

The maximum width of any driveway at its intersection with the street "curb cut" shall be Eighteen feet (18'-0").

The combined width of two curb cuts shall not exceed a total of twenty-five feet (25'-0"). The use of more than two curb cuts is prohibited.

Horseshoe shaped driveways are permitted. Additional parking areas or "turnaround drives" are not permitted subject to architectural review.

3.3 Adjacent Homes – Historical/New

The locations of Homes on adjacent Lots will be a factor in determining the optimum location for a proposed dwelling. The location of Homes on adjacent Lots, which have received site plan approvals, but have not yet begun construction, may be obtained from the Design Review Committee upon request.

3.4 Required Public Improvements

The Owner of each lot is required to maintain certain public improvements for that Lot/Home that were required upon the completion of construction including, but not limited to, parkway trees.

All improvements are to be in accordance with the approved Darien Club engineering plans and Ordinances of the City of Darien.

SECTION 4: ARCHITECTURAL STANDARDS

4.1 Objective

The basic concept of Darien Club provides that the natural beauty of each individual site be conserved and enhanced by the dwelling built upon it. Toward that end, it is the objective of the Design Review Committee to establish the controlling guidelines and standards.

4.2 Styles

The architectural standards are intended to neither promote nor discourage any one particular design style. Rather, the goal is to promote the following:

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Appropriateness of Design Style: (New Construction/Remodel) The Design Review Committee shall have the sole discretion to determine whether the proposed design will reflect the intended distinguished character of Darien Club. Design styles, which may be appropriate in other geographic areas of the United States or abroad may be deemed inappropriate for Darien Club.

Authenticity of Design: (New Construction/Remodel) Each Home will be reviewed for the purpose of determining if the design is reasonably faithful to the intended style. Items to be considered will include plan layout, exterior elevations, detailing and use of colors and materials.

Compatibility with the Site: (New Construction/Remodel) The proposed design style should be compatible with the topographic features of the Lot. Design styles which would require excessive disturbance to the topographic features of the Lot, or which would excessively dominate the site, will not be permitted.

4.3 Home Size

A one-story home shall contain a minimum of 2,300 square feet of living area. A two-story home shall contain a minimum of 2,500 square feet of living area.

4.4 Garages

Garages shall be designed as an integral part of each home. Materials and detailing shall be consistent with the residence. Detached garages will not be permitted.

Wherever the Lot size and configuration permits, the garage shall be oriented so that, by either placement or screening, the doors will not be directly visible from the street. Garage doors shall be raised panel and shall not exceed eight feet in height and sixteen feet in width.

4.5 Materials and Colors

The selection of exterior materials and colors is extremely important. The materials shall be of the highest quality and shall be appropriate for the design style of the Home. All materials, usage, detailing, and color selection shall be submitted to and carefully reviewed by the Design Review Committee to ensure its suitability for the intended purpose.

Wood, authentic, and synthetic stucco, brick, stone, and stone veneers are permitted.

Aluminum siding, vinyl siding, plywood pressed wood panels or pressed wood siding are not permitted.

Aluminum or vinyl fascia/soffit systems may be permitted subject to approval of the Design Review Committee.

Artificial trim material (e.g., fypon) is permitted.

The level of detailing and the materials used on the front (or primary) elevation shall be carried throughout all exterior elevations.

Material used for the primary elevation of the home must also be used for the side and rear. For example, a Home with a brick front must have brick on the sides and the rear.

The level of detailing on the primary elevation shall be carried to the sides and to the rear. The Design Review Committee may approve exceptions when carrying the detail over if the appearance of the Home would not suffer if the front of the home had a higher level of detail.

The color scheme for the Home is subject to approval by the Design Review Committee. Painting of brick surfaces requires the use of proper products and colors and requires approval of the Design Review Committee. Garage doors must be painted one color: no accenting of individual panels or murals is allowed.

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4.6 Foundations

On some lots multi-leveled or terraced designs employing walk-out basements will be possible. Concrete foundations and walls shall be designed to minimize the amount of visible exposed concrete.

The Design Engineer has predetermined the proposed top of foundation elevations, and the Builder of each residence must conform with these elevations.

Where the top of the foundation wall is level, the amount of visible concrete shall be no more than 6". Where the top of the foundation wall is stepped or sloped, the amount of visible concrete shall be no more than 8".

Plant material (i.e. bushes or shrubs) is not considered an acceptable screen for exposed concrete.

Each site has been graded generally in accordance with the approved engineering plans and specifications.

4.7 Roofs

No maximum or minimum roof pitch is mandated by these standards. However, the scale, proportion, and detailing of all roof surfaces are to be consistent with the overall design style of the Home. Roof designs that are not authentically integrated with the Home design shall not be permitted.

Only quality roofing materials such a slate, clay tile, concrete roof tile, rough sawn cedar shakes, smooth sawn wood shingles, and architectural grade asphalt/fiberglass shingles (e.g.= GAF Timberline or better) are permitted. Red, blue, green, or white Roofing is not permitted.

4.8 Chimneys, Flues, and Roof Vents

To the greatest extent possible, all roof vents and non-fireplace flues are to be located on roof surfaces not visible from the street. Metal chimneys are not permitted.

4.9 Skylights

Skylights located on roof surfaces, which are visible from the street will be permitted only with the approval of the Design Review Committee. The Design Review Committee shall approve any such skylight only if the Design Review Committee is satisfied that the skylight will not be a central focal point of the elevation of the home when viewed from the street and that all reasonable efforts have been taken to cause the sky light to be as unobtrusive as possible.

4.10 Antennas and Satellite Dishes

Television or radio antennas or towers of any kind shall not be permitted on the exterior of any dwelling or structure within Darien Club. If properly screened, to not be visible from the street or neighbors, satellite dishes less than 24 inches in diameter will be permitted with size, shading and location to be as approved by the Design Review Committee. Any satellite dishes in excess of 24 inches are prohibited.

4.11 Solar Energy System

Owners wishing to incorporate active solar panel systems into a Home design must exercise great care. Any or all devices employed to capture or reflect sunlight must be either totally screened from the front view or completely integrated into the Home design. Reflective devices producing a glare that is visible from the street or from the adjacent lots will not be permitted.

With the advent of solar shingle systems (ie. Tesla, etc.), the Design Review Committee reserves the right to consider these systems on a case-by-case basis provided that the installation of such shingle-based system is not immediately noticeable and blends with the home upon which it is installed. Darien Club Owner's Association will continue to comply with local and federal laws including 765 ILCS 165 et seq. commonly known as the HOMEOWNERS ENERGY POLICY STATEMENT ACT and as amended from time to time to ensure ongoing compliance.

4.13 DECKS, BALCONIES, AND TERRACES

Decks, balconies, and terraces shall be carefully integrated into the overall design of the dwelling. Structural posts for decks or balconies shall be clad with a material compatible with the residence. Walls and railings shall be similarly clad and detailed. The Design Review Committee on a project-by-project basis must approve trellis-type roof coverings or shading

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devices. The overall size of any deck, balcony or terrace shall also be subject to review and approval by the Design Review Committee.

4.14 Miscellaneous

Through window or sleeve-type air conditioning units of any kind shall not be permitted.

SECTION 5: SITE IMPROVEMENTS

5.1 Objective

The basic concept of Darien Club provides that the natural beauty of each individual site be conserved and expressed in the various site amenities and improvements. Toward that end, it is the objective of the Design Review Committee to establish the following controlling guidelines and standards.

5.2 Detached Accessory Structures

Detached accessory structures such as sheds are not permitted. Other detached accessories such as gazebos are acceptable but are subject to Design Review Committee approval.

5.2.1 Playsets & Pergolas

Playsets and Pergolas may be installed without Design Review Committee approval provided that they conform to the following requirements: Size for playsets must be equal to or less than 11' high, 15' deep, and 19' wide. Playsets must be of quality materials. Playsets should be screened so that they are not visible from the street. Should Playset exceed size limitations, a design proposal must be submitted to the Design Review Committee for comment and approval including any necessary/required screening. Pergolas of less than 14' x 14' shall not require approval and should be placed no closer than twenty (20) feet from any property line. Pergolas should not have any walls and must be made of natural wood or simulated wood materials. Permits from the City of Darien, if any, for Playsets or Pergolas are the responsibility of the Owner.

5.3 Driveways

All driveways shall have an approved hard surface over an appropriate base material. Approved hard surfaces shall include asphaltic concrete, poured concrete, brick or stone pavers.

5.4 Sidewalks and Patios

Size, location, configuration and material of sidewalks and patio designs shall be submitted to the Design Review Committee for review and approval. Approved sidewalk materials shall include poured concrete, brick, and stone pavers. Approved patio materials shall include poured concrete, brick or stone pavers or wood.

Sidewalks within public rights-of-way shall be constructed in strict accordance with the City of Darien requirements. Labeling, embossing, or monogramming of any is not permitted.

5.5 Grading, Contours and Drainage

Lots in Darien Club are generally designed to provide for storm water run-off along the side and rear yards. Grades and contours shall not be altered or modified in any way which would interfere with the flow of water away from the building or site. Approved contours and grades shall not be altered in any manner which would adversely affect existing vegetation or drainage for adjacent homes or lots.

5.6 Fences and Walls

The Building and Zoning Ordinances of the City of Darien govern fences and walls.

In order to create as open an environment as possible and to maintain and enhance views, fences are discouraged on Lots except as required for in-ground pools. Effective November 8, 2021, fence placement for inground pools will follow City of Darien fencing requirements which allow fencing on the backyard perimeter of the lot from the back of the home or surrounding the pool area or pool itself.

Fencing for safety reasons will be considered for approval for reasonable requests and whose approval shall not be unreasonably withheld.

The Design Review Committee will govern fencing material requirements which include "wrought iron look", maintenance free wrought iron, steel, or aluminum fencing with a minimum of fifty percent (50%) of the fence's surface area in open

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space not including any supporting pillars, dark in color (preferably black) and a maximum of 48" in height except to conform with statutory or local ordinance requirements and so as not to unnecessarily block any views of common areas, common area vistas or ponds/lakes/wetlands. Perimeter fences should follow the side and rear property lines. Fences must originate and end with the main residence, meeting with the house at the rear and corner of the residence. Fences must follow the natural ground contour. Stepping is not permitted. Fences must be kept well maintained at all times by the Owner.

Any fencing installed as of April 1, 1996 will be deemed to not be in violation of this restriction. Such grandfathered fencing is to be maintained in good condition by the Owner. If not maintained properly, the Design Review Committee reserves the right to require such fencing to be repaired within a reasonable period of time after written notice has been provided to the Owner. If not repaired, fencing may be required to be removed and not replaced.

Certain lots have fencing already installed by the developer along the rear property line on the outskirts of Darien Club (i.e., fencing along Fairview Avenue or along Clarendon Hills Cemetery). The Cemetery fence is not to be altered by the Owners, nor is any other fence to be installed in front of it. Maintenance-free privacy fencing on the perimeter of Darien Club Lots adjacent to streets, Oak Trace, and Farmingdale Village subdivision will be considered for approval by the Design Review Committee for reasonable requests made to shield areas outside of the Darien Club and whose approval shall not be unreasonably withheld subject to approval of style/type/color to maintain conformity where possible. Owners are encouraged to plant landscape screening to shield views.

All fence plans and materials are subject to review by the Design Review Committee whose written approval shall not be unreasonably withheld.

5.7 Trellises

As an architectural or landscape feature, trellises shall be permitted if consistent in design and material with the dwelling.

5.8 Statues and Fountains

Statues and fountains must not reflect light or glare to the street or adjacent Lots. Fountain water noise must not be heard from any adjacent Lot. Statues and fountains which would make a dominating, harsh or distracting impact on the site are not permitted.

5.9 Tennis and Sport Courts

Lots shall be permitted to construct one regulation sized tennis court or sport court if size permits. Suitable court materials shall include grass, asphaltic concrete, formulated sport/tennis court base material or clay. Court locations and materials are subject to the approval of the Design Review Committee and are to be landscaped to minimize impact and shall be screened from view from the front of the home and neighbors.

5.10 Lighting

Exterior lighting shall be designed to produce a subdued, tranquil effect and shall not be excessively bright, harsh, or glaring. Accent lighting of the dwelling or site shall be permitted. Dwelling or site lighting shall not be permitted to shine into adjacent Lots.

5.11 Mailboxes

All mailboxes shall be located at the street immediately adjacent to the driveway and must be maintained in good condition and in accordance with model, style, and color standards. The Design Review Committee has selected acceptable mailbox structures for use throughout the development. No attachments will be permitted on the mailbox structure. There shall be only one mailbox structure permitted per Lot. See approved mailboxes on the Darien Club website.

5.12 Signage

Subject to the provisions of the Declaration, there shall be no commercial signage permitted whether temporary or permanent anywhere on any Lot, dwelling, or accessory structure including signs in windows from within dwellings or structures except for "For Sale" and "Open House" signs where the house is actively listed, "Garage Sale", discrete security system, or "no solicitation" related signage. Refer to section 8.10 for permitted construction signage.

In addition, no industry, business, trade, occupation, or profession of any kind which requires frequent or regular visits within the Premises, shall be conducted, maintained, or permitted on any part of the Premises except that customary "home

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occupations", as that term is defined in applicable ordinances and regulations adopted from time to time by the City of Darien, shall be permitted in any Home.

5.12.1 School and Celebratory Signage

Celebratory signs (birth, graduation, etc.) will be allowed for a maximum of 7 days. School/athletic signs will be permitted if no greater than 18" x 24" in size. School/athletic signs should be kept in the front landscape bedding.

5.12.2 Political Signage

Political signage is discouraged, however, should an owner wish to display a sign, one sign may be allowed for Presidential Elections. The Darien Club Owners Association will further restrict the display of political signs by requiring that such signage be restricted to 18" x 24" in size and should be kept in the front landscape bedding and shall be displayed no more than 2 weeks prior to the election and shall be removed within 1 week following the election.

5.13 Flags

The display of American or Military flags shall be permitted. Owners may display an American flag, Military Flag or both on their Lot subject to the restrictions set forth herein. The maximum flag size permitted is 3'-0" x 5'-0". An American flag means the flag of the United States, made of fabric, cloth, or paper displayed from a staff or flagpole or in a window, but does not include a depiction or emblem of the American flag made of lights, paint, roofing, siding, paving materials, flora, or balloons, or any other similar building, landscaping, or decorative component. A Military flag means a flag of any branch of the United States armed forces or the Illinois National Guard made of fabric, cloth, or paper displayed from a staff or flagpole or in a window, but "military flag" does not include a depiction or emblem of a military flag made of lights, paint, roofing, siding, paving materials, flora, or balloons, or any other similar building, landscaping, or decorative component.

SECTION 6: LANDSCAPING

6.1 Objective

The landscape concept of the Darien Club is to provide lot landscaping which contributes to the beauty of the entire club area and increase the common area views and vistas of each lot owner. Toward that end it is the objective of the Design Review Committee to establish the following controlling guidelines and standards.

6.2 Design Guidelines

The landscaping standards are intended to neither promote nor discourage any particular landscaping styles. Rather, the goal is to promote the following:

Appropriateness of Design: The Design Review Committee shall have the sole discretion to determine whether the proposed front design will reflect the intended distinguished character of Darien Club. Design styles, which may be appropriate in other geographic areas of the United States or abroad, may be deemed inappropriate for Darien Club.

Compatibility with Natural Planting: The proposed design must be compatible with any natural topographic features of the lot. Open community or common area vistas and lake views of adjoining properties shall not be screened.

Plant materials in groups may be used to screen the rear/side lot lines for neighboring uses such as backyards, patios and play areas. Vegetative screening/hedges may be used to screen rear property lines adjacent to Oak Trace, the Cemetery, or Homes whose lots face the exterior of the Darien Club Subdivision.

Air conditioners, utility boxes, gas and electric meters and special use areas shall be screened from view of adjoining lots.

6.3 Minimum Requirements

At minimum, the landscaping for each Lot shall consist of the following:

1. Sodding with Bluegrass Blend of the front and side yard to the rear face of the house.
2. Seed with Bluegrass blend the rear yard to the property line.
3. Plant 3 trees having minimum caliper of 2.5".
 - a. One tree to be planted in the front lawn area.
 - b. Two trees to be planted in the parkway with a minimum distance between trees of 35' and a maximum of 50' if permitted by the city based on parkway width and space available.
 - c. Corner lots require five trees — 2 trees on each street in the parkway and one in the front lawn area.

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4. Permanent foundation planting at the front of the house.
5. Plant materials for the landscape design shall be complimentary to the home and the Darien Club overall.

6.4 Lakes and Ponds

The configuration of the lakes and ponds within the Darien Club shall not be altered by the Lot owners in any way. This includes, but is not limited to, the addition of docks, decks, or stone. Wetland areas shall be preserved and maintained in accordance with the Army Corps of Engineers by the Darien Club Owners Association. A homeowner may be allowed to maintain the wetland area directly behind and adjacent to their Lot, at their cost, provided they have received Board and Design Review Committee approval for a plan established by the Association's wetland management company. Invasive species will not be allowed and will be removed at the Owner's expense. Further, the Darien Club Owner's Association will NOT be responsible for damage done to such owner-maintained plantings in the performance of normal wetland maintenance including but not limited to clearing, burning, seeding, etc. The Association reserves the right to suspend an Owner's ability to maintain the wetland adjacent to their Lot should Owner management of these areas, or lack thereof, begin to create additional cost, compliance, or maintenance issues to the Association.

6.5 Mulching and Bedding

Shredded bark, mushroom compost, or peat moss shall be considered preferable for planting, mulching, and bedding. Decorative gravels or stones are also acceptable.

Stone/gravel to be used should meet the following specifications:

Decorative Stone: Stone will be decorative and shall contribute to the overall aesthetic of the landscape.

Size: Size should as a rule be between $\frac{3}{4}$ " x $\frac{1}{2}$ " and $2\frac{1}{2}$ " x $1\frac{1}{2}$ " and provide reasonable coverage/drainage.

Type: May include but not limited to basalt, granite, obsidian, pumice, limestone, sandstone, shale, slate, marble, schist, and metaquartzite.

Color: Color should generally be "earthen colors" that blend with the landscape and complement the existing home structure. Color should not unduly become a focal feature and should be subdued in its presentation.

Stone not conforming to the defined guidelines will require Design Review Committee written approval.

6.6 Erosion Control

The proposed landscape design shall include erosion control elements such as retaining walls, seed stabilization mats and/or hay bales when necessary to prevent soil from encroaching on adjacent lots, into wetland areas, or retention ponds.

6.7 Sump Pump Run-Off

Sump pump discharges shall be located to provide positive drainage away from the residences and shall not impact rights-of-way such as streets or sidewalks.

6.8 Roof and Gutter Run-Off

Homes without gutters shall provide drainage from the home on all sides. The ground below all eaves shall be landscaped or protected from erosion and/or ponding of water against the foundation.

Downspouts for gutters shall discharge onto grass areas beyond planting beds.

SECTION 7: DESIGN AND APPROVAL PROCESS

7.1 Objective

One intent of the Darien Club Design Manual is to provide a clear and concise outline of the steps required to obtain the required approvals of the Design Review Committee. Toward that end, the following procedures have been established.

7.2 Approval Process (New Construction)

In order to facilitate an orderly progression through the Design and Approval process, it is imperative that each of following procedures be followed consecutively and completely. Incomplete, inaccurate, or untimely submittals will cause delays in the approval process. Owner is encouraged to request a preliminary meeting with the Design Review Committee to avoid unnecessary expense or delay in the approval process.

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7.2.1 Preparation of Site-Base Sheet

A detailed site survey will be required by both the Design Review Committee and the City of Darien. The survey shall be prepared and sealed by an Illinois Registered Land Surveyor and at the minimum shall contain all of the following information.

- A. Scale at 1"= 20' -0"
- B. Lot Boundaries with dimensions
- C. All building setbacks and easements.
- D. Existing topographical features of site drawn with contour lines at 1'-0" grade intervals. Contour lines shall be shown extended a minimum of 10'-0" into each adjacent Lots and greater if necessary to indicate pertinent features.
- E. Existing drainage flow patterns for entire site including indications of drainage swales and ponds.
- F. Locations of all existing utility lines including service and connections points.
- G. Outlines and top-of-foundation elevations of existing dwellings and all accessory structures from all adjacent Lots.
- H. Actual dimensions of the house location with all front rear and side yard property lines.
- I. Sidewalk and driveway location.

7.2.2 Review of Completed Construction Documents

When the architect has completed the construction documents, the Owner shall deliver the completed plans and required samples to the Design Review Committee. The Owner shall also remit the required Design Review Fee. Refer to Section 1.4 Schedule of Fees. The owner shall submit two (2) sets of completed construction documents bearing the following information and present it in the format described:

- A. The completed documents shall be prepared by and bear the seal of a licensed architect. The drawings shall be sealed according to the requirements of the City of Darien.
- B. Site Base Sheet drawn at a scale of 1" = 20' - 0" shall be completed to become the Site Plan/Permit Survey. The completed survey shall include:
 - 1. All information contained in original Site Base Sheet per Section 7.2.1.
 - 2. Location of dwelling. with top-of-foundation elevation as shown on the approved engineering plans and specifications.
 - 3. Locations and elevations of all site improvements.
 - 4. All proposed finished grades, indicated at 1'-0" grade intervals drawn as contour lines in U.S.G.S. datum.
 - 5. Locations of existing trees scheduled to be removed or relocated.
- C. Landscaping Plan: The completed Site Plan/Permit Survey shall include all existing trees and all proposed plant material noting size and species at each location.
- D. If a lawn sprinkling system is to be utilized, submit complete design drawings drawn at a scale of 1" = 20'-0"
- E. Architectural Floor Plans: Shall be drawn at a scale of 1/4" = 1'-0" and shall depict all exterior elevations in complete detail. Samples of all exterior materials and colors shall be included.
Note: A perspective rendering of the residence exterior or addition/extension is to be included for this review.

The Design Review Committee shall, in good faith, endeavor to either or disapprove each submittal within thirty calendar days. Every effort will be made to complete this review sooner if possible. Additional meetings may be required to resolve issues, which may arise during the review period, if such meeting may result in expediting the approval process.

Upon approval of the completed construction documents, the Owner shall be required to pay a Performance Deposit. Refer to the Section 1.4 Schedule of Fees for a complete description.

One copy of approved plans will remain in possession of the Design Review Committee. One copy of approved plans will be marked approved and returned to the Owner.

7.2.3 Application for Building Permit

Approval of plans by the Design Review Committee is required before submittal to the City of Darien for a building permit. Approval by the Design Review Committee shall indicate conformance with the requirements of the Darien Club Design Manual. Such approval shall not be construed under any circumstances to imply compliance with the codes and ordinances of the City of Darien, the County of DuPage, and State of Illinois, or any other governing agency.

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7.2.4 Location (Stake-out) of Home on Lot

After the issuance of a building permit by the City of Darien, the Owner's surveyor shall proceed immediately to stake-out the dwelling location on the Lot. The surveyor shall verify existing Lot boundaries and shall subsequently stake-out the dwelling exactly as it appears on the approved Site Plan.

The Design Review Committee may require reasonable opportunity to observe the staked-out Lot. Such request may be necessary due to unique or difficult site conditions. In such, the Owner shall notify the Design Review Committee a minimum of 48 hours' notice prior to completion of stake-out.

If the owner is not notified of any required changes within 24 hours of stake-out completion, it may be assumed that the Owner may proceed with construction as planned.

7.2.5 Preparation of Spotted Survey

Once the concrete foundation walls have been poured, the Owner's surveyor shall prepare a survey of the concrete foundation verifying actual top-of-foundation elevation(s) and dimensioned location on site. Such information shall be added to the Site Plan and submitted to the Design Review Committee. This updated Site Plan, or "Spotted Survey" is an important document and as such, several copies should be retained in the Owner's personal records.

7.2.6 Final Inspection/Certificate of Occupancy

A Certificate of Occupancy will be issued by the City of Darien when the dwelling is in compliance with all applicable codes and ordinances and is ready for occupancy. Once the certificate of occupancy has been issued; and all landscape work has been completed, the Design Review Committee shall conduct a Final inspection to verify compliance with the approved completed construction documents.

The passing of the Final inspection along with the submissions of the Spotted Survey (See Section 7.2.5) shall signify the successful completion of the project and shall warrant the return of the Owner's Performance Deposit, subject to the conditions of Section 1.4.

7.3 Approval Process – Additions

Additions to existing homes shall follow the steps outlined in 7.2. All components of the defined process that apply shall be followed.

7.4 Approval Process - Landscaping

In order to facilitate an orderly progression through the Design and Approval process, it is imperative that each of the following procedures be followed consecutively and completely. Incomplete, inaccurate, or untimely submittals will cause delays in the approval process. Owner is encouraged to request a preliminary meeting with the Design Review Committee to avoid unnecessary expense or delay in the approval process.

7.4.1 Preparation of Site Base Sheet

A drawing and/or survey will be required by both the Design Review Committee and the City of Darien. The survey (if required) shall be prepared and sealed by an Illinois Registered Land Surveyor and at the minimum shall contain all of the following information.

Information Required (additional as necessary and/or requested by Design Review Committee)

A, Drawing of proposed Landscape addition w/ approximate dimensions

1. Detail location, size, and variety for plants to be added.
2. Detail location, dimensions, type, and color for any stone/brickwork.
3. Detail location, dimensions, type, style, and color for any detached structure (ie. Gazebo)

B. Actual dimensions of the house location with all front rear and side yard property lines.

SECTION 8: HISTORICAL/NEW CONSTRUCTION REGULATIONS

8.1 Performance and Accountability

It shall be the responsibility of the Owner to assure his builder's compliance with all construction regulations contained herein.

If the Owner's builder shall be found deficient in the performance of any of these construction requirements,

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Darien Club reserves the right to take any corrective or remedial action necessary. The cost for such corrective or remedial action shall be deducted from the Owner's Performance Deposit.

8.2 Lot Grading

All lakes, ponds and trees or vegetation scheduled, indicated, or required to remain are to be protected by approved "snow" fencing and erosion control measures as approved by the Design Review Committee. Fencing shall extend to protect driplines, or farther if necessary.

Access onto the site from the roadway shall be restricted to the driveway curb-cut. The curb-cut shall be located by the surveyor, then cut and the access leveled with gravel fill prior to any vehicular traffic being permitted on the site.

8.3 Vehicles and Deliveries.

Unless established otherwise by the City of Darien, the permitted speed limit within Darien Club shall be 25 miles per hour.

Construction equipment or materials shall not park or be stored upon any roadway within Darien Club. Circumstances requiring temporary set-up of equipment (i.e. a crane or concrete pump) in a roadway may be permitted subject to the approval of a written request submitted to the Darien Club Managing Agent at least 48 hours prior to such intended use.

The washing or cleaning of all vehicles, including concrete delivery trucks, shall be to within the Owner's Lot boundaries. Other clean-up areas may be designated from time-to-time by the Design Review Committee. Such activities shall not be permitted on any roadway or on any other Lot or site within Darien Club. Deliveries of supplies and equipment shall be limited to the hours of 6:30 a.m. until 6:00 p.m. Monday through Saturday. Supplies and equipment shall be unloaded promptly and in an orderly fashion. Delivery vehicles shall exit the site and Darien Club immediately after delivery. The delivered equipment or materials shall immediately be stored in an orderly manner within the Lot boundaries.

8.4 Lot Boundaries

All construction works, parking of vehicles and equipment, and the storage of materials and supplies shall be confined to within the Lot boundaries of the specific construction site.

Dirt and other stockpiled materials shall also be confined within the Lot boundaries in the locations approved by the Darien Design Review Committee. Such stored material shall not under any circumstances be permitted to obstruct the flow or drainage patterns of the Lot or an adjacent Lot.

The Design Review Committee shall reserve the right to dictate the relocation of any item deemed too close to a Lot boundary or otherwise found objectionable.

8.5 Site Maintenance

The builder shall be required to keep the entire site clean at all times, including the construction area and all setback Areas. Debris or materials, which drift or are windblown onto the roadway or adjacent Lots shall be collected by the builder and removed from the site.

The builder is required to provide a dumpster at the site. All debris and refuse shall be deposited into the dumpster. Debris is not to be allowed to accumulate on the site. The Dumpster shall not be allowed to fill to the point of overflowing. Construction workers are prohibited from eating meals anywhere within Darien Club except on the site at which they are employed. All food debris must be deposited into the dumpster.

Material which may spill or fall from vehicles, (whether they are delivery equipment or construction personnel vehicles) on any roadway within Darien Club, shall immediately be removed and the road cleaned. The burning of construction debris or of removed landscape material is prohibited.

Darien Club at the builder's expense shall perform any cleanup work which is necessitated by the builder's failure or refusal to maintain the site and/or roadways clean.

Darien Club personnel will remove all excess excavation spoils and debris not removed by the builder. The Owner shall be billed for the cost of such services at the rate of three times the actual cost incurred.

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8.6 Noise

Builders are urged to be sensitive to the privacy of the residents of Darien Club. Especially in the early morning hours. Excessive or unnecessary noise of any kind will not be permitted. The sound generated by radios shall be kept at a moderate level. Vehicles shall be required to be properly muffled. Excessively noisy vehicles will not be permitted within Darien Club.

8.7 Utilities

It will be the responsibility of the builder to confirm the locations of sewer and water stubs. The builder is strongly urged to contact J.U.L.I.E. to verify the locations of utilities on the Owner's Lot.

If a utility line is cut or damaged by the builder or any construction personnel, such damage shall be reported to the Darien Club Managing Agent immediately. Builders shall use only the utilities which are located on the site on which they are working.

8.8 Construction Signs

One professionally painted sign set on two posts painted the same color. as the sign shall be permitted for the builder and architect combined. Each sign shall measure 3'-0" by 4'-0" wide. Signs shall be located no closer than 10' from any Lot boundary.

Approved sign(s) other than "For Sale" signage may not be erected on any site until construction has commenced Upon the Owner's receipt of a Certificate of Occupancy, or when the Design Review Committee determines that the construction is essentially completed all signs including Builder, Landscaper and Sprinkler system signage must be removed.

8.9 Temporary Structures

Temporary structures. such as construction trailers shall be considered on an individual basis by the Design Review Committee. Size, location, and appearance of such structure shall be subject to approval by the Design Review Committee.

8.10 Miscellaneous Requirements

Any damage to streets, curbs, drainage inlets, streetlights, mailboxes, structures, etc. caused by the builder or any of his subcontractors shall be repaired by Darien Club and such cost shall be taken from the Owners Performance Deposit.

8.11 Builder's and Subcontractor's Insurance

All builders shall provide and maintain at all times while performing any work in Darien Club, Insurance of the Workmen's Compensation as provided by Statute plus employer's Liability, with a minimum limit of \$1,000,000.

A. Comprehensive General Liability, including coverage for sublet operations with minimum limits as follows:

1. Bodily Injury: \$1,000,000/\$1,000,000
2. Property Damage: \$1,000,000 /\$1,000,000

(builder's obligation hereunder shall not contain exclusions known as "XCU" exclusions).

C. Owner's and Builder's Protective Liability with minimum limits as follows:

1. Bodily Injury: \$500,000 / \$500,000
2. Property Damage:\$500,000 / \$500,000

D. Automobile Liability Insurance for all owned leased hired and non-owned vehicles, on a comprehensive form, with minimum limits as follows:

1. Bodily Injury: \$500,000 / \$500,000
2. Property Damage: \$500,000 / \$500,000

Builders must also require than any Subcontractor who performs any work for such builders in Darien Club provide Insurance Coverage as specified herein.

All such policies of Builder's and Subcontractor's Insurance shall name the Lot Owner who has retained the builder and the architect as insured.

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Appendix

STREET TREES

Per City of Darien Ordinances - Section 111.00 and Darien Club Design Manual Rules & Regulations

LOCATION: Street trees shall be placed equidistance between sidewalk and curb and shall be spaced not more than fifty (50') feet apart.

APPROVED VARIETIES: Trees shall be of the approved varieties and not less than two and one half inches (2 ½") in caliper per Darien Club Design Manual and shall be of a variety approved of by the City of Darien.

(Ord 0-13-84, 5-21-84)

SUGGESTED TREES FOR PLANTING IN DARIEN:

As these suggestions change from time to time based on insect and disease related factors, please contact the City of Darien's arborist for current list of approved and available trees.

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VIOLATIONS AND FINES POLICY

1. If someone is believed to be in violation of any of the provisions of the Declaration and By-Laws or Rules and Regulations, a detailed signed, written complaint must be submitted by an Owner, the property manager, a resident, or a member of the Board of Directors. A written complaint form prescribed by the Board shall be filled in or sent to the manager, email transmission is acceptable. Owners are responsible for the conduct of all residents and guests occupying or visiting their unit.
2. The person charged with the violation will be given written notice of the complaint, informing them of the alleged violation and (1) will be given a warning not to repeat the conduct alleged, to remove the ongoing alleged violation or (2) of a time and place where the Board of Directors or its duly authorized committee will conduct a hearing to review the complaint. In the event a hearing is scheduled, the alleged offender will be so notified and provided with an opportunity to attend the hearing.
3. At the hearing, they will have the opportunity to present a defense with the use of documents, witness testimony, pictures, and any other evidence and may respond to alleged violations. All hearings will proceed with or without the presence of the homeowner, so long as written notice has been sent in advance. The findings of the hearing will be submitted to the Board of Directors for disposition at its next regularly scheduled Board meeting.
4. The hearing will proceed based upon witness complaints and/or witness testimony. The Board/Committee will weigh all evidence prior to rendering a finding. All hearings shall be closed.
5. If any resident is found in violation, the Board will notify the homeowner in writing and a fine may be charged to the assessment account of the Owner of the property and collected through normal procedures.
6. There will be a \$25.00 fine for the first violation, provided the Owner has not been fined for the same violation within the last year. If the Owner has been fined for the same violation within the last year, the fine will be \$50.00. Third and subsequent fines will be \$100.00 for each infraction. Continuing violations may incur a daily fine of up to \$25.00 per day and may be referred to Association legal counsel for legal action. The Board may assess additional or other fines commensurate with the violation.
7. In the event of any violation of the Rules and Regulations, Declaration or By-Laws of the Association, the Board reserves the right to pursue any and all legal remedies to compel enforcement, legal and equitable. Any and all costs and attorneys' fees shall be assessed back to the account of the offending Owner at the time they are incurred.