

ESTATES AT THE RANCH

DESIGN REVIEW GUIDELINES

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SECTION I.

RESIDENTIAL PLAN SUBMISSION PROCEDURE

A. Pre-design Conference

Prior to the submission of any plans, buyers must attend a preliminary design conference, with their builder, if selected, and the Estates At The Ranch project manager, or designee. The purpose of the meeting will be to review the following:

1. *Plan submission process, declarations, restrictions, covenants, and other conditions.*
2. *Specific lot conditions including: setbacks, existing terrain features, possible building location and orientation, views, trees, existing vegetation, septic system placement, and adjacent development properties.*

B. Preliminary Plan Submission

Preliminary plan Submission is intended to allow the Design Review Committee an opportunity to review the general concept and design features of the proposed home, in addition to placement of the home on the lot. Preliminary plans must be in accordance with the design guidelines established for Estates At The Ranch. Two sets of all plans are required. The following must be included in the preliminary plan submission:

1. *A Surveyed site plan (using K.C. Datum at 1" = 20') noting existing 2' contours and proposed finished grades, easements, trees over 4" caliper as measure at a point 24" above existing grade to be removed and those to be preserved, building location including driveways, pools, decks, patios, septic systems, and retaining walls.*
2. *A Floor plan (1/8" = 1' or 1/4" = 1') noting all room locations and sizes, doorways, windows, and a calculation of the total square footage per floor.*
3. *Exterior building elevations that include the front, side, and rear elevations. All window locations, doorways, all exterior finish materials and their placement, roof pitches, and overall dimensions should always be noted. These elevations must accurately depict the design of the home in sufficient detail to reflect proportion and alignment of all elements.*

If the lot is designated as a hillside lot, a cross section through the lot from the property line with highest grade to the property line with lowest grade must be included.

4. *Foundation plans (minimum scale 1/8" = 1').*

Note: When final plans are received, they will be compared to previously approved preliminary plans, when possible, to ensure a pleasing aesthetic to the development. If there are no changes in design, final plans will not require a full Design Review Committee.

Note: The city of Smithville requires a foundation plan, all floor plans, building elevations, wall cross section details, location of emergency escape and rescue openings for basements and sleeping rooms, location and method of wall bracing (R602.10), and stamp of registered engineer or architect on all pages.

C. Final Plan Submission

Prior to obtaining an application for a building permit, final plans and specifications **must** be submitted and approved by the Design Review Committee. Submitted plans must be certified and stamped by a licensed architect or professional engineer.

Once the Design Review Committee has approved the preliminary plans, the final plans and specifications may be submitted for review. Plans must have enough complete detail, as possible, to fully explain the intent of the structural and architectural design, as well as the materials and the finishes included. Architectural drawings shall be at a scale of $1/4" = 1' - 0"$. **Two sets** of all plans and specifications are required and should include the following:

1. Site Plan, Not Less Than Scale of $1" = 20'$, Noting...
 - a. Property lines, set backs, and easements and 2' contour lines.
 - b. Building location, driveways, retaining walls, pools, patios, outbuilding, and all other related structures.
 - c. Proposed grading plan showing existing, and new, grades with arrows indicating drainage patterns of roof and ground surface runoff.
 - d. Proposed septic system plan showing type, setbacks, site elevations, and size.
(Morphology tests have been conducted on each lot and results are disclosed and provided to lot owners, prior to purchase.)
 - e. Spot elevations for the top of the foundation, finished first floor elevations, basement floor elevation(s), and at a minimum of four outside corners.
 - f. Percentage grade from the top of the curb at street to the top of finished floor of the garage.
 - g. Existing trees designated to be removed with the indication of their size and species.
2. Floor Plans, Not Less Than A Scale of $1/4" = 1' 0"$
 - a. Complete and finalized room sizes and locations, as well as all window and exterior doorway openings. These must be complete. Any exterior changes to windows and/or doorway openings must be reviewed and approved by the Design Review Committee.
 - b. An area calculation of all enclosed living space, by floor, excluding basements and garages.
3. Exterior Elevations

Exterior plan must include the following:

- a. A complete detailing and indication of all doorways, windows, decks, trim details, windows, exterior materials, and roofing materials.
- b. All exterior colors and materials must be noted. With the final submission, a palate of finished colors and materials **is required** prior to application, or installation, on the dwelling and/or all other related structures.

4. *Landscaping Plan*

The Landscape plan must be in compliance with the design standards established for Estates At The Ranch and will be reviewed for its overall appearance, appropriateness, and it's sense of cohesiveness with this property and adjoining properties. The landscape plan must show the following:

- a. Areas to be seeded or sodded.
- b. All landscape plantings, edging, types of materials and installed sizes.
- c. Underground irrigation, if installed.
- d. All areas that will be left undisturbed or in their natural state.
- e. Schedule for installation of all landscaping, including areas to be seeded or installed.
- f. A complete plan showing completed landscaping.

D. *Approval of Plans and Specifications*

The approval of plans and specifications by the Design Review Committee, or Developer, shall not be construed as approval of the engineering decisions or compliance with zoning and building ordinances, and by approving plans and specifications, neither the Design Review Committee (DRC), any member thereof, nor the Developer assumes any liability, or responsibility therefore, or for any defect in any plans or specifications, nor for any structural defects and any work done according to such plans and specifications, nor for the failure of the plans and specifications to comply with any law. Further, neither the Developer, nor any member of DRC, shall be liable in damages to anyone by reason of mistake in judgment, negligence, misfeasance, malfeasance or nonfeasance arising out of, or in, connection with the approval, or disapproval, or failure to prove, or disapprove, any such plans or specifications, or the exercise of any other power, or right of the DRC, provided for in this Declaration. Every Owner who submits plans or specifications to the DRC for approval agrees by submission of such plans and specifications, and every Owner of every Lot, agrees that he will not bring any action or suit against Developer, or any member of the DRC, for any such damage.

The Design Review Committee, on a case-by-case basis, may approve some variances to the design guideline. When such variances are granted, they are not to be considered a precedent.

All approvals MUST be in writing, without exception. Once plans and specifications are approved, no changes may be made without written approval of the Design Review Committee. Upon approval by the DRC of any plans and specifications submitted hereunder, a copy of such plans and specifications, as approved, shall be deposited, as a permanent record with the DRC, and a copy of

such plans and specifications, bearing such approval in writing, shall be returned to the applicant submitting same.

The Design Review Committee may reject any submitted plans and specifications. Reasons for non-approval may include, but are not limited to the following:

1. *Failure to include information in such plans and specifications as may have been requested by the DRC.*
2. *Failure of such plans and specifications to comply with the design guidelines and/or covenants, conditions, and restriction documents.*
3. *Any objection to the exterior design, appearance, or materials of any proposed structure and/or alterations to the aforementioned.*
4. *Incompatibility of proposed structure, uses, or lot improvements to other neighboring structures or uses.*
5. *Objection to the site plan of any Lot on grounds of incompatibility with other Lots in the Property.*
6. *Objection to grading plans, drainage patterns, and/or landscaping plans for any Lot.*
7. *Objection to septic system placement, type, and/or size.*
8. *Objection to color scheme, finish, proportions, style, architecture, height, bulk, safety or appropriateness of any of the proposed structure(s) or improvement(s).*
9. *Failure to meet minimum requirements or standards.*
10. *Any matter not included in the development and design guidelines that the DRC feels is not in the best interest of the development.*
11. *Any matter that the DRC feels would not uphold the quality standards set forth for Estates At The Ranch.*
12. *Objection to parking areas proposed for any Lot based upon incompatibility with proposed uses and Structures on a Lot, insufficiency of size of the parking area in relation to the proposed use, and/or undesirable alteration of the flow of water over or through any Lot.*

SECTION II

SITE PLANNING AND LANDSCAPE STANDARDS

Each home site must be carefully analyzed for proper siting in order to maximize septic system placement, drainage, preserve existing trees, maximize views and open space. In some areas, the Developer has identified major existing trees to be protected.

Homes may be required to provide special adjustments of location and size to take advantage of Lot conditions. No residential Structure shall be erected on any building Lot with a minimum Lot width and size less than shown on the recorded plat, unless the Developer has modified, and recorded, the Plat modification.

The following should be taken into consideration during site planning.

1. Septic System

Without consent of the Developer, only individual septic systems shall be permitted on any Lot and any such individual septic system shall be compliant with all regulations and rules pertaining thereto of the city of Smithville, Missouri and Clay County Missouri.

The Developer has obtained percolation tests for all Lots that meet all Smithville/Clay County requirements in determining the soil's ability to absorb fluids for the installation of a septic system. This information provides the buyer/builder the best placement for a septic system and the best type of septic system to be used for each Lot. The developer will provide these perc tests to each Lot owner upon purchase, but they may also be viewed before purchase of a Lot.

2. Drainage

Drainage from a Lot directly onto an adjoining Lot as a result of any construction activity, or any change to the grade of any Lot, shall be prohibited. Each Lot Owner shall be required to maintain the Lot and construct/maintain gutters and downspouts to control such drainage.

The final grading on each Lot shall not cause any adverse change, as determined solely by the DRC, to the natural grade of each Lot.

3. Subsurface Water

No well, pump, shaft, casing or other facilities for the removal of subsurface water shall be placed or maintained on any Lot. No boring, drilling, removal of, or exploration for, subsurface water shall be conducted on any Lot, except by, or with, the permission of the Developer. No individual water supply system shall be permitted on any Lot.

4. Existing Trees

Except for diseased or dead trees and trees needing to be removed for safety reasons, no tree which is more than fifteen (15) feet from any Improvement shall be removed without the written approval of the DRC. All trees to be removed, above 4" caliper, must be identified on the site plan.

5. Changes in Existing Grades

Natural land formations should be maintained and enhanced. Forcing severe grade changes to accommodate drives and walkout basements may cause drainage problems and create the need for extensive retaining walls. These conditions should be avoided.

6. Minimum Setbacks

All building setbacks should be verified on the recorded plat. Unless approved in writing by the DRC, no Structure shall be erected, or installed, any closer to the property line for such Lot than the following:

- a. *Front Setback: No closer than 70 feet from the front Lot line.*
- b. *Side Setback: No closer than 60 feet from each side Lot line.*

c. *Rear Setback:* No closer than 50 feet from the rear Lot line.

The DRC may require greater set backs in consideration of existing home sites, trees, and terrain conditions.

7. Driveways and Private Sidewalks

All driveways and walks must be shown on submitted plans and must be approved by the DRC. No exposed aggregate drives, of any kind, are permitted.

All driveways, even those going to an outbuilding, must be designed as follows:

- a. Full Depth Asphalt
- b. Concrete Pavers
- c. Concrete

8. Fencing and Retaining Walls

Fences are not encouraged in Estates At The Ranch because they fragment the scale of the landscape. No fences or walls shall be placed on any Lot without the approval of the DRC, which requires all fence designs and plans for DRC consideration and/or approval.

Fences and walls may be allowed only in specific areas where a need is demonstrated and may not exceed 4' in height, except as required by City Ordinance. No fences, or walls, shall be erected or maintained in such a manner as to obstruct the view of vehicular traffic. All fencing should be in the architectural vocabulary of the house. No fences shall be erected until the property lines for fence location are first surveyed and staked by a licensed surveyor.

Any fences, so approved by the DRC, must be as follows:

- a. Wrought Iron
- b. Steel
- c. Aluminum

Stockade and chain link fencing, or any other chain link enclosures, are absolutely prohibited.

No fences or walls, of any kind, will be permitted in the front or side yards of any Lot (without the written consent of the DRC, (which consent may be withheld in the sole and absolute discretion of the DRC). All backyard fences shall encompass the entire backyard, which "backyard" is hereby defined as an area commencing at the back corners of the residential. Structure constructed on any Lot, extending perpendicularly to the side Lot lines and then extending along said side Lot lines to the rear Lot line.

Property lines may not be delineated with fencing unless warranted by the DRC, (which consent may be withheld in the sole and absolute discretion of the DRC).

Privacy fencing adjacent to patio areas and swimming pools must meet Smithville City Code and approval of the DRC.

Retaining walls must be of natural material or faced with quality material compatible with the home's exterior materials and approved by the DRC. Plain concrete is not allowed as a finished retaining wall on any Lot.

9. *Swimming Pools and Tennis Courts*

No above ground level swimming pools may be installed on any Lot; rather, any swimming pools must be below the surface of the ground. All pools areas, tennis courts, and appurtenant equipment (e.g., motors, pumps, housings) must be screened from view. In general,

- a. *Swimming pools, including the apron and patios, must be located in the rear yard and cannot be on, or within, easements.*
- b. *Plantings should be provided to soften the effects of sound and sight of pools and tennis courts for the benefit of adjacent properties. Only the immediate pool area, pool mechanical equipment, and tennis court area should be fenced. Approval of the fence will be considered a part of the application of the pool, or tennis court. No lighting of a pool or tennis court shall be installed without the written approval of the DRC.*
- c. *Owners shall be solely responsible for ensuring that the Structures described herein comply with any and all applicable city, county, state or federal codes, rules or restrictions.*

10. *Decks*

All decks, their location, size and method of construction, must be indicated on submitted plans. All decks should be of substantial design and compatible with the architecture of the home.

11. *Basketball Goals*

No basketball goal may be attached to any exterior of any portion of a residence. Basketball goal must be positioned no closer to the front Lot line than the front of any residence situated on a Lot, and permanently installed and properly maintained with a clear glass backboard. Only one basketball goal per Lot, unless approved in writing from the DRC. Basketball goal is subject to prior written approval by the DRC as to location, appearance, and design.

12. *Dishes and Antennas*

Developer acknowledges the right of telecommunications consumers to receive satellite transmission in accordance with Section 207 of the Telecommunications Act of 1996. However, in order to preserve the aesthetics of the Property, the Developer hereby directs that satellite receivers and transmitters ("Dishes") shall be located at the following points (listed in descending order of preference) and with the following guidelines:

- a. ***First Choice:*** *If a Dish can be so located, without undue cost to the Owner and without the undue diminution of signal reception or transmission, it shall be attached to the roof (immediately below and behind the roof ridge line) of the residence at a location so that it cannot*

be seen from the street running in front of the residence and without visible protrusion from either side of the house.

- b. **Second Choice:** If the First Choice is not available and if a Dish can be so located, without undue cost to the Owner and without undue diminution of signal reception or transmission, it shall be attached to rear exterior wall of the residence at a location so that it cannot be seen from the street running in front of the residence and without visible protrusion from either side of the house.*
- c. **Third Choice:** If the First and Second Choices are not available, and if a Dish can be so located, without undue cost to the Owner and without undue diminution of signal reception or transmission, it shall be attached to a side exterior wall of the residence at a location which is least likely to be seen from the street running in front of the residence. Such placement will require written approval from the DRC.*
- d. **Fourth Choice:** If the First, Second and Third Choices are not available and if a Dish can be so located, without undue cost to the Owner and without undue diminution of signal reception or transmission, it shall be installed at ground level near the rear property line of the Lot at a location which is least likely to be seen from the street running in front of the residence. Such placement will require written approval from the DRC.*

Any satellite dish shall not exceed a diameter of 1 meter (39.37") and must be neutral in color, such as gray or black. If installed at ground level, the satellite dish shall be screened from view on all sides by shrubbery (to be approved by the DRC), so long as the shrubbery shall not unreasonably interfere with the reception or transmission of satellite signals. If the first four choices mentioned above are not available for some reason, the Owner of each Lot and the DRC shall reasonably cooperate with each other so that any right of an Owner to receive, or transmit, satellite signals is harmonized with the preservation of aesthetics at the Property and as to minimize intrusion of the neighboring views as much as possible on each Lot.

No outside television, radio, citizens' band, short wave or other antenna shall be allowed on any Lot.

13. Exterior Lighting

No exterior lighting shall be directed outside the boundaries of any Lot. Any exterior lighting shall be directed so as to avoid glare and excessive light spillage onto abutting or adjacent Property or Lots. Ground mounted floodlights, which illuminate significant architectural features of the home, are encouraged and components shall consist of concealed sources of illumination. Components should be "earth-toned". Upon notice from the Developer, or DRC, that an exterior light is objectionable, such Owner shall immediately shield such light in such a manner so that in the opinion of the Developer, or DRC, such light is no longer objectionable.

14. Play Equipment

All stationary play equipment (i.e. swing sets, play structures, play houses, sandboxes, trampolines, etc.) must be submitted for approval by the DRC to include appearance, size, height, and location. All play structures shall be located behind the back building line of the

residence and adequately screened from view. Metal play structures or structures of bright or fluorescent colors are prohibited.

Slides and tube slides shall be dark green in color whenever practical.

All wooden play structures shall be stained with a sealant in order to preserve the appearance/finish and to minimize the visual prominence of the structure.

Permanent skateboard, bike, and other types of recreational ramps are not allowed.

15. *Animal Shelter*

All outside dog houses, and other animal shelters, shall be located within the backyard, shall be within two (2) feet of the residence and shall be painted an appropriate color, as deemed compatible with the residence, by the DRC, and must be approved by the DRC.

No dog runs or animal pens of any kind shall be permitted on any Lot without the prior written approval of the DRC (which may be withheld or conditioned in the sole and subjective discretion of the DRC)

16. *Barn/Outbuilding*

While the DRC may, in its discretion, permit erection and installation of only one (1) barn or outbuilding, which is ancillary to the primary residence, erected and installed on a Lot. The DRC requires, at a minimum, any such barn or outbuilding is architecturally harmonious (determined in the sole and absolute discretion by the DRC) with such primary residence, and that any such outbuilding be at such a location on the Lot as the DRC shall approve. No structure shall be erected or maintained in such a manner so as to obstruct site lines for vehicular traffic.

17. *Signs*

No permanent or freestanding sign(s), billboard(s), or other advertising device(s), of any nature, may be placed upon any Lot, including property identification signs, except by the Developer and except as may otherwise be provided herein. The DRC may adopt and promulgate rules and regulations relating to signs, which may be used within the Property. Temporary "For Sale" or "For Rent" signs (may not exceed five (5) square feet per sign face) shall be permitted to be placed upon any Lot, provided that such sign(s) have first been approved by the DRC and shall be professionally prepared and displayed on the Lot. Notwithstanding the foregoing, the provisions of this section shall not apply to any Lot, or real property, located within the Property owned by Developer.

18. *Antennas, Poles and Projections*

No facilities, including poles and wires for the transmission of electricity, telephone messages, CATV signals, and the like, shall be placed or maintained above the surface of the ground on any Lot and no external or outside antennas or satellite dishes shall be permitted on any Lot, except as hereinafter provided.

No solar collectors, wind generators, or turbines of any kind, or type, shall be maintained on any Lot, except with the written permission of the DRC (which may be withheld, or conditioned, in the sole and subjective discretion of the DRC).

No flag poles, poles, nor standards shall be erected or maintained on any Lot. No poles for attaching wires or lines for the purpose of hanging laundry thereupon shall be erected, installed, constructed, or maintained on any Lot except with the prior written approval of the DRC, which approval may be withheld in the sole discretion of the DRC.

19. Gardens

Outside gardens shall be permitted but only so long as they are well maintained and cultivated. Gardens must be located within the rear yard of the Lot and placed at least 10' from all lot lines and cannot be on or within easements.

20. Placement of Pipelines and Utilities

No water pipe, gas pipe, sewer pipe, drainage pipe or conduit shall be installed, or maintained, on any Lot above the surface of the ground, other than as may be approved by the DRC, except the point of connection of such pipe to a structure and except for hoses used for the watering of landscaping items such as trees, shrubs, flower and grass. All water, gas, electricity, sewer, telephone, cable television and other utilities, or services, shall be located and run underground on each Lot.

No storage tanks of any kind shall be erected above or below the ground, with the stated exception of propane tanks, which shall be buried.

21. Landscape Planning

No trees or shrubbery shall be maintained in such a manner as to obscure the view of vehicular traffic.

- a. *The owner will be required to include an allowance for landscaping in the construction agreement for a minimum of 2% of the construction improvements, in addition to the required sodding or seeding. On a lot-by-lot basis, the DRC may reduce the landscape allowance in consideration of existing vegetation and foliage, which will remain undisturbed.*
- b. *Written permission is required from the DRC before removing any trees 4" or over in caliper. No tree, which is more than fifteen (15) feet from any Improvement, shall be removed without the approval of the DRC.*
- c. *It is required that each lot have a minimum of 5 shade trees of approximately 2" diameter as measured 6" above grade; three of the five trees must be in the front yard. If the property has existing native trees, they can be counted toward this requirement. Ornamental understory trees will not be considered to fulfill this requirement. The DRC may grant variances in this requirement in consideration of existing vegetation.*
- d. *All new trees planted should have a guarantee for 12 months time. If they die, it is the responsibility of the owner to replace them.*
- e. *The portion of each Lot between the front building line of the Residence on the Lot, extending out to the public street in front of such Residence must be sodded or seeded. The portion of each Lot between the side building lines of the Residence on the Lot and extending outward, not less than twenty-five (25) feet from same and the portion of each Lot between the rear building line of*

the Residence on the Lot and extending outward not less than twenty-five (25) feet from same must be sodded or seeded.

The portion of each lot between the side building lines of the Outbuilding on the Lot and extending outward, not less than twenty-five (25) feet from same and the portion of each Lot between the front building line of the Outbuilding on the Lot and extending outward not less than twenty-five (25) feet from same and the portion of each Lot between the rear building line of the Outbuilding on the lot and extending outward not less than twenty-five (25) feet from same must be sodded or seeded.

Types of grass, accepted by the DRC, includes:

1. *Bluegrass*
2. *Fine Leaf, Turf Type, Tall Fescues.*

- f. All disturbed ground areas of the building site must be covered with plantings, or mulched with approved landscape materials.*
- g. Landscape improvements, as approved by the DRC, shall be installed within 60 days of the completion of the building, weather permitting.*
- h. Underground irrigation systems are encouraged for plantings around the home.*
- i. The Developer reserves the right to plant trees in public right-of-ways.*
- j. On those lots where there is considerable tree cover, which will remain after the home is constructed, there may be a variance granted at the sole discretion of the DRC to allow less than 2% of the purchase price for the landscaping allowance. In no case will the allowance be approved for less than \$4,000.00, excluding sodding, or seeding, and irrigation.*
- k. Evergreen shrubs shall not be less than 30" high for plants growing 4', or taller, that are used in foundation planting. Evergreens used for screening purposes shall provide adequate screening at the time of planting.*
- l. Landscape plans that include a balance of ornamentals trees, flowering shrubs and evergreens are encouraged. Beds of annuals and/or colorful leaf plants should be used to accent the architecture or entry court. Plants and shade trees having good fall color are a feature that will distinguish this subdivision, due to the existing trees around the subdivision.*

Special Note: Bradford Pear and other *Pyrus Calleryana* varieties that do not have a central leader are highly discouraged because of the "break-up" problems common with ornamental pears. If pears must be used, consider the Capital Pear, Cleveland Select, Redspire or Chanticleer Pear. The Chanticleer Pear is a smaller growing tree than the others that are listed.

- m. Screen all meters and buried propane tanks that can be seen from the street with plantings.*
- n. Soften barn/outbuilding area with shrubs, trees, or larger plants, when possible.*

- o. Soften large areas of pavement with shrubs or larger plants, when possible.*
- p. Screen all A/C condensing units that can be seen from the street.*

SECTION III

RESIDENTIAL DESIGN STANDARDS

Minimum Square Footage Requirements

There are minimum square footage requirements in the development of Estates At the Ranch, as defined by the Developer. Minimum square footage shall mean and include all living areas, excluding basements, garages, porches or attics.

While all homes erected on any lot must have a basement, in no event shall any so-called, “underground” or “earth-contact”, homes be permitted.

In no event shall any Split Entry style homes be permitted on any Lots.

The phrase “enclosed floor area” as used herein shall mean and include areas of the residence enclosed and finished for all year occupancy during original construction. However, in its sole discretion, the DRC may include finished lower level living areas as part of the area of the Structure. Notwithstanding the foregoing, a residence containing less than the minimum enclosed floor area, provided herein, may be erected on any lot with the approval of the DRC, or the Developer, (which approval may be granted in the sole and absolute discretion of the DRC or Developer, provided however, such approval granted on one, or more occasions, shall not constitute a waiver of the right of the DRC or Developer to insist on strict adherence to minimum square footage requirements on subsequent or future occasions).

Lower level living areas on hillside Lots may be considered by the DRC as “reverse one and one-half level” homes. Any residence erected on any Lot shall not be more than two (2) levels in height, above ground.

- A. Single Level Above Ground (Ranch): 2,000 sq. ft.*
- B. One and a Half Story: 2,800 sq. ft.
With 1,600 sq. ft. on the first level.*
- C. Reverse One and a Half story: 2,800 sq. ft.
With 1,800 sq. ft. on the first level.*
- D. Two Level Above Ground; 2,800 sq. ft.
With 1,600 sq. ft. on the first level.*

Materials

Homes will be faced on all sides and in a consistent manner with quality finish materials including brick, stone, wood or stucco, as approved by the DRC. Roof cornice treatments and window and door trim shall be consistent on all four sides of the home. All wood exteriors, except roofs, shall be covered with high quality paint or high quality stain. Exposed concrete block, simulated brick, stone or wood is not permitted, except as

may be approved by the DR, in its sole discretion. At a minimum, the DRC may require that at least 40% of the front elevation of a Residence, (exclusive of doors and windows), be faced with brick, stone, stucco, or a combination of the same.

Masonite, composition material and particleboard are not permitted.

No exposed concrete foundation in excess of 6", measured vertically, is permitted on the street elevation of any residence. No exposed concrete foundations are permitted to exceed a vertical measurement of 12", unless otherwise approved by the DRC. Any area of exposed foundation shall be covered with the exterior wall material.

Stone stucco, or brick veneering, must end only at an inside corner, unless otherwise approved by the DRC, in its sole discretion.

The exterior colors of all Structures are subject to approval by the DRC.

Windows

All windows installed in any structure on a lot must either be solid wood or solid wood encased or "clad" in either vinyl or metal.

Mailboxes and Address Plates

Per the United States Postal Service, a cluster mailbox, or cluster box unit, will be installed for all Lots. United States Postal Service regulation cluster mailbox will be as prescribed by the Developer and the DRC, in its sole but reasonable discretion, and shall not be changed, nor altered, at any given time. Cluster mailbox shall be installed by the Developer, and after installation of said cluster mailbox, it shall be maintained in good and pleasing appearance by Estates At the Ranch Homes Association.

Address plates, and the location, must be identified on submitted plans and approved by the Developer and/or DRC. The developer may adopt uniform design standards for address plates. If approved, installation of address plates shall be the responsibility of the Owner.

Garages

Garages must be in the same architectural treatment and construction as the main house. Each residence must have an attached, private, fully enclosed garage.

Garages shall have a minimum of space for three (3) standard size passenger automobiles.

No garage shall be permitted, or allowed, to be enclosed for living, or used for purposes other than the storage of automobiles and related normal use.

Supplemental Roof Structures

Wind powered ventilators are not allowed on street elevations. Skylights are not permitted on street elevations. Solar collectors must be approved by the DRC and are not permitted to face on an exterior elevation facing to the street and/or 144th Street. Vent pipes, flues, etc. must be situated on the least visible side of the roof and below the ridge line.

Roof Pitches and Roofing Materials

All roofs shall be made of cedar shake, dimensional cedar shingle, slate, clay or concrete tiles, Lamarite Slate Composite Shingles by Tamko, or other DRC approved architectural laminated composition roofing. To be approved, such other composition materials must meet, or exceed, specification of Certainteed Presidential TL or Certainteed Grand Manor Shingle composition, and must be in a “weatherwood” or similar color.

Alterations

No exterior alterations may be permitted without the prior written approval of the DRC.

SECTION IV

CONSTRUCTION STANDARDS

*Without limiting the power of the Developer and DRC to promulgate other, and additional rules and regulations governing construction on lots. The following minimal rules and regulations, (which may be enforced by either the Developer or the DRC in the manner provided in this instrument), shall govern all construction, repair and maintenance on any of the Lots. **Each Owner shall be strictly liable for violations of the provisions of the Article by their contractors, builders, agents, servants, employees, invitees, subcontractors and, “materialmen”, providing labor and/or material to the Owner’s lot.***

1. *Commencement of construction shall start within 60 days following the delivery of the deed from the developer to the purchaser. Commencement shall proceed in a timely, and orderly manner, to a prompt completion that is within one year of accepting a conveyance, of such Lot, for a Residence, as authorized by existing zoning laws, declarations of covenants and restrictions filed of record, unless the time is extended by the Developer.*
2. *No Lot is to be cleared, nor constructed upon, until a building permit is therefore granted, the Lot closing has taken place, and the DRC has granted approval of the plans and specifications for construction.*
3. *No structure shall be located on, or built on, any Lot nearer to the front line, or nearer to the side street right-of-way line, than the minimum set back line shown on a Plat. Furthermore, the exact placement and orientation of any single family residential Structure on a Lot shall be subject to approval of the DRC.*
4. *All Structures, permitted hereby, shall be new construction and no building or Structure, (including pre-fabricated), shall be moved onto any Lot.*
5. *No Structure shall be permitted to stand with it’s exterior in an unfinished condition for a period longer than nine (9) months after commencement of construction. Extensions for periods beyond nine (9) months may be granted by the DRC, in its sole discretion. In the event of fire, windstorm or other damage, no Structure shall be permitted to remain in a damaged condition for more than three (3) months. No Structure shall be occupied until completed according to the plans and specifications approved by the DRC.*

6. *No temporary building, nor any trailer, tent, garage, shed, barn or other building, whether in the course of construction, or otherwise, shall be placed upon any Lot (other than a residence). No ornamental improvements may be erected on any part of any Lot without the consent of the DRC, which consent may be withheld or conditioned, in the sole and subjective discretion of the DRC.*
7. *No dumping or open burning of construction materials, waste or trash shall occur on any building Lot.*
8. *Loud music will not be permitted on any construction site, at any time.*
9. *No construction signs are permitted identifying the homebuilder, subcontractors, mortgage lender, or suppliers on any Lot.*
10. *It should be understood that the compacting of soil, trenching, and grade changes involving cutting, or filling, often causes death to a healthy tree within three to four years. A 4' construction fence should be erected at drip line of major trees and tree groupings. No construction activities, including storage of materials, parking of vehicles or equipment should be allowed within the drip line of trees. Signs, bracing, and temporary wiring should not be nailed to any tree on a Lot.*
11. *The Owners shall provide erosion control on all lots. The DRC may require, at its sole discretion, the builder to place erosion control materials, such as, straw bales or silt fencing, on any portion of a Lot that appears to be in an erodible condition, due to construction activities.*
12. *No changes in plans during the construction period will be permitted without prior, express, written approval of the DRC.*
13. *Contractors will assume complete responsibility for the actions of their workers, as well as those of their subcontractors.*
14. *No construction work on any Lot shall begin before 7:00 AM, or continue after 7:00 PM. Exterior construction on new homes is not permitted on Sundays. Interior work on new homes, as well as normal maintenance on existing structures, shall be permitted on Sundays.*
15. *Excess excavation materials must be hauled away from the Lot and from the Property.*
16. *Concrete suppliers and contractors shall clean their equipment only at locations designated by the DRC, or Developer, for that purpose.*
17. *Owners (for themselves, their contractors, builders, subcontractors and materialmen) shall cause the clean up of all trash and debris generated by construction on a Lot at the end of each workday, and shall keep, said Lot's, appearance in a well-maintained manner at all times. Trash and debris shall be removed from each construction site, no less than, once a week, to a dumping site located off of the Properties.*
18. *It is the Owners responsibility, through their builder, contractors, subcontractors and materialmen, for removing all construction debris and keeping the site in a well-maintained appearance at all times during the construction process.*
19. *Each Owner, at the end of each day during which construction activities are being conducted at such Owner's Lot, shall cause the street adjoining the Property to be cleaned so that they shall be free from dirt, mud and debris deposited thereon during the performance of such construction activities by Owner, or said Owner's contractors, builders, subcontractors and materialmen.*

