

**Exhibit "F"**

**Design Review Guidelines for The  
Preserve at Parkside**

**a residential community**

**DISCLAIMER**

All plans, dimensions, improvements, amenities, features, uses, specifications, materials and availability depicted herein are subject to change without notice. Any illustrations are for depiction only and may differ from completed improvements.

These Design Review Guidelines are not intended to be a complete list of all criteria that must be satisfied in connection with construction of improvements. Compliance with these guidelines does not assure approval of any particular designs. Declarant, or DRB as the case may be, reserves the right to approve particular designs which vary from or otherwise do not comply with these guidelines.

These architectural guidelines are a mechanism for maintaining and enhancing the overall aesthetics of The Preserve at Parkside; they do not create any duty to any person. Review and approval of any designs may be based on aesthetic considerations only. Declarant, The Preserve at Parkside Property Owners Association, or the DRB shall not bear any responsibility for ensuring the structural integrity or soundness of approved construction or modifications, for ensuring compliance with building codes and other governmental requirements, or for ensuring that every structure is of comparable quality, value, or size, of similar design, or aesthetically pleasing or otherwise acceptable to other owners of property in The Preserve at Parkside. Declarant makes no warranty, express or implied, that the information or guidelines contained herein are suitable for any particular use, and hereby disclaims any liability in connection with the use of this information.

## **1. INTRODUCTION**

### **1.1. Purpose.**

The Preserve at Parkside is a planned community comprising real property within the City of Oklahoma City, Cleveland County, State of Oklahoma. The purpose of The Preserve at Parkside development is to provide a high quality, aesthetically pleasing residential community, while preserving the natural beauty of the area and enhancing the value of each Owner's investment. The purpose of the Design Review Guidelines (DRG) and Design Review Board (DRB) is to meet the overall The Preserve at Parkside purpose by assisting in the building design process. As a general rule, the DRG and DRB will not dictate any particular architectural style or hinder personal design preferences. The DRG and DRB will strive to maintain an aesthetic flow between the interrelated sections. Traditional design details may be incorporated in the DRG, but any styles that tend to disrupt aesthetic harmony will be discouraged.

### **1.2. Scope.**

The Design Review Guidelines and Design Review Board oversight apply to all Modifications, as defined in the Declaration. Modifications include new construction and the alteration of or additions to existing construction.

### **1.3. Amendments.**

The Design Review Board may amend, cancel, add to, modify, or otherwise change these Design Review Guidelines from time to time as necessary in the DRB's sole discretion. The DRB shall send notice of any changes by mail, fax, or email to all Owners at least five business days prior to implementation of any new design guideline. Such mailing, or failure thereof, shall not relieve each Owner of their obligation to determine applicable design guidelines prior to making any new construction or Modification.

### **1.4. Compliance with Local Law.**

The DRB is not responsible for notice of or ensuring compliance with building codes, structural details, local, state, federal law, or environmental agency compliance.

### **1.5. Limitation of Liability.**

The DRB is not responsible and shall bear no liability for the accuracy of drawings and techniques of construction. The DRB shall bear no liability and is not responsible for workmanship, safety, or quality of new construction or Modification based upon its review and decision of an application.

## **2. DESIGN REVIEW PROCEDURES**

### **2.1. Applicability.**

The Design Review Guidelines apply to all new construction and Modifications. Other examples include by illustration only antenna and satellite receivers, outdoor sculptures or artwork, storm doors, security doors, windows, storm windows and siding.

### **2.2. Design Review Board.**

Oversight of the DRG is vested in the Design Review Board, unless otherwise delegated

or assigned to an Architectural Review Committee. The DRB shall consist of at least three and no more than five persons appointed by and serving at the Declarant's discretion. Members of the DRB may include architects or similar professionals who are not Owners.

The DRB may adopt detailed application and review procedures and design standards governing its area of responsibility consistent with the Declaration. All new construction and Modifications shall take place in strict compliance with the Declaration, the Design Review Guidelines, and the application and review procedures promulgated by the Design Review Board.

### **2.3. Review Fees.**

The DRB may establish a review fee schedule applicable to the oversight of administering the DRG.

### **2.4. Review Standards.**

As provided in the Governing Documents, the DRB shall approve any new construction or Modification only if it deems, in its discretion, that new construction and Modifications conform to and harmonize with the existing surroundings, residences, landscaping, and structures, and meets the requirements for such new construction and Modifications found in the Governing Documents, Design Review Guidelines, and procedures promulgated by the DRB.

The DRB evaluates all submissions on the merits of the application. Besides evaluation of the particular design proposal, this includes the consideration of the characteristics of the housing type and the individual site.

Design decisions are not based on personal opinion or taste. Judgments of acceptable design are based on the following standards, which are presented in more specific form within Sections 3 and 4 to these Design Review Guidelines.

**Compliance with the Governing Documents.** All applications are reviewed to confirm that the proposed new construction or Modification is in conformance with the Governing Documents.

**Relation to the Natural Environment.** All applications are reviewed to confirm that the proposed new construction or Modification represents a positive or neutral effect on the surrounding natural environment. For example, fencing materials can have a deleterious effect on the feel of an open environment.

**Validity of Concept.** All applications are reviewed to confirm that the proposed new construction or Modification is sound in concept and appropriate to its surroundings.

**Design Compatibility.** All applications are reviewed to confirm that the proposed new construction or Modification is compatible with the architectural characteristics of existing structures both on the Lot and in the vicinity. Compatibility is defined as similarity in architectural style, quality of workmanship, similar use of materials, color, and construction details.

**Location and Impact on Neighbors.** All applications are reviewed to confirm that the proposed new construction or Modification relates favorably to the landscape, the existing structures on the Lot and in the vicinity. Primary issues of concern are access, drainage, sunlight, and ventilation. When new construction or Modification has particular impact upon Lots in the

vicinity, the DRB may require the applicant to discuss the proposal with Lot Owners in the vicinity prior to the DRB making a decision on the application. The DRB may also require the submittal of comments from Lot Owners in the vicinity.

**Scale.** All applications are reviewed to confirm that the proposed new construction or Modification relates well to the size, in three dimensions, of existing structures on Lots in the vicinity. For example, additions to an existing structure that would place the square footage of the structures on a Lot in disproportion to structures on Lots in the vicinity may be inappropriate.

**Color.** All applications are reviewed to confirm that the proposed new construction or Modification conforms to the colors represented on the existing structures on the Lot and on Lots in the vicinity.

**Materials.** All applications are reviewed to confirm that the proposed new construction or Modification utilizes materials of the same or compatible nature as were used on existing structures on the Lot or on Lots in the vicinity.

**Workmanship.** All applications are reviewed to confirm that the proposed new construction or Modification would entail workmanship of an equal or better quality than that represented on existing structures on the Lot or on Lots in the vicinity.

**Timing.** All applications are reviewed to confirm that the proposed new construction or Modification may be completed in a timely manner, whether an Owner performs such work themselves or contracts the work to be done.

## **2.5. Review Process for New Construction and Modifications.**

Prior to making application to the DRB, Owners are encouraged to meet with a representative of the DRB to avoid confusion about the approval process and to determine the acceptability of their design intent. The Owner should also obtain a current copy of the Design Review Guidelines and applicable forms.

Prior to commencing any new construction or Modifications, an Owner shall submit to the DRB an application for approval in such form as the DRB shall require. An acceptable application appears as Exhibit 1 to these Design Review Guidelines. Such application shall include plans and specifications ("Plans") showing site layout, structural design, exterior elevations, exterior materials and colors, landscaping, drainage, exterior lighting, irrigation, and other features of proposed construction, as applicable. The DRB, ARC, the Declaration, or the Design Review Guidelines may require the submission of such additional information as may be reasonably necessary to consider any application. For consideration, the application must be received by the DRB before 5:00 p.m. five days prior to the scheduled meeting of the DRB. The DRB will meet on a regular basis as determined by the DRB. Late submissions will not be reviewed until the next meeting of the DRB.

In reviewing each submission, the DRB will consider the application based on the Review Standards. Decisions may be based on purely aesthetic considerations. Each Owner

acknowledges that determinations as to such matters are purely subjective and opinions may vary as to the desirability and/or attractiveness of particular improvements.

Within 30 days after receipt of a completed application and all required information, the DRB shall respond in writing to the applicant at the address specified in the application. The response may (i) approve the application, with or without conditions; (ii) approve a portion of the application and disapprove other portions; or (iii) disapprove the application. The DRB may, but shall not be obligated to, specify the reasons for any objections and/or offer suggestions for curing any objections.

In the event that the DRB fails to respond to a properly submitted application in a timely manner, approval shall be deemed to have been given, subject to Declarant's right to veto approval by the DRB pursuant to this Section. Any approval inconsistent with the Declaration or the Design Review Guidelines is void unless a variance has been granted pursuant to Section 4.5 of the Declaration.

The DRB shall notify Declarant, so long as Declarant owns any property described in Exhibits "A" or "B," in writing within three business days after the DRB has approved any application relating to proposed Modifications unless Declarant waives, in writing, its right to such notification. The notice shall be accompanied by a copy of the application and any additional information which the Design Review Board may require. Declarant, so long as Declarant owns any property described in Exhibits "A" or "B," shall have 10 days after receipt of such notice to veto any such action, in the sole discretion of each, by written notice to the DRB and the applicant.

If construction does not commence on a new construction or Modifications project for which plans have been approved within one year after the date of approval, such approval shall be deemed withdrawn and the Owner shall reapply for approval before commencing the proposed Modifications. "Commencement" shall begin upon such actions as, but not limited to, delivery of materials and labor exerted relative to the new construction or Modification. After construction is commenced, it shall be diligently pursued to completion. All new construction or Modifications shall be completed within one year after commencement unless otherwise specified in the notice of approval or unless the DRB grants an extension in writing, which it shall not be obligated to do. Any new construction or Modifications not completed within the required time shall be considered nonconforming and shall be subject to enforcement action by the Design Review Board, the Association, Declarant or any aggrieved Owner.

The DRB, by resolution, may exempt certain activities from the application and approval requirements of this Section, provided such activities are undertaken in strict compliance with the requirements of such resolution. No approval shall be required to repaint the exterior of a structure in accordance with the originally approved color scheme or to rebuild in accordance with originally approved plans and specifications. Any Owner may remodel, paint or redecorate the interior of a Lot without approval provided such alterations do not affect the aesthetics of the exterior of the Lot as they appear prior to the alteration. Modifications to the interior of screened porches, patios, and similar portions of a Lot visible from outside the structure shall be subject to

approval. This Section shall not apply to the activities of Declarant, nor to activities of the Association during the Class "B" Control Period.

### **3. CONSTRUCTION GUIDELINES AND PROCEDURES**

#### **3.1. Construction Drawings.**

All proposed new construction or Modification requires DRB review, which comes only as a result of a properly submitted application. The application must include construction drawings of the proposed improvement. Depending on the type of new construction or Modification, the DRB may require less or more construction drawings for a proper application. Construction drawings include, but are not limited to:

**Site Plan.** A site plan must be submitted with the application and will include:

- 4.1. **Site survey** with property lines or a site plan based on the recorded plat;
- 4.2. **Elevation drawings** showing elevations of the property corners, center of building or existing structures, culvert inlets, edge of roadway and finished floor elevations;
- 4.3. **Vegetation diagram** showing the location and species of trees 3" in diameter or larger at 48" from the ground;
- 4.4. **Setback lines** showing the distance between property lines and improvements on the Lot;
- 4.5. **Building outline** including service yard and front and rear corner of adjacent buildings;
- 4.6. **Paved area diagram** including drives, parking areas, walks, patios, etc.;
- 4.7. **Drainage and grading plan** if the proposed construction disturbs any dirt or would alter in any manner the flow of storm water or run-off;
- 4.8. **Special features locations**, such as easements, common areas, walls, etc.;
- 4.9. **Utility elements** and improvements, such as utility meters, etc.

**Floor Plan.** A floor plan must be submitted that details square footage per level and total and showing the roof outline, entry steps, service yard details such as screening and all other architectural features.

**Roof Plan.** A roof plan must be submitted that indicates roof pitch, an outline of the building walls below, the roof outline, dormers, and any other pertinent features.

**Elevation Drawings.** Elevation drawings must be submitted to include all four elevations, indicate existing grades and finished grades, exterior finishes of materials, roof pitch, window and door designs, service yard enclosure, screening of meters and equipment and any other pertinent information such as the windscreen for the chimney.

**Color and Materials Specifications.** Color and materials specification to be used must be identified in the application. If requested by the DRB, samples of both color and materials are to be submitted to the DRB in a form provided by the DRB in their request.

**Detail Drawings.** Detail drawings must be submitted showing wall sections, service area enclosure details, and other architectural details. A schedule of window types and finish colors would help in the review process.

**Electric Plan.** An electric plan must be submitted to show the location of the meter setting, locations and specification and fixtures of exterior lighting including security lighting and other electrical equipment for pools, etc.

**Landscape Plan.** A landscape plan must be submitted to show the general design plan for site landscaping.

**Grading Plan.** A grading plan must be submitted indicating drainage plan, any proposed grade changes and proposed erosion control devices.

### **3.2. Changes After Approval of Final Construction Plans**

Any plans or applications altered in any manner from plans or applications initially reviewed by the DRB shall be re-submitted to the DRB for review.

### **3.3. Construction Guidelines.**

#### **3.3.1. GENERAL.**

These Construction Guidelines are intended for compliance by all contractors, subcontractors, material suppliers, maintenance personnel and any others engaged in construction or related activity in The Preserve at Parkside. These Guidelines are not intended to restrict, penalize or impede construction activity during reasonable performance of duties while within The Preserve at Parkside. Rather, they will be enforced fairly to achieve the objectives enumerated below and in the Governing Documents and to facilitate orderly and controlled construction activity, thereby preserving the overall quality of The Preserve at Parkside's appearance. Violations are subject to assessments and repeated violations may be cause for denial of access.

#### **3.3.2. GUIDELINES.**

1. **Site Clearing.** Site clearing or construction on any property within The Preserve at Parkside is not permitted without first submitting application and obtaining final approval from the DRB.
2. **Trash Receptacles.** Each building site must have a trash receptacle for construction debris and is to be emptied or removed when full. When and where appropriate and with approval of the DRB, contractors may coordinate sharing of trash receptacles. The dumping of construction trash is not permitted inside The Preserve at Parkside and must be removed by covered truck. Wind-blown trash pickup is required. Any default by an Owner or contractor under this section shall be remedied within 24 hours of notice of such default.
3. **Portable Toilets.** Clean and sanitary conditions are required for all toilets. When and where appropriate and with approval of the DRB, contractors may coordinate sharing of portable toilets. In all respects, the DRB will seek to lessen the aesthetic impact and total number of portable toilets in The Preserve at Parkside during construction.
4. **Nuisances.** No loud speakers are permitted on building sites. Inappropriate volume levels on radios, stereos, etc. will not be permitted.
5. **No Pets.** Pets are not allowed on building sites.
6. **Compliance with Design Review Board Approval.** All buildings and landscape plans must be approved in writing by the DRB, and the owner and the building contractor are jointly

responsible that approved plans are followed in all aspects with respect to the exterior of the house and grounds. Construction is to be complete to a point of having the exterior finished and landscaping in place in accordance with the approved plan within twelve (12) months of commencement. Any change to the exterior of the house, siding, driveway, garage, etc., must receive prior approval from the DRB.

7. **Signs.** To minimize visual clutter, the DRB has a job site sign standard to be used on all construction sites. A sign stanchion specification will be provided by DRB. Individual contractors will be responsible for providing a sign stanchion per design specifications. Contact the DRB for placement and coordination.
8. **Erosion Control.** Each owner shall be responsible for the installation and maintenance of all necessary erosion control devices and shall at all times keep erosion control devices in good working order. Any failure of erosion control devices and subsequent clean-up shall be the responsibility of the owner. In the event landscaping is delayed to meet optimal planting seasons, owner shall be responsible for establishing and maintaining turf to minimize erosion. Receipt of a DRB acknowledgement of compliance will depend upon compliance with erosion control provisions. Any default by an Owner or contractor of erosion control pursuant to this section shall be remedied within 24 hours of notice of such default.
9. **Repair to Damaged Property.** Damage or scarring to other property, including, but not limited to, open space, other Lots, roads, driveways, sidewalks and/or other improvements whether surface or subsurface will not be permitted. If any such damage occurs, it shall be repaired and/or restored promptly at the expense of the person causing the damage. Upon completion of construction, each contractor shall clean the construction site and repair all property, whether above surface or subsurface, which was damaged, including, but not limited to, restoring grades, planting shrubs and trees as approved or required by the DRB and repairing streets, driveways, pathways, sidewalks, culverts, ditches, signs, lighting, and fencing, etc.
10. **Gravel Approach.** During construction a gravel approach is required. The approach is to be a minimum of 20 feet wide by 20 feet long consisting of 2" inch or larger gravel. The approach is to be maintained until the driveway (concrete approach) is installed. Gravel is to be removed from the street in front of the Lot at the end of each work day.
11. **Schedule of Assessments for Violations of the Design Review Guidelines for The Preserve at Parkside.** The following is a Schedule of Assessments that will be enforced when a contractor or owner violates the Governing Documents and/or these Design Review Guidelines. The assessments collected will be used for grounds beautification in Common Areas and will not be refunded to the contractor or owner. Assessments will be charges against the Lot and may prevent transfer of the Lot or frustration of construction/permanent financing. Assessments levied by the DRB due to violations may be appealed, in writing, with appropriate justification, to the Chairman of the DRB. The Schedule of Assessments may be amended by the DRB to meet the needs of the Property as development continues. Such amendments shall occur as provided under Section 1.3 to the DRG.

#### Schedule of Assessments

<b>The Violation</b>	<b>Assessment</b>
▪ Violations of 3.3.2.2 above shall be assessed the actual cost of clean up plus \$100.00.	
▪ Violations of 3.3.2.8 above shall be assessed the actual cost of clean up plus \$100.00.	



- Other violations of the Governing Documents, including Design Review Guidelines shall be assessed \$5.00 per day. A notice of violation shall be sent certified mail to the Owner or contractor, and any assessment shall accrue on a daily basis beginning 72 hours after the Owner or contractor receives such notice. Otherwise, any assessment shall accrue beginning 72 hours of actual notice of the violation.

## 4. DESIGN STANDARDS

### Specific Design Standards

**Avigation Easement.** **NOTICE TO OWNERS AND/OR BUILDERS.** All construction must be in compliance with Section 59-13150.5B of the Oklahoma City Municipal Code. All lots within The Preserve at Parkside addition fall within the AE-2 zoned area and therefore must comply with the details outlined in the Municipal Code section noted above.

**Orientation.** Lots must conform to the House and Utility Orientation Plan determined and provided by the DRB. Exceptions to the orientation plan may be granted in the sole discretion of the DRB.

**Building Size.** The minimum square footage of the single family dwelling unit (house) shall be no less than 2700 square feet exclusive of basements, open porches, and garages.

**Setback Requirements.** Front yard, side yard, and rear yard setbacks must conform to City ordinance. Front yard minimum setback for any improvement constructed on a Lot is 35'. Rear yard setback for a dwelling unit is 20'. Rear yard setback for other improvements constructed on a Lot is 10'. Side yard setback for a dwelling unit is 10'. Side yard setback for other improvements constructed on a Lot is 5'.

**Foundation.** The foundation may NOT be exposed.

**Material.** The principal exterior of any structure shall be at least 2/3 brick, rock, or stone, with the remainder being hardboard siding. Vinyl siding is not permitted. Any deviation from the above must receive DRB approval prior to installation.

**Height.** The maximum height for a structure must not exceed City ordinance standards and must receive prior approval from the DRB.

**Roofs.** All roofs shall be completed using shingles colored weatherwood (gray in color) or the equivalent. The roof pitch must receive DRB approval prior to construction. Any deviation from the above must receive DRB approval prior to installation. All roofing material shall have a 30-year minimum life.

**Roof Accessories and Equipment.** DRB approval is required for rooftop equipment and accessories, unless specifically excepted in this paragraph. All rooftop equipment must match roofing colors or be of a color that complements the house and must be placed as inconspicuously as possible. Exposed flashing, gutters and downspouts must be painted to match the fascia and siding of the structure unless otherwise approved by the DRB. No exposed attachment straps will be allowed. DRB approval is not required for skylights having measurements of 3' x 5' or less. Skylights should be placed in locations so as not to detract from the building elevations. Any installed solar energy equipment shall have the appearance of a skylight, shall have a finished trim material or curb, and shall not be visible from the street or Common Area.

**Driveways.** Asphalt drives and parking areas are not permitted. Driveways and parking areas must be concrete or other hard-surface approved by the DRB. Community

recreational amenities and model homes constructed by the Declarant or Builders with written approval from the Declarant are exempt from this provision.

**Septic Systems.** Each Lot shall contain and maintain in good working order a private septic system having at all times all permits, licenses, and approvals under applicable codes, statutes, and regulations.

## **General Design Standards**

The general design standards are listed below in alphabetical order according to natural headings. The following list of design standards is presented for your convenience and should not be taken to be an exhaustive or exclusive list of items subject to DRB review. If you have any questions about a particular design standard or applicability to your proposed design, please contact the DRB. Unless otherwise indicated within the specific design standard, each design standard applies to every Lot. None of the following design standards should be read so as to negate making an application or the requirement of an Owner to receive DRB approval prior to undertaking new construction or a modification.

- 4.1. **Address Numbers.** Approval is not required if numbers are not larger than six (6) inches in height, whether such numbers are affixed on the dwelling or mailbox, or painted on the curb. Address numbers (address block or plaque) are required on the front of the mailbox for each Lot and must be fixed on or within the masonry portion of the mailbox. Sticker numbers are prohibited.
- 4.2. **Air conditioners and fans.** Window unit air conditioners and fans are not permitted on a dwelling unit (House). Window unit air conditioners installed on other improvements must receive DRP approval and shall not be visible from the street.
- 4.3. **Awnings.** Any form of awning must receive approval from the DRB prior to installation.
- 4.4. **Birdfeeders.** Seeded or suet birdfeeders are only allowed in private backyards below the top of the fence line. Because there are no seeds in hummingbird feeders, these are allowed on private property without a height limit.
- 4.5. **Chimneys.** Chimneys are permitted and require prior DRB approval. Approved chimneys must be constructed with brick, rock, or stone exteriors.
- 4.6. **Clotheslines.** Clotheslines are prohibited.
- 4.7. **Decks.** Decks may be constructed in the back yard of a Lot with prior DRB approval. Decks must be constructed of wood or other materials similar to the materials used on the residence, must be painted or stained substantially similar to the residence. The DRB may require the underside of the deck to be screened.
- 4.8. **Dog Houses.** Dog houses are permitted with prior DRB approval. Any dog house shall be located in the back yard of a Lot and shall be contained within a fenced area. Any dog house shall not be larger than 4 feet wide by 4 feet long, and 3 feet tall at the peak of the roof. Any deviation from this size requirement must receive DRB approval.
- 4.9. **Dog Runs.** Dog runs are permitted with prior DRB approval. Dog runs must adhere to the same fencing materials as outlined in Section 4.13.
- 4.10. **Doors.** Door colors and materials shall remain as originally installed, unless otherwise given prior DRB approval.

- 4.11. **Drainage.** All drainage shall conform to City ordinance and The Preserve at Parkside development drainage plan.
- 4.12. **Driveways and Sidewalks.** The Declarant and Builders have installed standard concrete driveways and sidewalks. Any modification to these must receive prior DRB approval and must meet City ordinance. Painted, stained, or otherwise colored or decorated driveways or sidewalks must receive prior DRB approval.
- 4.13. **Fences.** All fences must be approved in writing by the DRB prior to installation. Fences are not permitted to extend beyond the front corner of the House on any Lot. Fencing materials facing/fronting an interior road or common area shall be 4' tall, black, metal or aluminum or other similar material approved by the DRB. Fencing materials not facing/fronting an interior road may be 4' tall, black, vinyl-coated chain link hung on black metal posts. Subject to prior DRB approval, the black, chain link material may be attached to the inside of the "metal" fence that faces/fronts an interior road or Common Area. Any fence facing/fronting a Common Area must include a gate. The DRB may, in its discretion, allow substantially similar fencing materials upon application. For any corner Lot, no fence shall be constructed closer than ten (10) feet from the sidewalk, as measured from the edge of the sidewalk furthest from the curb to the base of the fence.
- 4.14. **Firewood Storage.** DRB approval is not required provided such storage occurs in the backyard of a Lot, is not visible from any Lot in the vicinity, and does not constitute a nuisance or hazard or breach of the Governing Documents.
- 4.15. **Flags and Flagpoles; Decorations.** Flag poles are permitted provided they do not exceed 20 feet in height and receive prior DRB approval. Any flags of a federal or state nature are allowed. Decorative flags are not discouraged, but will be disallowed if, in the sole discretion of the Board, the decorative flag has a negative affect on the aesthetic quality of the community. Flags that are obscene, abusive, or that communicate messages repugnant to a reasonable person are disallowed. All holiday and seasonal decorations shall be removed within 30 days after the end of such holiday or season.
- 4.16. **Garages and Garage Doors.** Each Lot shall have at minimum a 3 car garage, with at least a 2 car side entry garage. No vehicle storage structure shall be converted to livable quarters.
- 4.17. **Gardens. Flower.** No DRB approval required. **Vegetable.** Vegetable gardens are permitted. DRB approval not required if space has been previously approved under a landscape plan or area is fully contained within a fenced backyard of a Lot. Provided further that no vegetables shall exceed the height of any fence on the Lot, and must be wholly contained within the back yard of the Lot.
- 4.18. **Gazebos.** Gazebos, pool houses, and similar personal recreational structures must receive prior DRB approval.
- 4.19. **Irrigation Systems.** Must receive prior DRB approval and shall not interfere with the development drainage plan, any Lot, or Common Areas.
- 4.20. **Landscaping.** See, Section 5 below.
- 4.21. **Lights and Lighting.** All exterior lighting shall receive prior DRB approval.
- 4.22. **Mailboxes.** Mailboxes and similar structures shall be constructed with brick, rock, and/or stone to match the house. Address numbers (address block) are required on the mailbox for each Lot.

- 4.23. **Modular and Mobile Homes.** No modular, prefabricated or the like residential structures shall be located on any Lot.
- 4.24. **Motion Detector & Security Lighting.** Motion detectors and security lights are permitted with prior DRB approval. Under no circumstance shall security lighting shall shine on any adjoining Lot.
- 4.25. **Outbuildings.** All outbuildings must receive DRB approval prior to installation. Any structure not the single residence constructed on a Lot shall receive prior DRB approval. Metal outbuildings are NOT permitted. All outbuildings shall be on a concrete slab and shall be wood framed. All outbuilding roofs must be shingled with the same shingles as installed on the House/residence and the color of the outbuilding must match the trim color of the House/residence. All outbuildings shall have brick or stone wainscot around the base of the outbuilding. The siding, stucco or other exterior materials shall match the exterior materials used on the House/residence. All outbuildings shall be located within any City set back ordinance as well as any set back provided by any Governing Document. Each outbuilding shall be properly permitted as required by City ordinance.
- 4.26. **Outdoor Furniture.** Except with prior DRB approval, all outdoor furniture shall be contained wholly within the back yard of a Lot.
- 4.27. **Painting.** Prior DRB approval is required for all painting, including but not limited to structures and garages, of a color other than originally installed by the Declarant or Builder.
- 4.28. **Patios, Patio Covers, Porches, Arbors.** All patios, porches, and the like must receive prior DRB approval.
- 4.29. **Play and Sports Equipment.** Prior DRB approval is required for all play and sports equipment. All play and sports items and equipment must be wholly contained in the backyard to a Lot. Basketball backboards and hoops may be permitted in the front yard of a Lot but is up to the discretion of the DRB as to when and where to allow. Any basketball backboard and hoops permitted by the DRB to be installed in the front yard must be permanently fixed in the ground. Basketball backboards and hoops may not be affixed to any portion of the House/residence. Portable basketball backboards and hoops may be used in the front yard of a Lot during daylight hours, but shall be stored out of sight otherwise.
- 4.30. **Pools.** Small, temporary children's-style pools are permitted provided such pools are contained in the backyard of the Lot and are emptied when not in use. Above-ground pools are not permitted. In-ground pools are permitted with prior DRB approval.
- 4.31. **Roofs.** See, specific design guidelines above.
- 4.32. **Satellite Dishes and Antennas.** No exterior radio antenna, television antenna, or other antenna, satellite dish, or audio or visual reception device of any type shall be placed, erected or maintained on any Lot, except inside a residence or otherwise concealed from view; provided, however, that any such devices may be erected or installed by the Declarant during its sales or construction upon the Lots; and provided further, however, that these requirements shall not apply to those antenna which are specifically covered by regulations promulgated under the Telecommunications Act of 1996, as amended from time to time. As to antenna which are specifically covered by the Telecommunications Act of 1996, as amended,

the DRB shall be empowered to adopt rules and regulations governing the types of antenna that are permissible hereunder and, to the extent permitted by the Telecommunications Act of 1996, as amended, establishing reasonable, non-discriminatory restrictions relating to appearance, safety, location and maintenance.

As provided in the Telecommunications Act of 1996, "Antenna" is defined as follows: (1) an antenna that is designed to receive direct broadcast satellite service including direct-to-home satellite services and is one meter or less in diameter or diagonal measurement; (2) an antenna that is designed to receive video programming services via multipoint distribution services, including multichannel multipoint distribution services, instructional television fixed services, and local multipoint distribution services and is one meter or less in diameter or diagonal measurement; or (3) an antenna that is designed to receive television broadcast signals.

All Antennas are subject to the provisions set forth below:

1. Any Antenna an Owner places on their property must be registered with the DRB within ten (10) days of installation. Owners shall submit a registration drawing detailing how it complies with the guidelines set forth herein.
2. Installation shall be by a qualified person knowledgeable about the proper installation of Antennas.
3. All Antennas must be installed in accordance with the manufacturers' guidelines to insure safe installation, and must also be installed in compliance with all federal, state and local statutes and regulations regarding safety. In addition, a building permit shall be obtained, if required by local ordinance.
4. No Antenna can be over 39 inches in diameter or diagonal measurement, at its largest dimension. Any device larger than one meter (39 inches) in diameter is **strictly prohibited**.
5. All Antennas must be properly grounded and must be placed a safe distance from any power lines.
6. All Antennas must be located in a side or rear yard location, not visible from any street(s) or any neighboring properties, provided such location does not preclude reception of an acceptable quality signal.
7. All Antennas shall be ground mounted or shall not be installed higher than is absolutely necessary for reception of an acceptable quality signal.
8. All Antennas must be blended with the background upon which they are placed by painting the Antenna the same color as the house or otherwise screening the Antenna from view from any street(s) or adjacent properties with appropriate landscaping or other materials of a reasonable cost.
9. All installations shall be completed so that they do not damage the common areas of the Association or the Lot of any other resident, or void any warranties of the Association or other owners, or in any way impair the integrity of buildings on Common Areas or Lots.
10. Owners are responsible for all costs associated with the antenna, including but not limited to costs to:
  - Place (or replace), repair, maintain, and move or remove antennas;

- Repair damages to the common property, other Lots, and any other property damaged by antenna installation, maintenance or use;
  - Reimburse residents or the Association for damages caused by antenna installation, maintenance, or use.
11. Wiring or cabling shall be installed so as to be minimally visible and blend into the material to which it is attached.
  12. No Antenna shall be placed in a location where it blocks fire exits, walkways, ingress or egress from an area, fire lanes, fire hoses, fire extinguishers, safety equipment, electrical panels, or other items or areas necessary for the safe operation of the Association or individual Lots.
  13. No Antenna shall be attached to fencing shared between Lots or Common Areas.
  14. No Antenna may obstruct a driver's view of an intersection or a street.
  15. To the extent that interpretation of these provisions is necessary, such interpretation will be undertaken by the DRB in full compliance with all federal, state and local statutes and regulations, as may be supplemented or amended from time to time.
  16. If antennas are installed on property for which the Association has maintenance responsibility, owners retain responsibility for antenna maintenance. Owners must not install antennas in a manner that will increase maintenance costs for the Association or for other Owners. If such damage occurs, owners are responsible for these costs.

**If an Antenna needs to be installed in any way that is not consistent with the above-mentioned provisions due to preclusion of an acceptable quality signal, then the homeowner is asked to submit a request for location approval. The Association's approval will then be based on how well the device is screened from the view of both public and private areas. Important Note: Any Antenna/Satellite Dish that is in any way mounted on your house may void applicable warranties.**

4.33. **Siding.** Any siding must receive prior DRB approval.

4.34. **Signs:** Subject to the restriction that no sign shall be located within any Common Area, and except as reserved by the Declarant, the following sign standards shall apply.

4.34.1. **Real Estate Signs:** Temporary, non-illuminated, real estate signs indicating the availability for sale, rent, or lease of a specific Lot upon which this sign is erected or displayed are approved without application, provided the sign does not exceed five (5) square feet in total area, does not exceed four feet (4') in height, and the Lot is restricted to one (1) sign per street frontage. Such signs are to be removed immediately following sale closing or rental occupancy of the property. Such signs may not be placed on any fence. Open House signs shall conform to the above dimensions, are limited in number to six (6), shall be placed only upon the owner's Lot or within the public right-of-way for the duration of the open house, and shall not block or interfere with traffic visibility. All signs must also meet local sign codes.

4.34.2. **Garage Sale Signs:** A sign advertising the existence of a garage sale of personal property may indicate the date, time and location of the sale. Such signs may have a maximum area of three (3) square feet, and may be posted for

the period of the garage sale only. Such signs may not block or interfere with traffic visibility, and shall be posted only on the owner's Lot or within the public right-of-way.

- 4.34.3. **Political Signs.** Signs depicting the name and office of a legitimate political candidate who has filed for a present political race are allowed, provided such signs do not exceed a maximum area of three square feet. Such signs shall be removed the day after elections pertaining to the candidate's race. All signs depicting political slogans and information other than the candidate's name and office shall receive prior DRB approval.
- 4.34.4. **Other Signs.** All other signs, including but not limited to, posters, billboards, advertising devices, or displays of any kind, are not permissible for posting on any Lot without the prior written consent of the DRB.
- 4.35. **Skateboard Ramps.** Not permitted.
- 4.36. **Skylights.** See, specific design standards.
- 4.37. **Solar Devices.** All solar devices must receive prior DRB approval.
- 4.38. **Statues, Sculptures, Fountains, Ponds.** Placement of any statue, sculpture, fountain, pond, or similar artistic expression in the front yard of any Lot or the front and backyard of any Lot adjoining the Common Areas is highly discouraged by the DRB and must receive prior DRB approval. All other locations of artistic expressions visible from other Lots or requiring any excavation must receive prior DRB approval.
- 4.39. **Storm/Security Doors.** Storm and security doors are allowed with prior DRB approval.
- 4.40. **Temporary Structures.** Temporary structures suitable for a wedding, birthday party, and similar occasions are permitted in the backyard to any Lot provided such temporary structure is removed within 24 hours of the conclusion of the occasion. This design standard shall not limit Association activities.
- 4.41. **Trash and Garbage Receptacles.** Trash and other receptacles shall be absent from view from any street, any Lot, and Common Areas on all days other than designated trash and/or recycling pick up days.
- 4.42. **Treehouses.** Treehouses constructed in or on vegetation are not permitted.
- 4.43. **Underground Installations.** All underground installations must receive prior DRB approval.
- 4.44. **Walls.** All walls of any nature, for example but not limitation retaining walls, landscaping walls, and decorative walls, must receive prior DRB approval.
- 4.45. **Wells.** Wells of any kind are not permitted.

## **5. Landscaping Standards**

### **5.1. Overview.**

The DRB retains oversight of landscaping improvements to Lots to make assurance that The Preserve at Parkside community will continue to be an attractive and pleasant place to reside. The landscape plan will be required for review at the same time the initial site plan is reviewed. The landscaping work shall be completed within nine (9) months of start of vertical construction or within one (1) month of the issuance of the Certificate of Occupancy for the improvements.

## **5.2. Concepts.**

Each Owner should familiarize themselves with these landscape guidelines prior to executing a plan. Each landscape plan should be prepared according to the following criteria:

1. Provide landscaping to enhance the beauty of the Lot and improvements while providing continuity between the Lot, improvements, and surrounding vegetation.
2. Minimize the visual intrusion of the built environment by mitigating areas disturbed during construction.

## **5.3. Objectives.**

All Lots, after construction, require landscaping. The design of the landscaping will vary, depending on size, shape, topography, and location of the property and the design of the structure. It is the intent of the landscaping to accomplish the following objectives:

### **1. Beautify.**

- 1.1. Soften vertical structure from the horizontal ground plane, with foundation plantings of sufficient density and size to break the line between ground plane and structure.
- 1.2. Soften the impact of corners and broad wall areas with vertical and spreading foliage.
- 1.3. To soften and reduce apparent height of house, foundation planting at the front should be layered from the ground plane using small plants towards the front and then transitioning up to larger plants near the foundation. A single row of uniformly spaced plants of equal size arranged in a single row along the foundation is not acceptable. Installing plant material of different sizes and textures in natural groupings is a preferred alternative.
2. **Screen.** Visually screen compressors, tanks, service yards, transformers, telephone pedestals, recreation equipment, parking, driveways, patios and other hard or unsightly areas.
3. **Restoration.** Restoration of a site due to construction.
4. **Drainage.** It is the responsibility of each owner to handle surface water on the Lot to minimize impact on adjoining property and insure that water is moved to the appropriate areas to interface properly with The Preserve at Parkside's master drainage plan.
5. **Phasing.** This approach to landscaping is approvable; however, the initial phase must meet the first four (4) objectives above.
6. **Conservation.** Owners are also encouraged to plan for the conservation of water by planting native and drought resistant species.
7. **View.** Taller plantings and recreation equipment should not be placed in the neighbor's view line. Existing vegetation will be allowed to remain in the view line. The view line is defined by staffing at the left and right rear property corners and proceeding twenty (20) feet toward the front corners and twenty (20) feet toward the center across the rear property line. These two new points, near each corner, when connected form triangles that should remain free of obstructions for neighbor's view corridors.

## **5.4. Plans.**

1. **Landscaping.** The landscaping plan must be professionally prepared on a site plan indicating topography, existing and proposed vegetation. The plan should be drawn at a scale of 1/8 inch equals one foot. The plan should graphically illustrate location, Lot number, adjoining Lot border lines, nearest structure lines on adjoining Lots, sizes of plant material, lawn, mulched areas, and open areas. A schedule must be included on the planting plan indicating the



following specifications for each plant: Common name, Plant height at time of planting (2 gallon minimum), Plant quantities, Identify grass and mulched areas.

2. **Identify Trees**. Existing trees of 3” diameter or greater at 48” from the ground, must be identified as to exact location, size of trunk, genus name, and where possible, the species. No existing trees shall be cut, removed, transplanted or damaged without approval by DRB.
3. **Features and Surface**. All existing site features such as roads, walks, structures on adjoining Lots, bike paths, walls, etc. are to be graphically noted on the Landscape Site Plan. All surfacing materials are to be noted (as to whether they are concrete, grass, planting beds, etc.). Texturing or other surface treatment of concrete paving is to be indicated and should include color presentation.
4. **Sod Requirement**. All lawn areas must be covered with sod or other material approved by the DRB.
5. **Tree Requirement**. Trees and shrubs must be planted in accordance with the approved plan within the time frame outlined in Section 5.1. Three trees 3 inches in diameter measured 12” from ground level shall be planted in the front yard of each Lot. Three trees 3 inches in diameter measured 12” from ground level shall be planted in the front yard and two trees 3 inches in diameter measured 12” from ground level shall be planted in the side yard of each corner Lot. Any trees planted in flower beds/landscaped beds directly adjacent to the House/residence on the lot shall not be included in or count towards the 3 tree requirement for the front yard and/or the 2 tree requirement for the side yard of a corner Lot.
6. **Irrigation**. Irrigation systems are required on each Lot to irrigate at least the front yard. The front yard is defined as the area between the front of the house and the street (front of the house is determined by the 2 front corners of the house extended to each side property line). The spray from such irrigation system should be contained to the Lot. The DRB may require relocation or redirection of spray if adjacent Lots, streets or other areas are affected. The DRB is not responsible for the system’s performance or function. The DRB shall not be held liable for any injury, damages or loss arising out of the manner or quality of approved irrigation systems.

**Exhibit "A" to  
The Preserve at Parkside**

**Application for Design Review for The Preserve at Parkside**

Pursuant to the Governing Documents, any Owner desiring to make any Modification to a Lot must make an application to the Design Review Board prior to commencement of work. By completing this Application and making the appropriate submittals, you successfully make your application for modifications as required by the Governing Documents. You may need additional approvals from local, state, or federal agencies. By executing and submitting this Application, the Owner(s) acknowledge that they have reviewed the Governing Documents and understand the standards applicable to Modifications and the authority and discretion afforded the DRB, all such provisions within the Governing Documents being incorporated herein by reference. If you need any additional space, please include supplement pages.

Name of Owner(s) \_\_\_\_\_

Property address: \_\_\_\_\_

Day phone \_\_\_\_\_ Evening phone \_\_\_\_\_

**1. Modification Area.** Approval is requested for the following Modifications as described below and on the submittal pages. The general type of Modification requested is indicated below. If applicable, appropriate submittal pages are indicated and attached to this Application. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**2. Submittal Pages.** All applications shall include appropriate submittal pages showing such design features as required by the Governing Documents and Design Review Guidelines. Failure to include the submittal pages will result in a returned Application.

Commencement date: \_\_\_\_\_ Time for completion: \_\_\_\_\_

This is a Re-application:  YES  NO

\_\_\_\_\_  
Owner's Signature(s)

**[DO NOT WRITE BELOW THIS LINE]**

Date Application received \_\_\_\_\_ By \_\_\_\_\_

Action on Application:  Approved  Denied  Other \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Authorized DRB signature