

Architectural Guidelines

Rosewood Creek

Developer:

**OUTLINE OF ARCHITECTURAL GUIDELINES
FOR ROSEWOOD CREEK**

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ARTICLE I - INTRODUCTION

A OVERVIEW & INTENT

These Architectural Guidelines have been developed to help homebuyers, builders, designers, and architects understand and participate in the professional planning and maintenance of ROSEWOOD CREEK. It is intended to provide broad guidelines for home construction and to encourage the use of the professional talent available to the homebuilder. This Design Guide is subject to amendment from time to time by the Architectural Committee of Rosewood Creek if the Committee determines that such amendments would be beneficial to ROSEWOOD CREEK.

In addition to these Architectural Guidelines, all Lot owners are subject to all of the terms and conditions of the Declaration Establishing Covenants, Conditions and Restrictions for Rosewood Creek Subdivision which Declaration is filed for record in the office of the Recorder of Miami County, Ohio at Volume _____, Page _____ of the Official Records (the "Declaration"). The Architectural Committee reserves the right to amend or revise the Declaration and these Guidelines at any time. The construction of any improvements, landscaping, additions, or changes on any lot must first be approved in advance by the Architectural Committee.

The Committee has prepared this guide primarily to assist those who are planning to:

1. Construct a new residence; and
2. Make additions or exterior alterations to an existing residence.

The standards set forth in this Design Guide are intended to protect the property values of all ROSEWOOD CREEK homeowners.

ROSEWOOD CREEK Architectural Committee will serve to judge conformance with the overall concept of individual homes. Certain basic criteria have been developed toward this goal as design guidelines. These criteria have been purposely kept to a minimum by the developer in order to encourage professional design creativity.

The Committee will consist of not less than three and no more than five members. The Committee will function under the direction of the Board of Trustees of Rosewood Creek Homeowners Association (the "Association"). The Association's Board of Trustees will be appointed by the Developer as long as the developer owns lots in ROSEWOOD CREEK.

Members of the Committee shall serve at the pleasure of the appointing authority. The Managing member of the Committee shall initially be Steve Bruns. The Committee will review plans at the completion of working drawings.

Plans will be reviewed according to the guidelines hereinafter set forth. No construction, including grading, clearing, or landscaping, shall commence on any lot without the prior written approval of the Committee. No exterior alteration or addition shall commence without prior written approval of the Committee. All structures shall be constructed to conform to all applicable codes and regulations.

B PROCEDURE

1. PLAN SUBMISSION PROCEDURE

The Committee requires only that the final working drawings be submitted for review, however, for builders, designers, and architects working in ROSEWOOD CREEK for the first time it is recommended that they provide a preliminary submittal. This is done to avoid unnecessary expense and time delays for the builder and owner. Preliminary submittals are encouraged for all applicants.

2. FINAL DESIGN REVIEW

Three (3) sets of complete building and site plans with a completed Architectural Review application for the building shall be submitted for review and compliance with the design guidelines. The following form must be submitted as part of this package at the scales requested.

3. **SITE PLAN:**

Site plan on CAD. The site plan is to indicate all special assets of your lot (trees, ravines, etc.) and all proposed improvements, including but not limited to:

- Building footprint
- Location of proposed decks and terraces with finish materials specified
- Driveways, auto courts with specified finishes
- Walls and/or fences with sufficient detailing to describe the character intended
- Location of all utilities
- All paving including sidewalks, etc.

4. **LANDSCAPE PLAN:**

Planting locations, patios, retaining walls, etc., must be indicated. This may be submitted at a later date. Landscape plans should be reviewed 45 days before planned installation.

One copy of the final approved documents will be retained by the Committee to be used in context evaluations of adjacent lots, and development throughout the design review process.

5. **LANDSCAPE DESIGN REVIEW**

Prepare to 1/8" = 1'-0" scale showing the location, bounds and sizes for all plant materials, mulches, planting beds, nonliving ground covers, grade changes, drainage, other miscellaneous landscape materials, and lighting. Provide a listing on the landscape plan or on a separate detached sheet that associates plant symbol with specified plant size, in height, spread and container, botanical name, common name and quantity used. HVAC compressors, gas meters, and electric meters are to be indicated on the plan and method of screening indicated.

6. **CONSTRUCTION REVIEW**

The Committee shall perform a final inspection in order to check for conformance with the approved contract documents and the standards set forth in the Design Guide.

ARTICLE II - SITE DEVELOPMENT

A. BUILDING ELEVATION & LOT GRADING

Finish grades shall be completed by the Lot owner in conformance with guidelines established by the developer to prevent large grading discrepancies from building lot to adjacent lots.

Storm water from buildings and pavements shall be directed to the nearest storm sewer or swale. Storm water originating from natural watersheds of adjacent property shall be accommodated and transmitted through each building lot to an acceptable outlet.

All sump pumps will discharge into storm system.

B. ADDITIONAL SOIL OR REMOVAL OF SOIL

If additional dirt is required, contact the developer to see if the development has any for sale. If not, it is the Lot Owners' responsibility to make certain that the dirt is not contaminated or cause hazardous waste problems now or in the future.

ARTICLE III - BUILDING DETAILS

A. CHIMNEYS

Chimneys on an exterior wall shall be extended to grade level, for appearance sake, rather than terminating at the first floor elevation. Exposed metal flues are not permitted.

B. ROOF

The use of cedar or wood "shakes" left to weather naturally is acceptable if fire retardant and moss treated. Asphalt fiberglass shingles, when used, should be heavily textured (minimum 30 year dimensional shingle). Metal roofs and composite roofs may be approved if of quality material and architecturally pleasing.

All vent pipes and roof penetrations shall be in the rear of the roof whenever possible and painted to match roof.

C. EXTERIOR FINISH MATERIALS

All exterior materials and colors should complement the surrounding environment. The principle use of cedar, redwood, cypress, brick, stone, cement composite siding, and AAC is encouraged. All exterior materials must comply with the following provisions of the Declaration of Rosewood Creek:

The exterior walls of each residential structure erected on any building site shall be covered with brick, stone, wood, or other approved products (excluding vinyl) in accordance with the following minimum percentages:

<u>Type of Lot</u>	<u>Front of House</u>	<u>Sides of House</u>	<u>Street Side of House on corner Lot</u>	<u>Rear of House</u>
Estate Lot	100%	100%	100%	100%
Executive Lot	75%	30%	75%	0%*
Garden Lot	75%	30%	75%	0%*
Zero Lot Line	75%	30%	75%	0%*

** Lots 203, 204 and 51 to 61 shall have 75% approved brick, stone, wood, or other approved products (excluding vinyl) on the frontages that face Kessler-Cowlesville Road, Rosewood Creek Drive, Hermosa Drive and Rosenthal Drive.*

The exterior walls of all residential structures which are not covered with the foregoing materials shall be covered with a high quality vinyl siding or such other materials as are approved by the Architectural Committee. Plywood, fiberboard, and aluminum siding are not acceptable.

The Architectural Committee shall review the proposed house design to assure that the minimum percentage of permissible construction materials is used as required herein. Lot Owners shall obtain written approval from the Architectural Committee and provide a copy of the approval to the City of Tipp City, prior to the City reviewing the construction plans. Any prospective builder, lot owner, or agent, who submits plans to the City without the required written approval of the Architectural Committee will not have their plans reviewed, until the approval letter is received by the City.

D. WINDOWS & DOORS

All windows wherever possible should have maintenance free exteriors.

ARTICLE IV - SITE DETAILS

A. OUTBUILDINGS AND STRUCTURES

1. Outbuildings and detached structures shall not be permitted, except that one detached garage for up to three motor vehicles shall be permitted provided that any such detached garage shall be constructed with a permanent foundation and the shape, size, height, materials, color, and location of the structure shall be compatible with that of the residential structure and shall first be approved by the Association under the procedures provided for in the Declaration.
2. Storage structures shall be allowed provided the following requirements are met:
 - a. The storage structure shall not contain more than eighty (80) square feet of floor area.
 - b. At least one wall of the storage structure shall be fully attached to the rear of the residential building.
 - c. The storage structure shall be constructed with a permanent foundation and the shape, size, height, materials, color, and location of the structure shall be compatible with that of the residential structure and shall first be approved by the Association under the procedures provided for in the Declaration.
3. No structure of a temporary character, trailer, tent, shack, garage, barn or other outbuilding shall be used on any lot at any time as a residence, either temporarily or permanently.

B. PORCHES, SCREENED IN PORCHES, PATIO ENCLOSURES AND ROOM & GARAGE ADDITIONS

All detailed construction plans must be approved by the Committee prior to the commencement of construction.

C. DECKS

Generally, requests for decks will be approved subject to the following requirements:

1. Exposed material of the deck shall be constructed with cedar, cypress or composite materials.
2. Railing on the deck shall not exceed 4'.
3. Final configuration of the deck must be approved by the Committee prior to the commencement of construction.

D. POOLS & HOT TUBS

1. **POOLS:** Only requests for in-ground type pools will be approved by the Committee. A detailed development plan must be provided to the Committee prior to the commencement of construction. No alteration to the existing grade may be done without the approval of the Committee. Any proposed grade changes must be shown on proposed plans.
2. **HOT TUBS:** Outdoor hot tubs may be permitted only after submission of a plan and approval thereof by the Committee.
3. **POOL HOUSES:** Generally, requests for pool houses with changing areas will be accepted. This structure shall not exceed 12' to the top of the roofline and shall be attached to the rear of the primary residence. All structures are subject to the following guidelines:
 - a. The structure shall be constructed with quality materials similar and matching to the home.
 - b. The roof colors shall match the color of the primary residence.
 - c. No metal structures will be approved.
 - d. All detailed construction plans must be approved by the Committee prior to the commencement of construction.

E. PLAYGROUND SETS

All requests for playground structures must be approved by the Committee prior to installation. Generally, requests for playgrounds will be approved subject to the following guidelines:

1. Approved location.
2. Constructed with quality materials.
3. Height not to exceed 15' unless specifically approved by the Committee.

F. FENCING AND HEDGES

All fence designs and locations shall be in keeping with the architectural character of the structure and no fence shall be erected until after the material, style and placement of such fence has been approved in writing by the Architectural Committee. No fence shall be erected or installed until after the Owner of the Lot upon which the fence will be installed obtains a letter from the Architectural Committee approving such fence and the Owner provides a copy of such letter to Tipp City. The type and height of fencing which is approved by the Architectural Committee will depend upon the location in which the fence will be erected.

1. Fences Adjacent to Common Areas or Ponds. Fences which are adjacent to Common Areas or ponds shall be open type fencing not exceeding four feet above ground level.
2. Fences on Lots Which are Not Adjacent to Common Areas or Ponds. Fences on Lots which are not adjacent to Common Areas or ponds may be open type fencing or privacy fencing but shall not exceed six feet above ground level.
3. Pool Enclosures. Fences which are erected for the enclosure of a swimming pool may be open type fencing or privacy fencing but shall not exceed six feet in height. Where the Lot upon which the pool is installed is adjacent to a Common Area or pond, the fence shall be erected not less than fifteen feet from the property line which is adjacent to a Common Area and not less than fifteen feet from the high water line (as determined by the Architectural Committee) of any pond. Notwithstanding any other provision of the protective covenants and restrictions contained in the Declaration, Tipp City requirements and regulations on the fencing of swimming pools shall prevail.

4. Hedges. No hedges shall be permitted which exceed six feet in height. No single span of hedges shall exceed 25 feet in length; however, multiple rows of hedges may be used provided that each span is offset by at least ten feet from an adjacent span of hedges.
5. Proximity to Street. No fence or hedge shall extend closer to the street than the rear wall of the residential structure; except that, fencing and hedges on corner Lots may extend to one (but not more than one) of the front corners of the residential structure.
6. General. Notwithstanding any provision herein to the contrary, no chain link fencing shall be permitted. No restrictions shall be placed on the planting of trees for privacy purposes.

G. SOLAR & PROPANE

No solar panels attached or detached shall be permitted. No propane tanks (except those associated with outdoor grills) shall be permitted.

H. STORAGE TANKS

No storage tanks, including, but not limited to those used for storage of water, gasoline, oil, or other liquid or any gas, shall be permitted on the property.

I. MISCELLANEOUS SITE ITEMS

1. SIDEWALKS

Sidewalks required to be installed by the City of Tipp City shall be installed by the Owner at Owner's expense. Developer reserves the right to establish plans and specifications for any such sidewalks, and the Owner shall comply with any such plans and specifications. If the Owner refuses or fails to install the sidewalks promptly upon demand by the Developer or by the City of Tipp City, the Developer shall have the right to install the sidewalks, and Owner shall promptly reimburse Developer for all costs and expenses incurred in connection with the installation of the sidewalks, which costs and expenses shall constitute a lien upon the Lot enforceable by appropriate proceedings at law or equity.

2. DRIVEWAY/CURB

Refer to exhibit "B" and exhibit "C" for acceptable driveways and curbs (must meet city code).

3. MAILBOXES

The location and design of private, individual mailboxes shall be as approved by the Committee, and normally shall be adjacent to the curb for easy access by mail carriers. Mailboxes shall be standard for all houses and be provided by the builder/owner. The owner shall install the mailbox in the approved location. Specified mailbox can be purchased through the developer.

4. BUG ZAPPERS

Generally, requests for electric bug zappers will be approved subject to the owner requesting the device agreeing that it will be turned off not later than 10:00 p.m.

Each builder who owns a lot shall have the same responsibility for maintenance as to Owners of lots as set forth above