

### 3. Required Size and Type of Residence.

(a) No Residence shall be constructed upon any Lot in the Neighborhood unless it has a total finished floor area of at least: 2,000 square feet on the main floor for a ranch style residence (excluding a so-called reverse one and one-half story); 2,300 square feet for a one and one-half story residence or a reverse one and one-half story residence with at least 1,600 square feet on the main floor; and 2,400 square feet for a two story residence with at least 1,150 square feet on the main floor.

(b) A "reverse one and one-half story residence" is a ranch style residence with a basement finished comparable in quality to the main floor with at least one bedroom and bathroom in the basement. Finished floor area shall exclude any finished attics, garages, basements (other than in a reverse one and one-half story residence) and similar habitable areas. The Developer, in its absolute discretion, may allow variances from the minimum square footage requirement.

(c) The Design Review Committee reserves the absolute and incontestable right to determine whether any Residence violates the foregoing prohibition and whether the finished floor area of any Residence meets the minimum requirements provided for in this Section and hereby also reserves the right to approve deviations from the aforementioned building sizes and to modify any of the finished floor area requirements set forth in this Section. The Design Review Committee shall have the discretion to vary the minimum floor area requirements for an amount of up to ten percent (10%). When lesser square footage requirements are permitted by the Design Review Committee, the Design Review Committee will permit such variances from the minimum floor area requirements herein in a consistent manner, and not on an individual basis, taking into consideration the use of adjoining Lots. The Design Review Committee's determination(s) in this regard shall be final.

### 4. Fences, Walls, Decks, Outbuildings.

No fence, wall or deck shall be constructed, maintained or altered upon any Lot unless the location, design, configuration, height, color and materials are prior approved in writing by the Design Review Committee. No animal pens or runs shall be permitted. No fence, wall or privacy screen shall be constructed or maintained on any Lot nearer to a front street than the rear corners of the Residence (as defined by the Design Review Committee) or nearer to a side street than fifteen feet (15') from the side property line. Any fence installed next to an existing fence on an adjacent Lot must be joined to such existing fence.

Fences shall be black wrought iron or black powder-coated steel or cedar in one of three styles shown on the attached Exhibit A-1. Perimeter fences shall be of metal only and shall not exceed 54 inches in height unless specifically approved for a greater height by the Design Review Committee. Cedar privacy fences not taller than 72 inches, may be permitted if located within the building setback lines and no farther than 20 feet from the Residence and if specifically approved in writing by the Design Review Committee. Any such privacy fence shall be an approved style as shown on Exhibit A-1 or an alternate style deemed by the Design Review Committee to be compatible with the style of the Residence.

All wood on any decks (excluding joists and flooring material) shall be painted or stained the same color as the body or primary trim color of the residence or a complementary color. All deck rails shall be wrought iron or wood with wrought iron spindles, or other materials specifically approved by the DRC in its discretion. Vertical deck rail posts shall be wood or wrought iron.

No detached outbuilding, including gazebos, playhouses, sheds, barns, garages, and storage facilities, shall be erected upon, moved onto or maintained upon any Lot. Storage shall be permitted under a deck provided such area is screened as otherwise authorized herein.

**5. Surface Drainage.**

Final grading of each Lot shall adequately handle all run-off water in a reasonable manner which is in accordance and fully compatible with the grading of adjacent Lots and Tracts, the master grading plan approved by the City, any related site grading plan furnished by the Developer and any specific site grading plan for the Lot approved by the Developer. No landscaping, berms, fences or other structures shall be installed or maintained that impede the flow of surface water. Water from sump pumps and gutters shall be drained away from adjacent Residences (actual and future). No concentrated flow of water from drain pipes or swales on Lots shall be discharged onto Common Facilities without prior written approval of the Design Review Committee. No changes in the final grading of any Lot shall be made without the prior written approval of the Design Review Committee and, if necessary, the City. The Developer shall have no liability or responsibility to any Builder, Owner or other party for the failure of a Builder or Owner to final grade or maintain any Lot in accordance with the master grading plan or an approved lot grading plan or for the Developer not requiring a lot grading plan and compliance therewith. The Developer does not represent or guarantee to any Owner or other person that any grading plan for the Lots that the Developer may approve or supply shall be sufficient or adequate or that the Lots will drain properly or to any Owner's or other person's satisfaction.

**6. Roofs.**

Roof materials, colors and brands shall be specifically approved in writing by the Design Review Committee. Roofs shall be covered with wood shingles or shakes; clay or concrete tile; slate; or asphalt composition shingles in one of the following brands: Celotex brand, Presidential line, 30 year (or higher), color: Weathered Wood; Tamko brand, 30 year (or higher), color: Weathered Wood; GAF Timberline brand, 30year (or higher), color: Weathered Wood Blend. Any other roofing material requires specific written approval. Flat roofs and tar and gravel roofs are specifically prohibited without written consent of the Design Review Committee. Bronze colored flashing shall be used in valleys. Roofs shall have a minimum pitch of 6/12 unless otherwise approved in writing by the Design Review Committee.

**7. Exterior Wall Materials.**

Exterior walls of all Residences and all appurtenances thereto shall be of stucco, brick, natural stone, manufactured stone, wood or composite shingles, wood or composite lap siding, wood or composite paneling (such as "Woodsmen" brand siding), plate glass, glass block, wood