

## **DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR AUTEUR ESTATES**

### **DESIGN STANDARDS**

Residential structures in Auteur Estates will be planned and designed to achieve a traditional appearance. To assure that the buildings will maintain a high quality appearance over time, the buildings will utilize high quality and long-lasting maintenance free materials (such as brick, natural stone, stucco type material with a limited use of wood siding and fabricated stone). No vinyl or aluminum siding will be permitted.

The Developer will establish a Design Review Committee (DRC) for the purpose of administering these guidelines. The DRC and the Developer are not reviewing plans and specifications for structural integrity, buildability on the Lot or compliance with any applicable codes, all of which are the sole responsibility of the Owner.

The Owner shall submit to the DRC for approval, approval with modification or disapproval, an application in the form provided by the DRC, accompanied by two (2) sets of detailed building plans, site and grading plan with landscaping, material descriptions with color selections prior to closing. All reviews by the DRC are for aesthetics and compliance with these Design Standards. The DRC has the right to waive compliance if the DRC finds that the variation will not substantially conflict with the policies of the Association or have a material adverse effect on property values or on the overall quality, consistency and design integrity that these Design Standards are intended to accomplish.

### **CONSTRUCTION REQUIREMENTS**

No residence building with less than the following designated square footage of finished living area above grade, exclusive of garage, porches and unfinished areas, shall be erected or placed on any Lot in Section One or Section Two, as noted.

#### **Area/Phase (Finished floor area exclusive of garages, porches or unfinished areas)**

- Ranch (above grade)
- Two story (above grade)
- Estate Lots (above grade)
- 2600 sq. ft.
- 3100 sq. ft.
- 4000 sq. ft.

### **Set-back requirements**

Front yards or building set-back (from right-of-way) will be a minimum of seventy-five (75') feet on typical Lots. The exception will be corner Lots and end or "bulb" cul-de-sac lots, where the minimum front set-back will be as determined by the DRC.

Side yards will have a minimum building set-back of twenty-five (25') feet with fifty (50') feet total, allowing a minimum of fifty (50') feet between houses.

Rear yards will have a minimum building set-back of forty (40') feet from the rear property line.

### **General Requirements**

All builders must be members in good standing of the Home Builders Association of Dayton and the Miami Valley (HBA).

Homes must be of traditional design and incorporate European characteristics.

Garages will accommodate not less than two vehicles. Only panel or flush type garage doors shall be permitted (wood or insulated steel). If a steel door is used, it must be reviewed and approved by the DRC. Garage doors facing the street will not be permitted without DRC approval.

Minimum roof pitch (visible from any street, public or private) will be 8/12, unless approved otherwise by the DRC. Minimum roof overhang of six (6") inches (excluding gutter) will be required. Dimensional roof shingles, slate, metal, copper or wood shake will be used.

Front entrance doors must be of solid hardwood construction. No other materials will be permissible unless approved by the DRC.

Shutters must be of solid wood construction. No other materials will be permissible unless approved by the DRC.

Windows shall be constructed of wood only. No other materials will be permissible unless approved by the DRC. Colors shall be compatible with the approved color scheme for the house.

Chimneys shall be constructed of masonry only. No wood or other materials will be permissible unless approved by the DRC.

Driveways shall be constructed of concrete, pavers or similar material or as approved by the DRC. Asphalt drives will not be permitted.

Sidewalks shall be constructed of brick or stone pavers, stamped concrete, or similar material as approved by the DRC.

Driveway culverts shall be constructed of concrete only (no metal or plastic). End walls shall have a stone face to match stone work used in other common areas of the Subdivision. The Developer may elect to perform the culvert work through a contractor selected by the Developer, in which case the Owner will be obligated to reimburse the Developer for the cost incurred.

Storage sheds may be permitted, provided the location, materials and colors of the shed are approved by DRC.

As contemplated by Section 4.1.12 of the Declaration, a standard mailbox specified by the DRC must be installed at the Owner's expense upon the construction of a house. The Developer may purchase and install the standard mailbox, in which case the Owner will be obligated to reimburse the Developer for the cost incurred for the mailbox and its installation.

Each house must include a standard street lamp as specified by the DRC. The Developer may purchase and install the standard street lamp, in which case the Owner will be obligated to reimburse the Developer for the cost incurred for the street lamp and its installation.

Fencing is permitted, however, an illustration, sample of the fence, site plan, landscaping and color information must be submitted to the DRC. Chain link fencing shall not be permitted.

The Owner is responsible for staking out property limits and providing building construction staking. Final grading must be according to approved site plans, and prior to seeding, sodding or landscaping and following the grades identified on the grading plan. All drainage swales shall be maintained as shown on the Developer's grading plan.

The Owner further agrees to set all finish grade evaluations in accordance with the grading plan for the subdivision and to install the driveway.

The Owner is responsible for all mud and debris left on each lot or tracked onto the streets, or any damage to Developer improvements, by employees or subcontractors during construction. Developer may require the Owner to deposit up to Two Thousand Dollars (\$2,000.00) additional, for the purpose of assuring that these requirements will be met during construction. Upon completion of construction and favorable inspection of the improvements, as determined by the DRC, the additional deposit, less any amount incurred by the Developer or the Association to clean up mud or debris or to repair damage for which the Owner is responsible, will be refunded.