

**ALLIED DRIVE**  
**ARCHITECTURE & LANDSCAPE REGULATIONS**

These Architectural and Landscape Regulations ("Regulations") are made with respect to the "Property" and "Lots" as those terms are described in that certain Declaration of Protective and Restrictive Covenants for \_\_\_\_\_ (Allied - official name?), in the City of Madison, Dane County, Wisconsin recorded in the office of the Dane County Recorder of Deeds (the "Declaration"). The terms and conditions of the Declaration shall govern and take precedence over any contradictory provision contained in these Regulations. Any capitalized term not otherwise defined in these Regulations shall have the definition provided in the Declaration for such term.

Prospective Owner Acknowledgement of Receipt.

The undersigned prospective Owner(s), by signing below, acknowledges receipt of these Regulations.

\_\_\_\_\_  
Print Name: \_\_\_\_\_

\_\_\_\_\_  
Print Name: \_\_\_\_\_

**ALLIED DRIVE(?)**  
**ARCHITECTURE & LANDSCAPE REGULATIONS**  
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**Exhibits**

- Exhibit A – Examples of Home Elevations
- Exhibit B – Buildable Lot Area Renderings for Each Lot
- Exhibit C – (TBD) Forms

**ARCHITECTURAL REGULATIONS.**

Draft

## A. PURPOSE.

- i. In order to form a harmonious community, these Architectural Regulations recognize characteristics within the broad range of classical and modern styles of Home design. They seek to influence the construction of Homes which share the characteristics of environmental sustainability, progressive energy solutions and contemporary design. These Architectural Regulations are provided for the mutual benefit of Lot Owners to assist in implementing and maintaining this vision for Allied Drive.

## B. INTRODUCTION.

- i. These Regulations are to be applied in conjunction with the Landscape Regulations.
- ii. Variances from these Regulations will be granted by the (TBD) at its sole discretion on the basis of, among other things, architectural merit or environmental impact.
- iii. Prior to beginning the design process, it is recommended that lot Owners contact the (TBD) to verify their interpretation of these design guidelines and regulations. The (TBD) has the review power to approve or deny elements of the Owners Design included in these guidelines .
- iv. Every Home shall be made up of at least one each of the three basic components (see examples of Home elevations attached as **Exhibit ?**):
  1. A roof element.
  2. A middle element composed of either a single band extending from the base to the roof, or of alternating layers of open and closed bands.
  3. A base element.
- v. Terminology
  1. Build-to Line: \_\_\_\_\_
  2. Encroachment: \_\_\_\_\_
  3. Façade (primary) : \_\_\_\_\_
  4. Façade Fenestration: \_\_\_\_\_
  5. Natural Landscape: \_\_\_\_\_
  6. Universally Accessible Design (ADA): \_\_\_\_\_
- vi. All exterior colors and materials must be approved by the (TBD). (See **Exhibit ?**, **Form #?**).
- vii. The architectural and landscape elements of the site design are considered to be integral to the overall Lot design. Regulations defining certain architectural elements of green space are described in the "Yards" section of the Architectural Regulations and more generally in the Landscape Regulations.

## C. WALLS, ROOFS AND FACADES.

- i. The planning module for the façade shall be based on the width of the most common window.
- ii. The width of the siding at the corner is no less than the width of the primary window proportion.

- iii. Windows may be placed at the outside corner of the façade. Trim boards (minimum 8") will complete the corner.
- iv. All facades of a Home shall be made of the same materials and similarly detailed.
- v. Front Facades on Corner Lots – Homes on Corner lots will have two 'fronts'. Each façade addressing a street will be considered a front.
- vi. Façade Fenestration. The front façade must have a minimum percentage of window and door openings. The (TBD) will evaluate each design based on these guidelines.
  - 1. Traditional Style Homes – 22% Minimum (does not include gable area)
  - 2. Modern Style Homes – 14% Minimum (does not include gable area)
- vii. All window and door openings to have a distinct finish trim with a minimum 2" dimension. Exceptions may be given for 'modern' style homes.
- viii. All Band boards and material changes to occur at inside corners.
- ix. Facades may change their primary material only at a band change. The intent of the code is that facades appear to have heavier materials on the bottom and lighter materials above (i.e., concrete and masonry shall be below wood or stucco). Consideration will be taken related to architectural style.
- x. Home walls shall be clad in vinyl (.044 inches minimum) or fiber cement shingles, wood or fiber cement clapboard, wood or fiber cement board and batten, metal textured panels (**gauge**\_\_\_), architectural concrete finish, stucco, brick or stone. All materials are to be approved by the (TBD).
  - 1. The Submission must specify quality of the materials to be used.
  - 2. Vinyl siding system will have no exposed J channels. Channels are to be integrated into trim system.
  - 3. Exterior Materials – The (TBD) shall have the right to require brick, stone, corner boards, windows and other similar items which it deems desirable for a particular submission.
- xi. All Homes to have a 3 color scheme minimum (e.g. door color, body color, trim color). Desired color schemes shall be submitted to the (TBD) for approval in the form of a rendered elevation. Over-used colors such as beige and putty are discouraged. The (TBD) encourages integrating color into the design.
- xii. Brick surfaces shall be predominately a horizontal running bond pattern unless architectural precedent is shown.
- xiii. Stone shall be set in an un-coursed pattern with a horizontal orientation unless architectural precedent is shown.
- xiv. No diagonals (sloping lines) other than roof slopes shall be visible on any façade unless architectural precedent is shown.
- xv. Chimney and Fireplace Venting
  - 1. Thru wall fireplace venting is not allowed on the front elevation of within 5ft of the front corners of the building.
  - 2. Chimney enclosures may be constructed of a material that coordinates with the style of the home.

3. The minimum width of the chimney shall be 48" and may taper to a smaller dimension if architectural precedent is shown. For example prairie style would require the 48" width be maintained.
  4. The minimum depth of the chimney shall be 24" and must reflect the architectural style of the design.
- xvi. Roofing may be slate, tile, metal, cedar shakes, recycled content tiles, or asphalt roofing.
  - xvii. Roof design – the roof pitch of a detached garage should coordinate with the style and intent of the primary house design, however the specific roof pitch does not have to match. It is the discretion of the (TBD) to approve the design.
  - xviii. Soffits may be aluminum, fiber cement or wood.
  - xix. No exterior stairs are allowed to second level. Stairs to upper levels must be interior to the home.
  - xx. House Numbers – All homes need house numbers posted clearly on the front façade. House numbers must be a minimum of 4" tall. House numbers may not exceed 6" tall.

#### D. GARAGES.

- i. Two garage doors maximum. Two Singles or One Double
- ii. It is encouraged that the garage doors not be visible from the street.
- iii. Detached Garages are encouraged
  1. No toilet facilities. Water for utility/potting bench allowed.
- iv. No exterior stairs are allowed to second level. Stairs to upper levels (second floor) must be interior to the garage.
- v. Windows at garages are encouraged.

#### E. PORCHES, PATIOS & DECKS.

- i. Porch railings are encouraged to be open and transparent.
- ii. Front stoops and patios shall be made of brick, stone, and concrete (no asphalt). Wood may be used only when constructed to form an apparently solid mass. All materials are to be pervious to the maximum extent possible.
- iii. Front porches are intended to be open and to allow for interaction with the street. Glazing is not permitted. Screening is not permitted.
- iv. Front porches are to be a minimum of 18" above sidewalk grade. The (TBD) will consider exceptions if the main level of the home follows Universal Design Guidelines for Accessibility.
- v. Each Home is allowed no more than 400sf of covered porches, decks and screen porches. No single porch/deck/patio area may exceed 200sf other than corner decks/porches.
- vi. Decks may be located only in rear yards. Cascading design encouraged keeping elevation low to the natural grade of the land.
- vii. Porches, patios or decks within encroachment areas may never be enclosed with glazing or walls to create a three or four-season porch.

- viii. A spa or hot tub will be allowed on a patio/porch/deck in the rear yard, if it is recessed so the top of the spa/hot tub is less than 18" above the surface of the patio/porch/deck.

#### F. YARDS.

- i. Fence design and location must be approved by the (**Exhibit ?**, **Form #?**). Fences and gates must be constructed of a proven environmentally sustainable low maintenance product. Fence designs should integrate with the architecture of the Home and the natural landscape. No chain link fence allowed.
  - 1. Front Yard fencing to be a maximum of 60% transparent
  - 2. Rear Yard fencing is encouraged to be partially transparent.
- ii. Usable Open Space – All lots to provide a minimum of 400sf useable open space.
- iii. Mailboxes – Mailboxes will be provided with the purchase of the lot. The design will be standardized for the neighborhood. The mailbox may not be altered or replaced with another style.
- iv. Trash/Recycling Containers – These may not be visible from the street or located at the front of the house..
- v. Utilities – These may not be visible from the street. They may not be located on the front façade or within 10ft of the front corners of the house.
- vi. Driveways – Driveways must be concrete, pavers, permeable or a similar material. No asphalt will be allowed.
  - 1. Ribbon Driveways are permitted.
- vii. Each Home will manage storm water on site. The integration of rain barrels, prairie planting and rain gardens are encouraged. No direct run-off is allowed onto any adjacent property.
- viii. Refer to Landscape Regulations for additional information.

#### G. BUILDABLE AREA.

- i. Buildable Footprint of Home
  - 1. The structure footprint may not exceed 1800sf or 45% of the site. Including garage.
    - a. 200 sf bonus for Detached Garage or Outbuilding
    - b. 200 sf bonus for Universal Design (ADA)

2. There is no minimum footprint required.
- ii. Setbacks.
  1. Front Yard
    - a. Fronting Allied Drive and Corner Properties – 12 ft Build-to line w/ a 6ft encroachment.
    - b. All Other Street – 12ft build-to line w/ a 6ft encroachment.
    - c. Encroachments are allowed for porches, patios, chimneys, and window extensions, similar to a bay window.
    - d. Non-Alley Attached Garage Structure – 10ft additional setback from the Primary façade of the home.
  2. Side Yard
    - a. Main House – 6ft setback with 2 ft encroachment
    - b. Attached Garage
      - i. Single Story - 4ft setback
      - ii. Two story or Greater - 6ft setback with 2 ft encroachment
      - iii. Detached Garage – 4ft setback
  3. Rear Yard
    - a. Alley Attached Garage – 17ft setback
    - b. Alley Detached Garage – 3ft setback
    - c. Non-Alley Attached Garage – 10ft setback
    - d. Non-Alley Detached Garage – 3ft setback or at edge of easement
- iii. Garage.
  1. Detached garages may not be more than 1 ½ stories.
  2. Detached garage height shall not exceed 14ft to the center of the gable.
- iv. Outbuilding.
  1. Outbuildings are allowed only if the total quantity of all structures, including the outbuilding, is less than or equal to 50% of the site or 2200 sf.
  2. Shall not exceed 80 square feet.
  3. Single story, shall not to exceed 8 ft eave heights and/or 10 feet in height to center of gable.
- v. Regulating plans - See individual lot plans for each lot's buildable area attached as **Exhibit ?**.

#### H. CERTIFICATIONS.

- i. Homes to be Energy Star Certified
- ii. Homes encouraged to be Wisconsin Green Built Certified
- iii. Strong encouragement to follow the guidelines or obtain LEED-Homes certification.



- iv. Strong encouragement to design residence to meet Universal Accessibility Design Guidelines.

#### I. ALTERNATIVE ENERGY APPROACH.

- i. The Property Owner is encouraged to integrate approaches for energy production and/or conservation from the following list:
  - 1. Active Solar System
  - 2. Passive Solar System
  - 3. Solar Hot Water System
  - 4. Photovoltaics
  - 5. Geo-thermal
  - 6. Green Roof systems are encouraged.
- ii. Heating Ventilation and Air Conditioning
  - 1. All HVAC systems to be high efficiency (96% or greater)
  - 2. Homes encouraged to be designed with multiple zones HVAC, Energy Recovery Ventilator, etc.
  - 3. All HVAC systems must use only a non-HCFC refrigerant (e.g. R-410a)
- iii. Electrical
  - 1. LED Lighting technology encouraged
  - 2. Encourage installation of Energy Star Qualified light fixtures and fluorescent lighting
  - 3. Solar or LED landscape lighting encouraged.
  - 4. Garages on the Alley to have Photocell for exterior lights.
  - 5. See Declaration \_\_\_\_\_?, Exterior Lighting, for "Dark Sky" guidelines.

#### J. SUSTAINABLE CONSTRUCTION

- i. Contractor to submit Construction Waste & Recycling plan
- ii. Alternative Construction Techniques – Straw, Insulated Concrete Forms, Super-Insulated Structures and other alternative energy efficient techniques are permitted.
- iii. Window Performance Requirements
  - 1. Minimum glazing - dual pane with Low-E glass with Argon
  - 2. Minimum U value =.350 or less
- iv. Insulation Approaches – The following minimums are required:
  - 1. Exterior Walls to be R-26 Minimum
  - 2. Attic to be R-50 minimum
- v. Material Selections – Construction materials and finishes are encouraged to be certified sustainable, low toxicity, regional in origin and have a majority of recycled content.

## LANDSCAPE REGULATIONS.

### K. GENERAL PHILOSOPHY.

- i. The goal of the guidelines is to make Allied Drive as sustainable and green as possible. Since the Lots are all contiguous with a natural green space, Owners are required to maintain a landscape that is healthy for all living creatures. Native plants are to be used, manicured lawns are to be minimal, and storm water runoff is to be dealt with on site using rain gardens, rain barrels, cisterns, and other natural methods. All planting plans are to be done by a registered Landscape Architect.

### L. PLANTINGS.

- i. TREES: Deciduous and evergreen trees should be planted in front, side and rear yards for shade, seasonal interest and wildlife food and shelter. Tree species should be chosen with ultimate plant size in mind, thus avoiding severe pruning. Deciduous trees should be planted a minimum of 8 feet from the eaves of the Home. Evergreen trees should be planted a minimum of 10 feet from the eaves. Owners who desire to plant trees shall choose from the following list of species:

<b>EVERGREEN TREES:</b>	
<i>Common Name</i>	<i>Scientific Name</i>
Arborvitae or White Cedar	<i>Thuja occidentalis</i>
Black Hills Spruce	<i>Picea glauca</i> 'Densata'
Canada Hemlock	<i>Tsuga Canadensis</i>
Eastern Red Cedar	<i>Juniperus virginiana</i>
Fraser Fir	<i>Abies fraseri</i>
White Fir	<i>Abies concolor</i>
White Pine	<i>Pinus strobes</i>
White Spruce	<i>Picea glauca</i> (no blue variety)

<b>DECIDUOUS TREES:</b>	
<i>Common Name</i>	<i>Scientific Name</i>
American Elm 'Pioneer', 'Regal', 'New Horizon'	<i>Ulmus americana</i> var.
Eastern Larch or Tamarack	<i>Larix laricina</i>
Ginkgo or Maidenhair Tree	<i>Ginkgo biloba</i>
Honey Locust	<i>Gleditsia triacanthos</i> 'Inermis'
Katsura Tree	<i>Cercidiphyllum japonicum</i>
Kentucky Coffee Tree	<i>Gymnocladus dioica</i>
Littleleaf Linden	<i>Tilia cordata</i>
Northern Red Oak	<i>Quercus rubra</i>
Pin Oak (Requires acid soil.)	<i>Quercus palustris</i>
Red Maple	<i>Acer rubrum</i> 'Autumn Blaze'
Redmond Linden	<i>Tilia americana</i>
Heritage River Birch	<i>Betula nigra</i> 'Heritage'
Shagbark Hickory	<i>Carya ovata</i>
Sugar Maple	<i>Acer saccharum</i>
White Oak	<i>Quercus alba</i>

<b>MEDIUM TO SMALL TREES:</b>	
<i>Common Name</i>	<i>Scientific Name</i>
American Hornbeam	Carpinus caroliniana
Blackhaw Viburnum	Viburnum prunifolium
Cockspur Hawthorn (thornless)	Crataegus crus-galli 'Inermis'
Cornelian Cherry Dogwood	Cornus mas 'Golden Glory'
Eastern Redbud	Cercis canadensis
Flowering Crabapple	Malus species (Choose cultivars that are disease resistant.)
Hop Hornbeam	Ostrya virginiana
Ivory Silk Japanese Tree Lilac	Syringa reticulata 'Ivory Silk'
Pagoda Dogwood	Cornus alternifolia
Serviceberry	Amelanchier canadensis
Star Magnolia	Magnolia stellata

- ii. SHRUBS: Deciduous and evergreen shrubs are to be planted in horizontal masses or as accent plants to complement the architectural lines of the Home. Choose shrub species that will fit the designated space when mature, so severe pruning will be avoided. Soft hedges may be planted for screening and for attracting birds and other wildlife. Owners who desire to plant shrubs shall choose from the following list of shrubs:

<b>EVERGREEN SHRUBS:</b>	
<i>Common Name</i>	<i>Scientific Name</i>
Junipers (low, spreading)	Juniperus species
iii. Yews (low, spreading)	Taxus species

<b>DECIDUOUS SHRUBS:</b>	
<i>Common Name</i>	<i>Scientific Name</i>
iv. Cotoneasters	Cotoneaster species
Dwarf Bushhoneysuckle	Diervilla lonicera
New Jersey Tea	Ceanothus americanus
v. Spireas	Spiraea bumalda, japonica, nipponica
Viburnums	Viburnum species – regular and compact
Dogwoods	Cornus species

vi.

vii. RAIN GARDENS.

- Storm water runoff from roofs and other impermeable surfaces, as well as lawns, is to be directed to rain gardens that are sized to handle the runoff. Size depends on several factors: size of the drainage area, soil type, distance from the Home, slope of the area, and depth of the rain garden. Most rain gardens are between 100 and 300 square feet. They should be at least 10' away from a dwelling on a slope of less than 12%.
- Rain gardens are to be planted with native grasses and forbs. Native prairie plants have deep and extensive root systems that allow the water to infiltrate relatively quickly into the ground. The intent is that all runoff during a normal rainfall will infiltrate into the ground very close to where it falls and not run into the valley causing erosion and water pollution. Refer to the University of Wisconsin website for rain garden planning and planting details. It is: <http://clean->

[water.uwex.edu/pubs/pdf/home.rgmanual.pdf](http://water.uwex.edu/pubs/pdf/home.rgmanual.pdf) (effective as of February, 2009).

- viii. **LAWNS:** Lawns are to be a very small part of the landscape and should be used as accents and edging of outdoor spaces such as walkways and patios. Choose low maintenance fescues and bluegrass varieties to eliminate the need for irrigation, chemical fertilizers, and frequent mowing. . No turf grass may be used in any area having a slope greater than 25% (i.e., a slope of 4:1).
- ix. **GROUND COVERS:** Groundcovers may be used in place of lawns around trees, etc. Native species are recommended. Owners who desire to plant ground cover shall choose from the following list of ground cover:

<b>GROUND COVERS</b>	
<i>Common Name</i>	<i>Scientific Name</i>
Bugleweed	<i>Ajuga reptans</i>
Barren Strawberry	<i>Waldsteinia ternate</i>
Blue-eyed grass	<i>Sisyrinchium bellum</i>
Creeping Thyme	<i>Thymus serpyllum</i>
Dwarf crested Iris	<i>Iris cristata</i>
Hepatica	<i>Hepatica americana</i>
Hosta	<i>Hosta species</i>
Lamb's Ears	<i>Stachys olympica</i>
Three-toothed Cinquefoil	<i>Potentilla tridentate</i>
Violets	<i>Viola species</i>
Wild Ginger	<i>Asarum canadense</i>
Wild Sweet William	<i>Phlox divaricata</i>

- x. **INVASIVE PLANTS:** See the Wisconsin Department of Resources Invasive Plant Species list for plants to avoid. Find it online at: <http://dnr.wi.gov/invasives/> (effective as of February, 2009).

## PROCESS REVIEW

- xi. Submit two copies of the required documents for each of the design review steps described below to the (TBD) and contact the (TBD) to schedule a review appointment.
- xii. Upon (TBD) review, the Owner will be notified in accordance with the Declaration. The reasons for approval with stipulation and disapproval will be clarified for the Owner in writing and/or with drawings. If the (TBD) does not

contact the Owner within thirty (30) days of the review commencement date, the application shall not be deemed "approved".

- xiii. An application for withdrawal may be made without prejudice, provided the request for withdrawal is made in writing to the (TBD).
- xiv. All variance requests pertaining to the (TBD) approvals must be made in writing to the (TBD). Any variance granted or refused shall be considered unique and will not set any precedent for the future decisions.
- xv. If an application has been denied, or the approval is subject to conditions which the Owner feels are unacceptable, the Owner may request a hearing before the (TBD) to justify his/her position. The (TBD) will consider the arguments and facts presented by the Owner and notify the Owner of its final decision within ten (10) business days of the hearing.

#### STEP 1 – SKETCH DESIGN REVIEW.

- xvi. In addition to verifying the setbacks as indicated on the individual lot buildable area plans (**Exhibit B**), Sketch Design Review checks the designs for correct interpretation of the Regulations. Form Required: Sketch Review Application (**Exhibit C, Form #1**).
- xvii. Required Drawings (on 11" x17" sheets) are as follows:
  - 1. Site Plan (1/16" or 1/8" = 1') showing:
  - 2. North arrow
  - 3. Property lines and setback lines with dimensions
  - 4. Home footprints with entries, porches and balconies delineated,
  - 5. Overhangs as dashed lines.
  - 6. Dimensioned drives, walks, gardens, and pools
  - 7. Existing tree trunks and canopies with diameter dimensioned
  - 8. Elevation of its first floor
  - 9. Site contours beginning at the street centerline
  - 10. Landscape concept.
  - 11. Floor Plans (1/8" = 1') showing:
  - 12. Room use and dimensions
  - 13. All windows and doors with swings shown
  - 14. All overhangs of floors and roofs as dashed lines
  - 15. Overall dimensions
  - 16. Total enclosed square footage
  - 17. Elevations (1/8" = 1') showing:
  - 18. Porches, balconies, doors and windows
  - 19. Principal materials rendered and specified
  - 20. Height of each floor, eaves and roof peak dimensioned from the first floor
  - 21. Overall height from the ground
  - 22. Roof pitch

23. Roof Plan (1/8" = 1')

STEP 2: CONSTRUCTION DESIGN REVIEW.

- xviii. This review checks the construction documents for compliance with the Declaration and Regulations only.
- xix. Form Required: Construction Design Review Application (**Exhibit ?**, **Form #?**)
- xx. Required Drawings are as follows:
  - 1. Site Plan (1/16" or 1/8" = 1') showing:
  - 2. North arrow
  - 3. Property lines and setback lines with dimensions
  - 4. Home footprints with entries, porches and balconies delineated, show overhangs as dashed lines.
  - 5. Garden walls, fence lines, location, height and material quality of retaining walls.
  - 6. Water, electric and sewer service
  - 7. Grading plan
  - 8. Location, dimensions and materials for walks and drives
  - 9. Limits of construction activity (no construction, traffic or storage of materials will be permitted beyond these limits)
  - 10. Exterior light locations and types
  - 11. Location of external equipment (electric meter), location of recycling, waste bins, etc.
  - 12. Floor Plans (1/8" = 1') showing:
  - 13. Room use labeled and rooms dimensions
  - 14. Foundation plan dimensioned
  - 15. Wall, window and door openings dimensioned
  - 16. Exterior walls shown and dimensioned
  - 17. All overhangs of floors and roofs as dashed lines
  - 18. Overall dimensions
  - 19. Total enclosed square footage
  - 20. Elevations & Sections:
  - 21. Each elevation at 1/4" = 1' with a color rendering depicting material quality of fronting street elevation
  - 22. Major Home sections at 1/4" = 1'
  - 23. Typical walls from ground to ridge at 3/4" = 1' or larger
  - 24. Typical porch section from ground to roof at 3/4" = 1' or larger
  - 25. Landscape Plan:
  - 26. A landscape plan including planting plan listing plants and their respective locations
  - 27. Planting plan is to be done by a registered Landscape Architect.

28. Samples (1set): Color samples of each key exterior building material, labeled as to specification and location

**STEP 3: CONSTRUCTION COMMENCEMENT.**

- xxi. Construction may begin upon receipt of written (TBD) approval of of the Construction Design Review Application (**Exhibit ?, Form #?**). The Owner is responsible for obtaining all appropriate permits prior to construction from agencies having jurisdiction. The (TBD) reserves the right to inspect the Lots and Homes for compliance with the Declaration and the Regulations during any stage of construction. The (TBD) is empowered to enforce its policy as set forth in the Declaration and these Regulations.

**STEP 4: FINAL INSPECTION.**

- xxii. A Home may be occupied upon owner's receipt of a municipal occupancy permit and a Request for Final Inspection (**Exhibit C, Form #4**). All construction must correspond with submitted, approved drawings.

**STEP 5: MINOR CHANGES.**

- xxiii. It is anticipated that Owners may wish to make improvements or modifications to their Home or Lot during the initial construction or at a future date. A change may be executed upon Owner's receipt of written (TBD) approval of the Application for Change(s) (**Exhibit C, Form #5**).

(TBD) (TBD)(TBD).

- xxiv. Function. To encourage the architectural harmony of the community, the developer, architect, contractor and all property Owners are bound by regulations defined in the Declaration and these Regulations. To that end, no structure shall be erected or altered until both Municipal and (TBD) approvals have been obtained.
- xxv. Scope of Authority. The (TBD) has the authority as provided in the Declaration and these Regulations to ensure that all construction located within Allied Drive \_\_\_? \_\_\_ are in accord with the Declaration and these Regulations. The (TBD) will also review all homeowners' alterations and modifications to existing structures (including but not limited to walls, painting, renovations, and landscaping).
- xxvi. Limitation and Release. The sole purpose of the (TBD) is to review the Submission in order to determine compliance with the Declaration and Regulations. The Owner and its agents and employees, and not the (TBD), shall have the sole authority and obligation to comply with all applicable codes and laws, to select, review and provide or have provided all appropriate design, engineering and construction services, and to select, review and provide all appropriate materials and methods with respect to the Home and Lot (collectively, the "Construction Methods and Materials"). Owner releases and holds the (TBD) harmless from any and all claims, causes of action, liability, or damages to the extent caused by the Owner's or its employees or agents negligence or intentional acts or omissions in the performance of the Construction Methods and Materials.

**END**

EXHIBIT A

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EXHIBIT B

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EXHIBIT C

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