

BROOKSTONE III Community Architectural Control Committee

Architectural Design Standards

Effective Date: 7/10/17

MISSION STATEMENT. The BROOKSTONE III Community Architectural Control Committee ("ACC") is dedicated to promoting an aesthetically appealing community through the conscientious development, re-evaluation and enforcement of our neighborhood's Architectural standards. We will do this through the careful and timely consideration of homeowner requests and with an open communication during this process.

THIS DOCUMENT. The goal of this document is to provide further clarification as to the accepted Architectural Standards that govern the Lots and Structures within the BROOKSTONE III Community ("BROOKSTONE III"). Furthermore, it seeks to give guidance to homeowners as to what modifications, changes, upgrades, improvements, additions, deletions and the like are acceptable to the exterior of house and property and the process by which they can gain approval for them. This document is not inclusive of all possible situations. As such, each request will be reviewed on its own merit and with deference to the Community-Wide Standard. This document supersedes any prior Architectural Standards documents that may or may not have been disseminated. Please note that per Section 10.03 of the Declaration this document is also known as or referred to as the Design Guidelines.

INTRODUCTION. The BROOKSTONE III Architectural Design Standards ("Standards") are hereby formally declared by the BROOKSTONE III Homeowners' Association Board of Directors (the "Board") and its Architectural Control Committee ("ACC") under the authority provided in the BROOKSTONE III Neighborhood Association's Declaration of Covenants, Conditions, and Restrictions ("Declaration").

The Board believes that these Standards benefit all members of the BROOKSTONE III Neighborhood Association, Inc. ("Association") by helping its members govern the use of the land and the conduct of its members to preserve, protect and increase property values and their quality of life as residents. It believes enforcement of these Standards is essential to the continued success of our community. Any homeowner not possessing a copy of the Declaration should contact the Board or management company for a copy.

These Standards apply to new structures, alterations and additions on existing, previously developed Lots as described in the Covenants. Any Amendments to the Design Standards shall be prospective only and shall not apply to require modifications to or removal of structures previously approved once the approved construction or modification has commenced.

If the homeowner proceeds with any new construction, alterations, additions or repainting without prior written approval by the ACC, the homeowner runs the risk of having to correct any violation at their own expense and incurring a \$250 fine. If violations are not rectified in a timely manner, the Board may hire an outside company/contractor to remedy the situation and liens may be placed on the property, as appropriate, to recover the expenses. Using guidance provided by the ACC, the Board shall render the final decision as to the merit of any Homeowner requested change. The enforcement of these Architectural Design Standards is described in Article X of the Declaration. Furthermore, per Section 10.9 of the Declaration the Association may also impose sanctions for violations of the Governing Documents in accordance with procedures set forth in the By-Laws, including the imposition of monetary fines in the amount of \$25.00 per day.

DESIGN STANDARDS

1. **AUTHORITY.** This Standards document is promulgated pursuant to authority granted to the Board of Directors and the ACC of the BROOKSTONE III Community (“BROOKSTONE III”) under Article X of the Declaration.
2. **PURPOSE.** An BROOKSTONE III (“BS3”) ACC MODIFICATION REQUEST FORM, along with any required supporting documentation, must be submitted to, and approved by, the ACC pursuant to the Declaration and these Standards for the sole and exclusive purpose of assuring that all structures and landscaping within BROOKSTONE III are in conformity and harmony of external design and within the existing standards of the neighborhood.
3. **DEFINITIONS.** Any word as used herein shall have the same meaning as such words have in the Declaration:
4. **ARCHITECTURAL REVIEW AND APPROVAL PROCESS.**

A. Submission of Request for Architectural Review.

All requests are to be submitted to a member of the ACC through the management company. Standard submissions include, but are not necessarily limited to a BS3 ACC Modification Request Form. More detailed information as to what should be submitted for a given change can be found in the Architectural Guidelines section below.

Any change to previously submitted and/or approved plans must be resubmitted using a new BS3 ACC Modification Request form. If the homeowner proceeds with any alterations, additions or repainting without prior written approval by the ACC, the homeowner runs the risk of having to correct any violation at their own expense, and being fined.

B. Approval of Request for Change.

Once the BS3 ACC Modification Request Form and all supporting documentation have been provided to the ACC through the management company, the review process can commence. Incomplete forms or missing information will result in delays. In such cases, a member of the management company will contact the Homeowner for clarification. The review process does not begin until all required information, supporting materials, drawings, sketches, and documentation are provided to the ACC. The 30-day review process is considered on hold until such documents are confirmed by the homeowner to have been received by the ACC.

When additional information or documentation will be requested, the more promptly it is received, the sooner a decision can be rendered.

The ACC has 30 days to render a decision from the time ALL required AND requested information has been provided to the management company, which receives all requests for the ACC. Every effort will be made to complete this process as quickly as possible. If your request needs immediate attention or falls under the parameter of emergency, please notify ACC.

The ACC may have a monthly meeting to discuss any outstanding issues and to render any decisions that need additional discussion. Homeowners should plan their projects accordingly to allow for ample time in working through this process.

All work shall be completed within 3 months of commencement or such shorter period as the ACC may specify in the notice of approval, unless completion within such time is delayed due to causes beyond the reasonable control of the Owner, as determined in the sole discretion of the ACC. If work has not

been completed within 3 months, a new BS3 ACC Modification Request Form must be submitted and approval once again given before work can commence.

C. Execution of the Request.

During approved work or construction, all vehicles in any way connected with such work or construction shall enter the Lot or Lots only by the driveway as approved in the plans submitted to the ACC. All vehicles shall be parked at the Lot to avoid damage to trees, paving, curbs, gutters, and any other improvements on the Lot.

All modifications to Lots must be sensitive to the occupants of neighboring Lots and homes. Modifications should be planned and constructed such that they will have minimal impact on the views from neighboring Lots, and such that they will not change existing water runoff. As a factor in the decision to approve or deny a modification, the ACC will consider a proposed modification's impact on neighboring Lots.

5. ARCHITECTURAL GUIDELINES.

The Guidelines below are meant to provide a general reference as to what types of changes are allowed and/or not allowed in BS3. It does not necessarily cover all situations or change requests. Homeowners are always welcome to submit a BS3 ACC Modification Request Form for changes that fall outside these Guidelines. Each request will be reviewed individually and upon its own merit.

This document does not explicitly specify any Local, City, State or Federal building code requirements that may or may not apply to certain situations. **IT IS THE HOMEOWNER'S RESPONSIBILITY TO COMPLY WITH ALL BUILDING CODE REQUIREMENTS AND SET BACKS AND TO OBTAIN THE NECESSARY BUILDING PERMITS AND VARIANCES AS NEEDED. APPROVAL BY THE ACC DOES NOT IMPLY THAT THE REQUESTED MODIFICATION IS IN COMPLIANCE WITH COBB COUNTY BUILDING OR ZONING CODES.**

NOTE: For the purpose of this document, any Lot situated on a corner, with frontage on two streets, shall be considered as having two front yards.

A. Animal Pens and Dog Houses:

No lot will be used for the housing or maintenance of animals. Such things that will not be allowed includes but is not limited to the following: kennels, stables, and poultry houses. In addition, no lot may be used to commercially breed or board any animal. Training of animals will be limited to the homeowner's pets. Doghouses are subject to ACC approval. No more than two doghouses per lot. The doghouses must be placed in the backyard in an inconspicuous location. Cobb County ordinances require that no doghouses may be placed within 10 feet of the property line. Owners are responsible for obeying county ordinances pertaining to pets. Please remember to clean-up after your pet (both in your yard and on other property)

B. Antennae and Satellite Dishes:

ACC approval for Satellite dishes one meter or less is not required; however, they should be installed such that views from the street are minimized. Satellite dishes must be less than one meter in diameter and installed in accordance with Federal Communication Commission (FCC) rules. To maintain the community-wide standards of the community, it is required that dishes be installed to conform to the following guidelines: 1) shall be installed in such a manner that the view of the antenna is minimized from the street side of any lot. 2) Roof installations shall be inconspicuous to neighboring properties 3) ground, deck or patio installations shall be inconspicuous. The use of shrubbery is strongly recommended to conceal the antennas from view.

Acceptable: Satellite Dishes <1 Meter in Diameter

Not Acceptable: More than one Satellite Dish, TV/Radio Receiving Antenna

C. Basketball Goals:

ACC approval is required for removable (fold-up) basketball goals. The placement of the basketball goal needs to be at the back of the driveway. *NO goal may be placed in the street, at the edge of the street, or in the right-of-way.*

Backboards must be maintained and conform to neighborhood standards and cannot be in bright or fluorescent colors. White, black or clear backboards are allowed. Any other backboard colors must be approved by the ACC.

Acceptable: Fold-Up Basketball Goals

Not Acceptable: Basketball Goals with Bright or Fluorescent Colored Backboards, goals close to street, in the street or in the Right-of-Way.

Submittal for Architectural review should include at minimum:

- Completed BS3 ACC Modification Request Form
- Plot plan for property showing
 - Location of existing dwelling
 - Location of property lines and easements
 - Location of proposed basketball goal
 - Measurements between all of the above.
- Drawing, photo or product brochure of proposed basketball goal with dimensions, materials and colors indicated or supplied.

D. Clotheslines:

Outdoor clotheslines are not allowed in BROOKSTONE III.

E. Decks & Deck Stairs:

ACC approval is required for all deck installations, modifications and extensions including, but not limited to, deck coverings and awnings, and stairs. Approval must be given, in writing, prior to any clearing, grading or construction or addition of stairs or other.

Decks are typically constructed out of Pressure Treated Pine or Cedar although new composite decking material is also suitable. The color of the decking material, or in the case of wood decks, the paint or stain color must be harmonious with the existing house color as well as the color palette of the Community.

The usual and preferred deck fencing consists of a 36" high railing with cedar or treated wood vertical posts and spindles spaced no more than 4" apart. Additions or extensions of deck fencing must conform to existing designs. If none now exists, new fencing should be consistent with the homeowner's and adjacent homes

Acceptable: Pressure Treated Pine, Cedar, or Composite Material Decks (like Trex brand)

Not Acceptable: N/A

Submittal for Architectural review should include at minimum:

- Completed BS3 ACC Modification Request Form
- Plot plan for property showing
 - Location of existing dwelling

- Location of property lines and easements
- Location of proposed deck or addition
- Measurements between all of the above.
- Drawing of proposed deck showing all finished elevations (front, back and sides) with dimensions, materials and colors (finish) indicated or supplied.
- Photo(s) of current deck structure and a description of the deck expansion where applicable.

F. Driveways and Extensions or Expansions:

Driveway extensions must be approved by the ACC. The ACC recognizes that the bulk of driveways within BROOKSTONE III were constructed for use by two vehicles. The ACC understands that, in many cases, that type of use is no longer sufficient and therefore will review extensions or expansions to current driveways where the submittal follows the guidelines outlined below. All driveways, including extensions & expansions, are to be constructed of hard-surfaced paving matching the existing driveway (i.e. concrete w/ a minimum depth of 4".) Concrete reinforcing is recommended.

Acceptable: Concrete

Not Acceptable: Asphalt, Brick, Stone or Gravel Extensions and Expansions

Submittal for Architectural review should include at minimum:

- Completed BS3 ACC Modification Request Form
- Plot plan for property showing
 - Location of existing dwelling
 - Location of property lines and easements
 - Location of proposed driveway extension/expansion
 - Measurements between all of the above
- Description of materials to be used
- Planned use of the extension/expansion

G. Exterior Colors:

ACC approval is required for repainting the exterior of a house. Should a homeowner wish to make changes to his/her current color scheme, careful consideration should be given to the colors of adjacent homes. Homeowners should take notice of the colors of homes around them so as not to paint their house the same colors as the homes of any bordering property or property immediately across the street. This is in order to achieve a well-balanced and coordinated color scheme throughout the community. Homeowners may be required to paint a 4' x 4' sample area on the siding of their home and may also be required to paint a sample of the trim and front door, shutter or metal roof colors.

Submittal for Architectural review should include at minimum:

- Completed BS3 ACC Modification Request Form
- Proposed paint color samples with color name, number and brand indicated or supplied.
- A 4x4 color sample may be painted on the side of the home. There may be a physical review of the color on the home prior to approval

H. Exterior Changes (major):

- Nearly all conceivable major modifications to the exterior of the main dwelling must have ACC approval. The list includes but is not limited to: canopies, awnings, patios, decks, home additions etc.

I. Fences and Walls:

ACC approval is required for the construction or modification of any fence or wall. A distinction is made between wood deck fencing and yard fencing, and a distinction is made between yard fencing and pool enclosures. Yard fencing is defined as fencing, other than deck extensions, that extends into the rear yard area and follows all county codes and setbacks. No front yard fencing of any kind will be accepted. Fences must come off the back corners of the house.

The following guidelines apply when submitting requests for new or modified fences:

- Should be cedar or pressure treated pine
- All fence stains and paint must be approved.
- Fences may not connect to any chain link fence which borders BROOKSTONE III
- Fences can be either 5 or 6 feet.
- Invisible fences need to be approved and cannot be located in the front of the house.
- Fences must extend from the rear corner area of the home to the back area of the yard and not forward towards the front of the house in order to minimize its visibility from the road.
- The finished side of the fence must face out towards the road and all neighboring properties.
- Retaining walls may either be constructed in a natural stacked stone, by using 6" x 6" pressure treated landscape timbers or decorative concrete retaining wall blocks. Walls should only be used for retaining earth or fill such as when cutting into a hillside or slope. Freestanding walls on the front of a Lot are not allowed.
- Screening shrubbery on the fence perimeter may be required to further minimize visibility from the street and/or as a consideration to neighboring homeowners. Fences and walls must not violate easements or adjacent Lot lines.

Acceptable: Cedar or Pressure Treated Pine Fences; Stacked Stone Retaining Walls, 6" x 6" Landscape Timber Retaining Walls

Not Acceptable: Chain Link or Vinyl Fencing

Submittal for Architectural review should include at minimum:

- Completed BS3 ACC Modification Request Form
- Plot plan for property showing
 - Location of existing dwelling
 - Location of property lines and easements
 - Location of proposed fence
 - Measurements between all of the above
- Drawing, photo or product brochure of proposed fence with exact dimensions, materials and colors indicated or supplied.
- Proposed paint or stain color samples with color name, number and brand indicated or supplied.
- Proposed plantings, type and location, for visual screening as needed.

J. Sheds

ACC approval is required for all sheds. The ACC will review shed submittals where allowed by the Covenants (one per residence). Any shed should be constructed of like materials and colors to the dwelling. This includes, but is not necessarily limited to, roof and siding materials. Maximum height should be one story or 12 feet (including roof). Prefabricated sheds that match the décor of the home will also be allowed but must get ACC approval.

Placement should be at the rear of, and as near as possible to, the dwelling and out of view of frontage road(s). Sheds are not to be placed within 10 feet of neighboring property lines. Screening with evergreen plantings is desired to minimize neighboring views.

Acceptable: Sheds Constructed in the Style of the House and pre-engineered plastic sheds

Not Acceptable: Aluminum Sheds, Steel Sheds

Submittal for Architectural review should include at minimum:

- Completed BS3 ACC Modification Request Form
- Plot plan for property showing
 - Location of existing dwelling
 - Location of property lines and easements
 - Location of proposed shed
 - Measurements between all of the above.
- Drawing, photo or product brochure of proposed shed showing all elevations (front, back and sides) with dimensions, materials and colors indicated or supplied.
- Proposed plantings, type and location, for visual screening as needed.

K. Flags and Flagpoles:

ACC approval for the installation of small, house-mounted flagpoles is not required. The United States Flag, the Official Georgia State Flag, as well as seasonal and decorative flags, may be displayed by the placement of a small bracket attached to the home. Flags must not be offensive in nature or violate accepted Community standards. Flags may not be mounted to or cover up any window of a house. Flags may not be allowed to become torn, tattered, or faded. Further, the United States Flag must be displayed in accordance with the provisions of the Federal Flag Act.

If flag is to be illuminated for nighttime viewing, lighting should be directed away from adjacent properties and traffic.

Permanent, in-ground flagpoles are not allowed in BROOKSTONE III.

Acceptable: House-Mounted Flagpoles

Not Acceptable: Offensive Flags, In-ground Flagpoles

L. Garage Doors:

Garage doors must be painted to match either the current house trim or siding and must be approved by the ACC. Any design change to garage door must be approved by the ACC.

Acceptable: Aluminum Garage Doors, Wood Garage Doors

Not Acceptable: N/A

Submittal for Architectural review should include at minimum:

- Completed BS3 ACC Modification Request Form
- Drawing, photo or product brochure of proposed garage door(s) with dimensions and materials indicated or supplied.
- Proposed paint color samples with color name, number and brand indicated or supplied.

M. Landscaping:

ACC approval is required for any major change to the existing landscaping of any Lot. A graphic and written plan of landscaping must be submitted to the ACC prior to any major renovation. This plan should include a drawing to show location, variety and size of all plant materials and "hardscape" items such as fences, walls, etc. Approved plans must be fulfilled no later than six (3) months after the approval date.

The following guidelines apply for landscaping

- ACC approval is required for the removal of any tree having a diameter of 6" or more measured from a point 4 feet above ground level.
- Permanent Landscaping: Trees and shrubs must be able to survive and remain alive year-round. Permanent shrubbery should be planted across the entire front of the dwelling. Temporary or seasonal plants are not acceptable as permanent landscaping materials other than in seasonal beds. (Plants which die down in cold weather, such as hydrangea, hosta, elephant ears, etc. may be used as ornamentals, but are not acceptable as permanent landscaping around the perimeter of the house.)
- Seasonal Beds: Seasonal beds do not need approval. Temporary succulent –type plants, flowers, and other plants that have a shorter growing season may be used in beds. Once a plant has lost its flowers or has died, it must be removed and replaced.
- Vegetable gardens should be small and screened so as not to be visible from the street.
- Ground cover may be pine straw, bark mulches, rubber mulch, nuggets, and lava rock. Any other ground cover needs to be approved by the ACC. Ground cover needs to be applied as needed in order to achieve a neat appearance.
- All permanent landscape edging such as Bella-curb, stone, bricks etc. requires ACC approval.
- Exposed earth or red clay is not permissible.
- All lawns need to be free and clear of all weeds at all times of the year – this requires some type of weed and feed application applied 4-6 times per year – Pre-emergent application should be applied late fall and late winter (by November and February of each year) and other applications as needed to keep the lawn weed-free and grass healthy.
- All flowers beds, shrubs and pine islands should be free and clear of weeds at all times of the year
- All annuals and perennials should be dead headed as needed throughout the growing season
- All shrubs should be trimmed as needed throughout the year
- All lawns must be mowed regularly and be uniform in height (may need to mow once a week during growing season). This includes front, side and back lawns. Additionally, lawns must be edged regularly with an edger that makes a clean straight line. Creeping of grass should not be apparent along the driveway, sidewalks and curbs. It is illegal to blow grass clippings down drains or into the street.
- Leaves must be removed from your lawn and garden areas as needed – must be raked or blown and bagged and not blown into the street or neighboring properties - Leaves cannot be blown in the street or down the sewer drain. Leaves that accumulate adjacent to the curb in front of your lot will be your responsibility to bag.
- Treat weeds growing in street adjacent to curb in front of your Lot.

Acceptable: Trees and Plants Common to the Atlanta Area, Bermuda & Fescue Grass

Not Acceptable: Palm Trees, Bamboo, Gravel Yard Covering, White Rocks

Submittal for Architectural review should include at minimum:

- Completed BS3 ACC Modification Request Form
- Plot plan for property showing
 - Location of existing dwelling
 - Location of property lines and easements
 - Measurements between all of the above

- Drawing of proposed landscaping plan (may be indicated on above plot plan)
- Proposed type, size and location of new plantings, land cover, and features as well as any landscaping to be removed
- Photos or pictures of plant/tree species involved

N. Lighting (Exterior):

ACC approval is required for any exterior lighting, which replaces, or is in addition to, the existing lighting on the house or Lot. Approval will be based on the condition that any added lighting will be reflected away from adjacent residences and away from the vision of passing motorists. Seasonal lighting does not need approval.

Acceptable: N/A

Not Acceptable: Colored lighting in permanent exterior light fixtures.

Submittal for Architectural review should include at minimum:

- Completed BS3 ACC Modification Request Form
- Plot plan for property showing
 - Location of existing dwelling
 - Location of property lines and easements
 - Location of proposed lighting
 - Measurements between all of the above
- Drawing, photo or product brochure of proposed lighting fixture(s) with dimensions, materials, lighting type, wattage and colors indicated or supplied

O. Mailboxes:

All Mailboxes must be the standard mailbox of the development as approved by the ACC. All mailbox parts, including the numbers and flag must be attached and in good repair. If there are any streaks, peeling, fading or rust the mailbox should be repainted. The Board of Directors reserves the right to make design changes to the standard mailbox and post and street / traffic signs.

Acceptable: Only the BROOKSTONE III standard mailbox of the Development as approved by the ACC. Mailboxes must be painted the approved BROOKSTONE III color

Not Acceptable: Only the BROOKSTONE III standard mailbox is allowed. These mailboxes must be purchased only through the approved contractor.

P. Nuisance:

Any activity which emits foul or obnoxious odors outside the Unit or creates noise or other conditions which tend to disturb the peace or threaten the safety of the occupants such as illegal activities or continuous police presence on property of other units is prohibited--This includes but is not limited to excessive dog barking or not picking up after your pet. Any of the above nuisances on individual residences may incur an immediate \$250 fine.

Q. Pets:

Pets that wander the neighborhood wander at their own risk.

R. Parking:

All vehicles owned or used by Owners or occupants, excluding those of temporary guests or visitors, may only be parked in designated areas. Designated areas are defined as the garage, and then to the extent necessary, the driveway. The term "vehicles," as used in this paragraph shall refer to vehicles that are used as an Owner's or Occupant's primary means of transportation

on a regular basis, and shall include cars, vans (unless they are full-sized vans and not used as the primary means of transportation), sport utility vehicles, motorcycles and light trucks, but shall not include commercial vehicles (including those that have commercial writings on their exteriors or evidence of commercial use such as tool boxes or tool or ladder racks), buses, house trailers, mobile homes, motor homes, recreational vehicles, campers, trucks with camper tops, boats, boat trailers, tool trailers, trucks with a load capacity of one ton or more, or like equipment.

The following are not allowed to be parked in BROOKSTONE III except in garages, or for brief periods of time as is reasonably necessary for the purpose of loading, unloading, or to prepare such vehicle for imminent use: commercial vehicles (including those that have commercial writings on their exteriors or evidence of commercial use, including but not limited to tool boxes or tool or ladder racks), buses, house trailers, mobile homes, motor homes, recreational vehicles, campers, trucks with camper tops, boats, boat trailers, full-sized vans not used as the primary means of transportation, tool trailers, trucks with a load capacity of one ton or more, or like equipment. Notwithstanding the foregoing, any such vehicles or equipment may be stored in a garage. Garages should not be used for storage to the extent of blocking any parking spaces in the garage. Vehicles should not be parked on the sidewalk or any lawn area.

All motor vehicles of any kind located on a Lot shall be in working condition, it being intended hereby that the parking or storage of permanently disabled vehicles on any Lot is prohibited. Inoperable vehicles being repaired or restored shall be done so within the garage, or for emergency repairs outside the garage, and then only to the extent necessary to enable the movement thereof to a proper repair facility. Vehicles shall not be parked on the Common Property, except as determined pursuant to regulations passed by the Board. The Association, through the Board, may impose a fine for any violation of this Section.

S. Play Equipment

ACC approval is required for the addition of all play equipment. Play equipment, including but not limited to swing sets, play sets, trampolines, play houses, should be located at the rear of the property behind the house. Equipment should be placed in such a location as to minimize views from streets, neighboring properties and common areas as much as possible. Play equipment is not to be placed within 10 feet of neighboring property line. Play houses cannot be larger than 10 x10 and must be constructed on the ground unless attached to a pre-constructed play set. All play house materials must match the house including but not limited to the roof and shingles. Tree houses are not allowed unless attached to a pre-constructed play set. Play sets and swing sets should be constructed primarily of wood and have a natural appearance. Metal swing sets and the like are not permitted. Tree houses are not allowed.

Acceptable: N/A

Not Acceptable: Metal Swing sets or structures built above the ground in trees

Submittal for Architectural review should include at minimum:

- Completed BS3 ACC Modification Request Form
- Plot plan for property showing
 - Location of existing dwelling
 - Location of property lines and easements
 - Location of proposed equipment
 - Measurements between all of the above.
- Drawing, photo or product brochure of proposed unit with dimensions, materials and colors indicated or supplied.
- Proposed plantings, type and location, for visual screening as needed.

T. Pools, Hot Tubs and Spas:

ACC approval is required for all pools and surrounding decks, fencing and screening. Approval must be given, in writing, prior to any clearing, grading or construction. No above ground pools will be approved. Safety fencing for pool enclosures must meet County code requirements.

Acceptable: In-Ground Pools

Not Acceptable: Above Ground Pools

Submittal for Architectural review should include at minimum:

- Completed BS3 ACC Modification Request Form
- Plot plan for property showing
 - Location of existing dwelling
 - Location of property lines and easements
 - Location of proposed pool, hot tub or spa location
 - Measurements between all of the above.
- Drawing, photo or product brochure of proposed pool, hot tub or spa with dimensions, materials and colors indicated or supplied.
- Proposed plantings, type and location, for visual screening as needed.

U. Roofs and Roofing Material:

ACC approval is required for replacement, change to, or adding any roof or roof covering. This is limited to asphalt shingles in the same color as is prevalent throughout BROOKSTONE III. No plumbing or heating vents, exhaust fans or sky lights shall penetrate roof surfaces that face any street. All roof stacks and flashing must be painted to blend with roof colors.

Acceptable: Architectural Asphalt Shingles and Three Tab Shingles

Not Acceptable: Types: Wooden Cedar Shake Shingles, Gravel Roofs, Barrel Tile.

Submittal for Architectural review should include at minimum:

- Completed BS3 ACC Modification Request Form
- Photo, sample or product brochure of roof covering or feature with dimensions, materials and colors indicated or supplied as appropriate. There will be a physical review of the roofing materials and color prior to approval

V. Siding and Exterior Finishes

ACC approval is required for any new or replacement siding or exterior materials per Section 10.0 of the Declaration. Acceptable materials for the exterior include Brick, Stucco (hard coat) and stone. Hardiplank or other fiber-cement board products may be used. Foundation walls must be poured concrete and may be required to be covered with brick, stucco or natural stone. Paint colors, and the colors of materials such as brick and stone, must be in keeping with the natural, earth tones existing in the Community.

Acceptable: Brick, Stucco, Stone, Hardiplank, Vinyl Siding

Not Acceptable: Masonite, Aluminum Siding

Submittal for Architectural review should include at minimum:

- Completed BS3 ACC Modification Request Form
- Drawing of proposed changes showing all elevations (front, back and sides) with materials.
- Photo, sample or product brochure of siding with materials and colors indicated or supplied.
- Proposed paint color samples with color name, number and brand indicated or supplied where appropriate.

W. Square footage requirements - Minimum square footage for single story homes, excluding the basement, is 2500 sq.ft. of heated living space. Minimum square footage for 2 story homes is 2800 sq.ft., excluding the basement area, of heated living space.

X. Garages/Driveways/Decks

All dwellings must have a minimum of a two-car enclosed garage. All garages must have interior walls finished and no studs are to be exposed.

All driveways must be free and clear from all debris including, but not limited to, trash, wood piles, empty pots, gardening tools, landscape equipment & supplies, bikes, toys, building debris, appliances, grills, lawn chairs, coolers, sports equipment.

Underneath all decks viewable from the road need to be clear of all debris including, but not limited to, trash, pots, gardening tools, landscape equipment & supplies, bikes, toys, building debris, appliances, lawn chairs, coolers, sports equipment

Y. Signs:

In order to maintain a neat, uncluttered appearance in the neighborhood, the use of certain types of signs is regulated. The following types of signs are considered pre-approved with these conditions:

Security Signs: Small security signs no approval necessary

Political Signs: No more than one sign per candidate per lot is permitted. Signs may be placed no more than 14 days before an election and must be taken down within 7 days after the election.

Garage/Yard/Moving Sale Signs: Private Garage/Yard/Moving Sale Signs are prohibited in BROOKSTONE III. However, BROOKSTONE III does sponsor a semi-annual community yard sale for the benefit of all Owners. To be placed three days prior to sale and removed immediately after sale.

Home for Sale/Rent Signs: Professional signs are allowed to assist owners in selling their homes and must be of the typical size and design most commonly associated with this sign type. One is allowed in the front yard of the homeowner's private property. Private Real Estate signs are prohibited in the front entrances. However, BROOKSTONE III does offer a generic sign to indicate that a "House for Sale" is located in the Subdivision. Please contact the Management Company.

Contractor Signs: Contractor signs are allowed only while work is being done and only for a period no longer than 30 days. Signs must be removed no later than 24 hours after work completion. All other signs advertising goods or services that are not specifically described above, are not allowed.

Location of Signs: The signs that are permitted above are intended to be placed on the private property of the homeowner. No sign may be placed on BROOKSTONE III common property or the entrance to BROOKSTONE III.

The Board shall have the right to erect reasonable and appropriate signs on any portion of BROOKSTONE III common areas to promote community-wide events.

Z. Window Mounted Air Conditioning Units

Window-mounted air conditioning equipment and fan units, including evaporative coolers and the like, are prohibited in BROOKSTONE III.

AA. Trash Cans

All cans must be kept out of sight from the street and neighboring properties and should be placed in garages, rear yards or behind approved 4 foot up to 6 feet screening from front and side yards per Article 10.15.

BB. Seasonal Decorations/Yard ornaments/Statuaries/Benches etc.

All outside holiday decorations must be removed no later than 30 days after the holiday. All yard ornaments/Statuaries/Benches/etc. that are visible from the street must be approved by the ACC.

APPENDIX "A"

Screening Guidelines

- 1) **REASON FOR SCREENING:** Screening may be used within BROOKSTONE III to define private spaces or to attract or divert attention to or from particular views.
- 2) **OBJECTS TO BE SCREENED:**
Screening shall be used in connection with the following:
 - A) Refuse containers and related storage areas.
- 3) **METHODS OF SCREENING:**
Subject to the approval of the ACC the following methods of screening may be used:
 - A) **Planting Screens and Hedges.** Species and layout design to be approved by the ACC.
 - B) **Fences and Walls.** Such fences and walls shall:
 - i) complement the design, texture and color of all structures on the same Lot;
 - ii) shall be a maximum of 6 feet above grade in height;
 - iii) may include planting as an integral component;
 - iv) and shall not attract attention as distinct Architectural elements

APPENDIX "B"

BROOKSTONE III ACC MODIFICATION REQUEST FORM

The BROOKSTONE III ACC Modification Request Form is available on the BROOKSTONE III website or by contacting the management company.

Appendix C

VIOLATION LETTER PROCESS

1. **First Letter: Courtesy Letter**
2. **Final Notice Letter: 30 days after the Courtesy Notice**
3. **First Fine Letter Notice: 10 days after the Final Notice fines will start accruing on a \$25 per day rate unless such homeowner requests a hearing within 10 days of receiving the Final Notice Letter. If such hearing is requested BOD will meet with homeowner in executive session at Board of Directors Meeting**

***Homeowner must communicate with the management company if extenuating circumstance exist to prevent correction of the violation within the allotted time per the letter.

***Homeowner must communicate with management company if homeowner does not agree with the violation.