



**ARCHITECTURAL STANDARDS AND  
DESIGN AND DEVELOPMENT GUIDELINES  
FOR SINGLE FAMILY HOMES**

**Community Design Scope and Theme for Winding Creek (aka Carriage Hill)**

11/19/11 PRT

**90' Width Lots – The Trails**

**Exceptions: Lots 81, 93, 94, 95, 99, 100, 101, 102 and lots 1, 2, 3, 4 in The Trails extension  
Section six shall comply with the Architectural Standards as established in the Creeks  
Section one.**

**I. INTRODUCTION**

Winding Creek (aka Carriage Hill) Subdivision (the “Subdivision”) has been designed to provide the discriminate home buyer with an upscale mixed use master planned development that is predominately a residential planned unit development (R-PUD). The overall quality of architectural development within the Subdivision is very important for maintaining the quality of the Subdivision. This quality refers to both the design and construction of buildings and the associated landscaping.

Pursuant to Article V, Paragraph A of the Amended and Restated Declaration of Easements, Covenants, Conditions and Restrictions for Winding Creek (aka Carriage Hill) Subdivision executed by Liberty Land Company, LLC, an Ohio limited liability company (the “Developer”), dated \_\_\_\_\_, 2011 and recorded \_\_\_\_\_, 2011 at O.R. Book \_\_\_\_\_, Page \_\_\_\_\_ of the Butler County, Ohio real estate records (the “Declaration”), the Design Review Board has the authority to determine the architectural standards which shall govern the construction of Improvements on the Property. The Developer has the right to act as the Design Review Board prior to the Turnover Date pursuant to Article V, Paragraph A of the Declaration.

In order to establish a high standard of quality for the Subdivision, to assure an attractive, compatible and aesthetically pleasing community, to enhance the quality of life of the Owners and their enjoyment of residing within the Subdivision and to protect and enhance the property values of the Lots, the Developer has established the following standards, guidelines, restrictions and approval processes. These standards, guidelines, restrictions and approval processes are supplementary to the Declaration and are intended to complement the Declaration. Should a conflict arise between the terms of the Declaration and the provisions hereof, the terms of the Declaration shall prevail.

These standards, guidelines, restrictions and approval processes have been established based on the stage of development of the Subdivision as of the date of the Declaration. The Design Review Board or the Developer (if the Developer is acting as the Design Review Board pursuant to the terms of the Declaration) may alter, modify or change any or all of the standards, guidelines, restrictions and approval processes contained herein at any time. It shall be the responsibility of the Owner and/or Builder to check with the Design Review Board or the Developer, as applicable, for any guideline revisions prior to submittal of any construction plans.

Capitalized terms not defined herein have the meanings assigned to them in the Declaration.

## **II. THE PLAN REVIEW PROCESS**

No Improvements shall be erected, remodeled or placed on any Lot, except by the Developer or its assigns, until all plans and specifications have been submitted to and approved by the Design Review Board or the Developer (if the Developer is acting as the Design Review Board pursuant to the terms of the Declaration). Detailed plans and specifications are required for homes and buildings with roofs. A hand drawn sketch or photograph may be sufficient for other Improvements such as swing sets, landscaping and fences. The items that must be submitted to the Design Review Board or the Developer (if the Developer is acting as the Design Review Board pursuant to the terms of the Declaration) for approval are set forth in more detail in Section 4.21 below.

The plan review process consists of an inspection of the plans and specifications for the Improvement to ensure that (i) they comply with the protective covenants contained in the Declaration and the standards, guidelines and restrictions set forth herein, (ii) the Improvement is properly placed on the Lot and (iii) the Improvement will coordinate well with the surrounding homes and other Improvements and enhance the Subdivision.

It is the policy of the Design Review Board or the Developer (if the Developer is acting as the Design Review Board pursuant to the terms of the Declaration) to review plans on a timely basis and to be helpful and cooperative with future Owners. The plan reviewer(s) will strive to be consistent and fair in plan approval, but it is important to note that the opinions of the plan reviewer(s) will be subjective and may vary as the plan reviewer(s) change over time. The person(s) reviewing the plans will have experience in land development and neighborhood planning. The plan reviewer(s) will be available to assist Builders and Owners with advice that will ensure that the Builder or Owner, as applicable, is able to take advantage of the features of the Lot and that the Improvement contributes to the value of the entire Subdivision.

The plan reviewer(s) may agree to minor variances or request additional modifications based on Lot sizes, grades, positioning, elevation, exposure, garage door exposure or other elements that affect the appearance of the Subdivision. Most modifications may result in cost savings and added value or little additional cost if properly designed and managed.

Design and plan decisions by the Design Review Board or the Developer (if the Developer is acting as the Design Review Board pursuant to the terms of the Declaration) do not constitute a representation or warranty as to the quality, fitness or suitability of the design or materials specified in the plans. Builders and Owners should work with their architect or contractor to determine whether the design and materials are appropriate for the intended use. The Design Review Board, the Developer, the Winding Creek (aka Carriage Hill) Community Association (the "Association"), the Board and any committee or member of any of the foregoing shall not be held liable for any injury, damages, or loss arising out of the manner or quality of approved plans for construction on or modifications to any Lot.

Please submit two copies of construction plans and specifications for all Improvements to Liberty Land Company, LLC c/o Phillip R. Terry, 6306 Princeton Glendale Road, Liberty Township, Ohio, 45011.

### **III. HOME DESIGN AND PLAN GUIDELINES**

It is the vision of the Developer to avoid the repetitive look of a suburban "tract development" housing community. Creativity, variety in home plans, styles and landscaping are encouraged. Each Lot has attributes that may be best utilized through customizing certain features of the home plan.

When reviewing plans, the general effect on the Subdivision as a whole (external appearance) is the primary consideration. Factors that may be considered include, among other things, home size (measured as living floor space area); however, compliance with the home size requirements will not necessarily guarantee plan approval. Consideration will also be given to exterior form and detail, which may include, among other things, roof pitches, shingle textures, multiple roof surfaces, siding materials, textures and features such as key stones, soldier coursed brick and other ornamental brick treatments, door surrounds and special door treatments, columns, exterior lighting fixtures, dormers, special surface or curvilinear entrance walks, court yards, unique chimneys, shutters, unique windows, side entry garages, porticos, breezeways, gardens, retaining walls, sky lights, trellises and landscape stones.

Modular (box) home plans of significant size will be considered; however, the plan reviewer(s) may require modifications in the exterior elevations of the home and the landscape plan for the Lot. Such modifications may include modifications in straight, flat sidewalls (such as bump outs, recesses or protrusions), rooflines, additional roof surfaces, dormers, variations in exterior building materials, and the addition of other ornamental features to the structure or landscape.

### **IV. ARCHITECTURAL STANDARDS**

For homes and appurtenant structures, the following standards have been developed and promulgated by the Developer (acting as the Design Review Board pursuant to the Declaration) and are applicable to all new construction.

**4.01. GENERAL USES:**

All construction and usages must comply with the local building codes, zoning regulations and laws of the governing bodies which have jurisdiction over such matters. Plan approval by the Design Review Board or the Developer (if the Developer is acting as the Design Review Board pursuant to the terms of the Declaration) does not assure approval by any governmental agencies and the Design Review Board or the Developer (if the Developer is acting as the Design Review Board pursuant to the terms of the Declaration) is not responsible for, nor will it participate in processing approvals with governmental agencies. Builders or Owners are responsible for obtaining or ensuring that their agent or contractor obtains all required permits before commencement of construction. Each Lot shall be used only for residential purposes. No building shall be erected, altered, placed or be permitted to remain on any Lot other than one detached single-family home with a private garage for not less than two nor more than five cars, which is to be attached to the principal home. Garage orientation/entry shall be as stated for the different Lot sizes or development sections shown elsewhere unless otherwise approved by the Design Review Board or the Developer (if the Developer is acting as the Design Review Board pursuant to the terms of the Declaration).

**4.02. MINIMUM HOME REQUIREMENTS:**

**a) Home Floor Area:** The minimum living area of any home, excluding garages, unfinished basements, decks, porches and breezeways, shall be:

<u>Lots</u>	<u>One Story Homes</u>	<u>Two Story Homes</u>
90'	2,100 sq. ft.	2,350 sq. ft.

In no event shall the living area of the first floor of any one story home be less than One Thousand Seven Hundred (1,700) square feet.

In no event shall the combined living area of the first and second floors of any two story home be less than Two Thousand (2,000) square feet.

**b) Garage Orientation/Entry:**

1. Side, front or rear entry capable of parking a minimum of 2 cars with a maximum of 5 cars.
2. Single garage doors are required on all front facing garage entrances
3. Rear entrance on Corner Lots is not permitted and requires all single garage doors
4. All garage doors shall be Carriage style approved by the Developer
5. All garage doors shall be the same design and style

6. Front facing double garage doors are not permitted
7. A third car single front entry garage is permitted with the front face of the third car entrance set back a minimum of 6' from the front face of the existing 2 car garage.
8. A maximum of 3 car side entrance is permitted.
9. Any garage structure that is attached to the home via breezeway is subject to Developer approval.

**c) Driveway Requirements:**

1. All driveways must be at least 12' wide.
2. The maximum width of any driveway between the back of the curb and the front building set back line is 20'. Notwithstanding the foregoing, for homes with a front facing garage, the width of the driveway within 25' of the garage entrance may be greater than 20'.
3. In no case shall the width of the driveway exceed 30' at any location.
4. A flared entrance at the street is permitted with a maximum of 2' per side.
5. Parking is only permitted on the street and driveway surface; no vehicle shall park in any yard.

**d) Front Entry Door:** The front entry door of all homes shall be stained or painted wood and/or stained or painted fiberglass.

**e) Front Yard Trees and Landscape:** Each Lot must include at least the following quantity of front yard trees, which shall comply with the Front Yard Landscaping requirements set forth below. The minimum allowance for landscaping and front yard trees for each home shall be \$3,000.00 (excluding soil, grass seed/sod for establishing the lawn and soil for raised beds).

The community development plan includes 6' sidewalks on one side of selected streets. Building sites on the non-sidewalk side are required in addition to the above \$3,000.00 requirement to add an additional raised landscape bed. This bed shall be located on the inside of the driveway (side towards lot center) within 10 feet of back of curb. The minimum allowance for this extra landscaping shall be \$1,000.00.

<u>Lots</u>	<u>Front Yard Trees</u>
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90'	2
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**NOTES:**

- Up to one half of the required front yard trees may be incorporated into the raised bed landscaping of the home.
- Each corner Lot must have at least twice the number of front yard trees listed above.

**f) Landscape for Street Side Electrical Boxes**

All street side electrical service boxes shall be landscaped with suitable plantings to minimize the appearance of these structures as part of and in addition to the landscape requirements stated above.

**g) Street Trees**

Street trees will be installed by the Developer at the time of construction of street section(s). The Owner or Builder, as applicable, is responsible for maintenance and care of installed street trees and for any damage during construction of the home on the Lot and shall replace any damaged street trees in like and kind as directed by the Design Review Board or the Developer (if the Developer is acting as the Design Review Board pursuant to the terms of the Declaration).

**4.03. FRONT YARD LANDSCAPING:**

All landscape plans shall be submitted to the Design Review Board or the Developer (if the Developer is acting as the Design Review Board pursuant to the terms of the Declaration) for approval.

At a minimum, the front yard of the home and at least 12 feet along the non-garage side of the home (measured from the front face of the home) shall include landscaping. Each Lot shall have at least the number of front yard trees required by Section 4.02 above and shall include the landscaping required by these Architectural Standards and Design and Development Guidelines. Front yard trees shall be at least 7' in height for coniferous trees or 2" caliper (Diameter at Breast Height) for deciduous trees. All yard trees and landscaping shall be installed in raised mulched beds.

For Lots containing existing front yard trees the foregoing tree requirements may be waived.

If any plant or tree dies or becomes diseased between March 15 and October 15, the Owner or Builder, as applicable, is required to replace such plant or tree within thirty (30) days after such plant or tree dies or becomes diseased.

**4.04. LAWN, GRASS SEED, SOD:**

Builder is required to install grass seed or sod over a base of quality top soil for the entire lawn area prior to closing if closing occurs between March 15 and October 15. For closings outside of this period the Builder shall install the same by no later than April 1 of the following year. If the quality of lawn is not acceptable to the Design Review Board or the Developer (if the Developer is acting as the Design Review Board pursuant to the terms of the Declaration) within a period of three (3) months after the installation of the same, the Builder shall be required to install sod on all front and side yards from the back of the curb face at the street to a point at least 12' back from the front face of the home.

**4.05. FRONT YARDS:**

Front yards shall be landscaped prior to closing if closing occurs between March 15 and October 15. For closings outside of this period the Builder shall install the same by no later than April 1 of the following year. All driveways shall be paved with cast in place concrete, stamped or colored concrete and/or exposed aggregate concrete. Front walks shall be paved with cast in place concrete, stamped or colored concrete, exposed aggregate concrete, brick set in concrete and/or field stone set in concrete. In all cases where colored concrete is used, the Design Review Board or the Developer (if the Developer is acting as the Design Review Board pursuant to the terms of the Declaration) must expressly approve the color. The walkway to a residence from a public sidewalk, curb or front driveway must be a minimum 4' in width. All sidewalks in the public street right of way must be constructed to the Butler County Engineer's standards and to the width specified by the Design Review Board or the Developer (if the Developer is acting as the Design Review Board pursuant to the terms of the Declaration).

**4.06. HOME PLACEMENT AND YARD GRADING:**

The Design Review Board or the Developer (if the Developer is acting as the Design Review Board pursuant to the terms of the Declaration) reserves the right to direct home placement, elevations and yard grading. Homes shall conform to existing grade and drainage patterns and the drainage patterns as shown in the Developer's storm water management plan. Existing grades at Lot lines shall not be altered more than one foot without the written consent of the Design Review Board or the Developer (if the Developer is acting as the Design Review Board pursuant to the terms of the Declaration). Each Owner and/or Builder shall endeavor to retain as many of the natural trees or woods as is practical and shall not remove, cut or trim any trees on the Lot in preparation of the building site without the approval of the Design Review Board or the Developer (if the Developer is acting as the Design Review Board pursuant to the terms of the Declaration). Tree lines, water structures, conservation easements, etc. shall be protected with an approved snow fence or similar material prior to the start of construction.

**4.07. ELEVATIONS:**

Front and side elevations and high visibility rear elevation treatments shall avoid large expanses of flat, vertical wall through the use of such elements as trim boards on window frames, arched elements, decorative panels, balconies, bay windows and/or projections.

**4.08. SETBACKS/MINIMUM ELEVATIONS/YARDS:**

All homes shall be located in accordance with the building set back lines, minimum basement elevation and yard requirements as shown on the recorded plat of the Subdivision applicable to the subject Lot. The Owner or Builder shall be responsible for compliance with these standards. The Design Review Board or the Developer (if the Developer is acting as the Design Review Board pursuant to the terms of the Declaration) shall not be responsible for any failure to comply with these standards.

The definition of front, side and rear yards shall be the same as designated in the current zoning ordinance for Liberty Township, Butler County, Ohio.

No permanent structure shall encroach on easements of record; however, landscaping, lighting and driveways may be placed in easements of record provided they do not interfere with the intended use of the easement or access to the appurtenances within it.



#### **4.09. ROOF:**

The main roof of the home shall be not less than 7-12 pitch. Turned gables (gables turned toward the street) shall be a minimum of 9-12 pitch. Any new roof work or repair work must match original shingle color and texture. All flashing, gutters, downspouts, etc. shall be compatible with the color scheme of the home, or as otherwise approved by the Design Review Board or the Developer (if the Developer is acting as the Design Review Board pursuant to the terms of the Declaration).

Dimensional Shingles are required on all roofs.

#### **4.10. COLOR SCHEMES:**

The Design Review Board or the Developer (if the Developer is acting as the Design Review Board pursuant to the terms of the Declaration) reserves the right to approve color schemes of all homes.

#### **4.11. BUILDING MATERIALS:**

All homes within the 90' Lot section 2 shall require (i) full brick/stone on all front yard (note: corner lots are required to meet this for both fronts facing the street) primary vertical planes on the front of the house and (ii) full brick/stone first floor wrap on sides and rear on all primary vertical planes (those supported by the foundation).

The use of faux stone, MDO Smooth Face Laminate trimmed with Primed Redwood, Shakes, Hardi-Plank or Cem-Plank Siding (masonry based product) and Architectural Composite Trim Materials (i.e. Fypon) or approved equals are permitted as alternate materials for architectural features such as Bay Windows (Box and Neo-Traditional), Detail Gable Projections, Window Gables, and select features where Brick/Masonry cannot be supported.

Second Floor approved materials are the same as the first floor wrap, with the additional permitted use on primary vertical planes the use of Redwood, Shakes, Hardi-Plank or Cem-Plank Siding (masonry based product) or approved equals and premium vinyl siding when used and shall be "Dutch lap" and a minimum thickness of 0.44 mils. Installation shall be done in a manner that minimizes/eliminates seams to the extent practicable with wood or Azek corner and window trim.

Decks or patio's on the front or rear of home shall be attached to the home and shall be constructed with wood, Hardi-Plank or approved equals or masonry products and shall be compatible with the home as approved by the developer. All exposed wood shall be stained or painted and any exposed supporting columns shall be cased with finished covering/trim. All elevated decks that expose an area greater than 10 inches above the finished yard shall be covered with lattice or other suitable material such that the inside/underside of structure is not seen.

NOTE – Enclosed sunrooms or other type structures are required to be constructed using the same stone or brick as used on the home.

**4.12. EXTERIOR FINISHES:**

To achieve the standard and caliber of curb appeal associated with the Subdivision, a minimum of three (3) details, one being a brick requirement for architectural detailing and continuity, will apply to all homes. These details may include strong entrance treatments, the use of feature windows, window grills, trim boards, built-up banding details, and brick and stone tile. Exterior treatments shall be restricted to two dominant materials.

**4.13. UNDERGROUND AND LOG HOMES:**

Underground structures and log homes are prohibited.

**4.14. AWNINGS:**

No metal or plastic awnings for windows, doors, decks or patios may be erected or used without prior approval. Canvas awnings may be used subject to prior approval of size, color, location and manner of installation for the particular Lot in question by the Design Review Board or the Developer (if the Developer is acting as the Design Review Board pursuant to the terms of the Declaration).

**4.15. AIR CONDITIONING AND HEAT PUMP EQUIPMENT:**

Air conditioning and heat pump equipment shall not be located within fifteen (15) feet of the front face of the home. Equipment shall be screened with landscaping from view in a manner approved for each particular Lot. Window mounted air conditioning units are prohibited.

**4.16. PORCHES, APPENDAGES AND ADDITIONS:**

No porches, appendages or additions shall be permitted unless they are of a size, style, color and type compatible with the original design of the home. Compatibility shall be at the discretion of the Design Review Board or the Developer (if the Developer is acting as the Design Review Board pursuant to the terms of the Declaration).

**4.17. POOL HOUSES / OUTDOOR LIVING SPACE:**

Pool houses and other outdoor living space structures including, but not limited to, built-in grills and fire pits are permitted but shall be constructed in a size, color and type compatible with the original design of the home. Compatibility shall be at the discretion of the Design Review Board or the Developer (if the Developer is acting as the Design Review Board pursuant to the terms of the Declaration). In no case shall any of these structures be used for the storage of any items other than those items that would typically be stored in such structure if such structure was being used for its original designed purpose.

#### **4.18. FOUNDATIONS:**

Any concrete on the front or side elevation that is exposed more than one and one half foot shall be covered with the brick/stone utilized on the main structure and/or, when applicable, grade adjustments, retaining walls, and landscape may be utilized to achieve minimum foundation exposure.

#### **4.19. WATER DISCHARGE:**

Storm water must be disposed of as directed by the Design Review Board or the Developer (if the Developer is acting as the Design Review Board pursuant to the terms of the Declaration) and in compliance with the Developer's storm water management plan. Sump lines, foundation drains and roof drains shall be connected to the appropriate discharge line. Surface storm water discharge directly into street gutters is prohibited.

#### **4.20. MAILBOX:**

Mailbox location must be approved in advance by the Design Review Board or the Developer (if the Developer is acting as the Design Review Board pursuant to the terms of the Declaration). The Developer has established a standard mailbox design for each phase of the development. If a mailbox is damaged, destroyed or deteriorates, then the applicable Builder or Owner, at such Builder's or Owner's expense, shall repair or replace such mailbox with another of a like kind, design, pattern and color as the initial mailbox.

#### **4.21. PROCEDURE:**

Two sets of plans and specifications shall be submitted for approval by the Design Review Board or the Developer (if the Developer is acting as the Design Review Board pursuant to the terms of the Declaration) before construction can commence. Such plans and specifications shall contain such information as the Design Review Board or the Developer (if the Developer is acting as the Design Review Board pursuant to the terms of the Declaration) may reasonably require, but shall in all cases include:

- a) The site plan showing the location of the structure on the Lot.
- b) Exterior elevations for the proposed structure.
- c) Specifications of materials, color scheme and other details affecting the exterior appearance of the proposed structure.
- d) Description of plans or provisions for landscaping and/or garage.

#### **4.22. VARIANCES:**

The Design Review Board or the Developer (if the Developer is acting as the Design Review Board pursuant to the terms of the Declaration) may grant variances from these guidelines if the following conditions apply:

- a) There are exceptional or extraordinary circumstances pertaining to the Lot in question that do not apply generally to other Lots, and
- b) Such variance is necessary for the preservation or enjoyment of a substantial property right possessed by other Owners in the properties, and
- c) Such variance will not be a substantial detriment to adjacent Lots, and will not materially impair these guidelines and the overall best interest of the Subdivision.

#### **4.23. COMPLETION:**

Construction of a home on any Lot shall be completed within one (1) year from the date construction is started. A home shall be completed when the yard is completely landscaped, utilities are turned on and a Certificate of Occupancy has been obtained from the local authorities.

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