

Explanation of how the requirement in Article XIX of the original covenants requiring "all brick, stone or other approved masonry construction" will be applied.

- (1) This requirement is limited to exterior walls (all sides) and foundations/steps of front or otherwise readily visible entrances.
- (2) This covenant does not pertain where requiring brick exteriors would defeat the purpose of an otherwise acceptable structure such as a greenhouse or tree house.
- (3) The plans will be considered to be in substantial compliance with the covenant requirement where the use of brick would not be consistent with normal architectural and engineering principles, including but not limited to offset dormers and gables that lack continuous load bearing support down to the foundation.
- 4) Discretionary exceptions. The Board may, in its sole discretion, approve plans not conforming to the above where consideration of a discretionary approval is recommended by the Architectural Committee or upon appeal from a failure of same to arrive at unanimous approval of a submission based on the "all brick" covenant language. The criteria governing such approval shall include but are not limited to the following:

The requested deviation is to be constructed of aesthetically appropriate low-maintenance materials; and

- (a) is entirely consistent with existing structures and uses within the community and does not represent a substantial deviation from same; or
- (b) is not readily visible from any street or public area; or
- (c) is otherwise consistent with the maintenance of appropriate appearance standards and property values in the community.

Cost of compliance standing alone shall not be sufficient to justify any deviation which does not also meet one of more of the above discretionary criteria. The Board will be required to set forth which of the above criteria it deems satisfied or other grounds upon which the decision to approve was based. No prior approval shall be the sole grounds for approval of any future application

Adopted December 12, 2012