



BUILDING GUIDELINES

IMPORTANT

In preliminary development of your site plan, floor plan and elevations, rely only on the recorded final plat.

SECTION I – INTRODUCTION

Rose Creek, a gated residential community, is located in the northwest quadrant of Oklahoma City, Oklahoma County, Oklahoma, and is conveniently positioned off Highway 74 (Portland Avenue) close to schools, shopping, recreation and medical and professional services. A total of 295 acres comprise the residential portion of Rose Creek. Seventy-five acres are dedicated for commercial development and multi-family housing outside the residential community, and 205 acres are dedicated to Rose Creek Golf Club, a semi-private 18-hole golf course and recreational facility.

A. AIM OF THE DEVELOPMENT.

The primary aim of the development of Rose Creek (the “Development”) is the achievement of a high quality, aesthetically pleasing and compatible residential community which strives to preserve the environmental setting as well as preserving and enhancing the value of each property owner’s investment.

B. ROSE CREEK APPROVED BUILDER PROGRAM

To help insure that aim, we are pleased to have an Approved Builder Program, comprised of highly qualified builders approved by the Property Owner’s Association’s Architectural Review Board (“ARB”). All builders in the Approved Builder Program (“Approved Builders”) must successfully complete an application and review process before they can receive a Rose Creek Building Permit. The ARB may deny a builder’s application if it determines, in its sole and absolute discretion, that the builder would not be compatible with the aims of the development, based on any and all information available to it when reviewing the application.

Compliance with the principles of these Building Guidelines, policies and decisions of the POA Board, ARB (including any conditions upon which decisions are made), or the Rose Creek Covenants, Conditions and Restrictions are essential for Approved Builders. Failure to do so may result in assessments and/or a builder being suspended or removed from the Approved Builder Program.

C. PURPOSE OF THE ARCHITECTURAL REVIEW BOARD.

The purpose of the Architectural Review Board (the “ARB”) is to enhance the value of each property owner’s investment by guiding the building design process in order to preserve the environmental ambiance and to facilitate a mutual goal of the Development. The members of the ARB, in their review process, will not dictate any particular architectural style or hinder personal design preferences as a rule. The ARB will strive to insure a cohesive character in the various interrelated communities. Traditional design details may be incorporated in the design, but “pure styles” which tend to create disharmony are discouraged.

SECTION II – ARCHITECTURAL REVIEW BOARD

All projects reviewed by the ARB are evaluated with consideration of the covenants for the property, aesthetics and current Building Guidelines. The ARB is concerned with all aspects

of aesthetics. The ARB is not responsible for the enforcement of building codes, structural details, accuracy of drawings, or techniques of construction. Submissions may be denied for purely aesthetic reasons determined to be, in the ARB's absolute discretion, contrary to the aims of the Development. The Board of Directors of the Property Owner's Association ("POA Board") may, in extraordinary circumstances, or when the ARB is not able to convene a quorum, act in the stead of the ARB.

There is a non-refundable review fee for all construction at Rose Creek. See Schedule of fees in Article IV.

Prior to making submissions to the ARB, owners are encouraged to meet with a representative of the ARB to avoid confusion about the approval process and to determine the acceptability of their design intent. The submission form must be received, along with all fees and deposits, by 5:00 p.m. the Monday prior to the scheduled meeting of the ARB. Late submissions may not be reviewed until the next meeting. Incomplete submissions may delay the approval process until the missing information is received. The ARB will meet on a regular basis as determined by the ARB.

The ARB endeavors to maintain a positive approach throughout the review process. It has been found through experience that letters of denial tend to be misunderstood and become difficult negatives to overcome. As a method of avoiding misunderstandings of these concerns, in addition to a letter it is preferable to meet with the applicant to review issues in a constructive and positive manner.

ARB approvals are valid for a period of nine (9) calendar months. Should construction fail to begin during this period, the plans must be resubmitted to the ARB and conform to current policy.

Review and approval of any application is made on the basis of aesthetic considerations only and neither the ARB nor any member of the ARB shall bear any responsibility for ensuring the structural integrity or soundness of approved new construction or modifications, nor for ensuring compliance with building codes or other governmental requirements. The ARB shall not be held liable for any injury, damages or loss arising out of the manner or quality of approved construction on or modifications to any home.

The ARB may delegate any of its authorities under the Rose Creek Covenants, Conditions and Restrictions or these Building Guidelines to an administrator or staff person. Instructions under such delegated authorities by an administrator or staff person should be regarded in the same manner as a decision by the ARB itself.

The current designated staff person and administrator for the ARB is:

- **Carrie Shockley: cshockley@rosecreekok.com - Phone: 405-330-3050**

All communications regarding the review of plans, questions about design or application of building guidelines must be directed through the designated administrator. In the event that subsequent approvals are needed, those approvals will be made in writing either by the chairman

of the ARB or the designated administrator. When necessary, the administrator can arrange for a member of the ARB to make site visits and discuss questions and concerns.

SECTION III – DESIGN GUIDELINES

A. GENERAL.

The following are architectural guidelines for construction in Rose Creek. All building within Rose Creek must comply with all applicable building codes, these Building Guidelines as applied by the ARB, the Covenants, Conditions and Restrictions for Rose Creek and the Planned Unit Development No. 783 filed with the City of Oklahoma City (“PUD”). These guidelines may be changed from time to time as determined by the ARB in its sole discretion. The design parameters in the guidelines will provide continuity for an aesthetically pleasing residential community.

B. GUIDELINES FOR CERTAIN HOMESITES.

As new neighborhoods are added to the community, additional guidelines or revisions to the existing guidelines may be implemented for specific neighborhoods. The following guidelines apply to certain home sites as indicated.

1. **Villas at Rose Creek.** Supplemental Guidelines have been prepared for the Villas at Rose Creek (Home site Nos. 91 through 112) relating to style, material and color. Please see a Rose Creek Representative to obtain a copy of the “Supplemental Building Guidelines for Villas.” Home site Nos. 91 and 112 must have a front façade facing Rainwater Trail.
2. **Home sites adjacent to Rose Creek Drive.** The following home sites must have the appearance of a front elevation facing Rose Creek Drive: Nos. 1, 12, 13, 25, 26, 35, 37, 38, 45, 54, 55, 65, 66, 75, 76, 78, 83, 84, 89, 90. Home sites which directly back to Rose Creek Drive (Home sites Nos. 37, 38, 75, and 76) must have a home designed and sited to have the appearance of two front elevations or treated in an otherwise visually acceptable manner as determined by the ARB. The rear yard setback requirement will apply to the east or west lot line, as applicable. The side yard setback requirement will apply to the north or south lot line, as applicable.
3. **Home sites adjacent to Prairie Sky Way.** Home site Nos. 36 and 44 must have a home designed and sited to have the appearance of two front elevations or treated in an otherwise visually acceptable manner as determined by the ARB.
4. **Home sites adjacent to Rainwater Trail.** Home site Nos. 80, 81 and 82 must have a home designed and sited so that the front elevation faces Rainwater Trail or is treated in an otherwise visually acceptable manner as determined by the ARB.

5. **Homes sites 566 through 584 (The Lakes).** The use of stucco board or any related stucco board product is strictly prohibited on these lots. Only true stucco is approved. The use of wood siding is strongly discouraged and may or may not be approved solely at the discretion of the ARB. Wood windows with or without metal cladding are required on front and rear elevations.

C. **BUILDING SIZES AND SETBACK REQUIREMENTS.** (If different than shown on plat, the more restrictive setback shall apply)

1. **Phase I and Phase II (the Grand and the Meadows as shown on the master plan):**

- a. Full Size. 2200 s.f. minimum for nongolf home sites
2500 s.f. minimum for golf/open space home sites
1500 s.f. minimum on first floor
20 ft. front setback
20 ft. rear setback for interior home sites
30 ft. rear setback for golf/water/open space home sites
6 ½ ft. side yard setback
- b. Villas. 2000 s.f. minimum
1500 s.f. minimum for first floor
15 ft. front setback
20 ft. rear setback for interior home sites
30 ft. rear setback for golf/water/open space home sites
5 ft. side yard setback

2. **Phase III (Brookside and South Hill as shown on the master plan):**

- a. Full size. 2500 s.f. minimum for nongolf home sites
3000 s.f. minimum for golf/open space home sites
1800 s.f. minimum on first floor
20 ft. front setback
20 ft. rear setback for interior home sites
30 ft. rear setback for golf/water/open space home sites
6 ½ ft. side yard setback
- b. Villas. 2000 s.f. minimum
1500 s.f. minimum for first floor
15 ft. front setback
20 ft. rear setback for interior home sites
30 ft. rear setback for golf/water/open space home sites
5 ft. side yard setback

On the following lots, the rear setback has been reduced from 30ft to 20ft to provide +a larger building envelope.

202	208	221	227	246
262	203	216	222	228
247	263	204	217	223
229	248	264	205	218
224	230	259	206	219
225	231	260	207	220
226	232	261		

3. Phase IV and Phase V (Prairie Sky and the Fairways as shown on the Master Plan):

- a. Full size.
 - 2500 s.f. minimum for nongolf home sites
 - 3000 s.f. minimum for golf/open space home sites
 - 1800 s.f. minimum on first floor
 - 20 ft. front setback
 - 20 ft. rear setback for interior home sites
 - 30 ft. rear setback for golf/water/open space home sites
 - 6 ½ ft. side yard setback

- b. Villas.
 - 2000 s.f. minimum
 - 1500 s.f. minimum for first floor
 - 15 ft. front setback
 - 20 ft. rear setback for interior home sites

 - 30 ft. rear setback for golf/water/open space home sites
 - 5 ft. side yard setback

On the following lots, the rear setback has been reduced from 30ft to 20ft to provide a larger building envelope.

444	445	446	447
448	449	450	451
452	453	454	464
468	482	483	489

4. Phase VI (Tall Grass as shown on the master plan):

- a. Full Size.
 - 2200 s.f. minimum for nongolf home sites
 - 2500 s.f. minimum for golf/open space home sites
 - 1500 s.f. minimum on first floor
 - 20 ft. front setback

- 20 ft. rear setback for interior home sites
- 30 ft. rear setback for golf/water/open space home sites
- 6 ½ ft. side yard setback

5. Phase VII (The Lakes)

- a. **Full Size.**
 - 3500 s.f. minimum for golf/lake/open space home sites**
 - 1750 s.f. minimum on first floor**
 - 20 ft. minimum front setback**
 - 30 ft. minimum rear setback golf/water/open Space homesite**
 - 6 ½ ft. side yard setback**

In computing the square footage, basements, open porches, carports and garages will be excluded.

D. DESIGN PARAMETERS.

The following applies to all home sites within Rose Creek unless otherwise directed by Supplemental Guidelines or Section B above. While these guidelines are intended to provide parameters for design and visual quality, they are not all-inclusive. In its review process, the ARB may consider the quality of workmanship and design, architectural intent, harmony of external design with existing structures, and location in relation to surrounding structures, topography, and finish grade elevation, among other things. ARB decisions may be based on purely aesthetic considerations. Variances to the following guidelines may be granted when deemed appropriate by the ARB in its sole discretion.

1. **Foundation.** There shall be no exposed foundation wall.
2. **Material.** The primary exterior finish, other than glass, of the exterior wall in all buildings shall be masonry (brick, stone or stucco). The use of stucco board has been approved in the past, but its use is strongly discouraged by the ARB and may or may not be approved on future submissions. It will be addressed on a per case basis.
3. **Height.** The maximum height for a residence shall comply with the PUD.
4. **Roofs.** The minimum roof pitch on primary roof for all residences should be 8 to 12 unless otherwise to achieve architectural intent. Roof material should have a 30-year minimum life and a weathered wood or similar color or be otherwise appropriate to architecture of residence.
5. **Roof Accessories and Equipment.** ARB approval is required for rooftop equipment and accessories, unless specifically accepted in this paragraph. All rooftop equipment must match roofing colors or be of a color that complements the house and must be placed as inconspicuously as possible. Exposed flashing,

gutters and downspouts must be painted to match the fascia and siding of the structure unless otherwise approved by the ARB. No exposed attachment straps will be allowed.

Any installed solar energy equipment must be approved by the ARB prior to installation and shall not be visible from the street or golf course. (Please provide any cut sheets and information on equipment with ARB submittal.)

ARB approval is required for skylights. Skylights should be placed in locations so as not to detract from the building elevations.

6. **Driveways.** Asphalt drives and parking areas are not permitted. Driveways and parking areas must be concrete or other hard-surface approved by the ARB. A curb along the entire length of the driveway may be required, at the sole discretion of the ARB, to insure run-off is directed away from neighboring properties. Community recreational amenities are exempt from this provision. Stained or dyed concrete can be approved however, application and color must be submitted for approval to the ARB prior to installation.*
***common community sidewalk may not be stained. It must be natural concrete color.**
7. **Flagpoles.** Flagpoles at residences are permitted but shall be submitted with cut sheet and specifications to the ARB and be properly located and in scale with the residence
8. **Decks, Patios and Pools.** Decks shall be no more than 2' off of existing or proposed grade. Views under decks shall be screened in a manner approved by the ARB. Decks shall be set back a minimum of 5' from property lines or any existing utility easement, whichever is greater. The ARB may grant variances to the location requirements on a case-by-case basis. Decks and patios must be similar to or generally recognized as complementary in color and style to the exterior of the residence. In ground pools are permitted as an integral part of the deck/patio area and/or rear yard landscaping and shall not adversely impact on neighbor's sight lines. Pools shall be fenced for safety purposes, and owners may be required to install safety devices such as locks or covers for these items when they are not in use. Above ground pools and dome-covered pools are not permitted.
9. **Lighting.** Exterior lighting shall be subdued and directed or reflected so as not to adversely affect neighbors.
10. **Garages.** Garages may be attached or built-in and must be at least two (2) cars wide. Where home site width permits, side entry garages are encouraged. If side entry is not possible, garage doors shall be divided so as to have two separate entries and treated in an architecturally appropriate manner. Garage doors shall not dominate the street view of the home. Automatic garage door openers are required on at least two garage doors.

11. **Accessory Buildings.** ARB approval is required prior to construction of any accessory building, including sheds or permanently installed playhouses. Accessory buildings must be of the same or generally recognized complementary style, color and material. Roofing material must match that of the main residence. Any utilities that service accessory buildings shall be installed underground. Accessory buildings shall conform to side and rear setbacks required by the City of Oklahoma City and shall not unreasonably obstruct view corridors. Outbuildings are not permitted.

12. **Chimneys and/or Fireplace/Firebox/Wood Burning Stove Ventilation.** The term “Chimneys” as used herein shall include any device, system, or structure (including vents or pipes) of any nature or kind that protrudes or extends above any exterior roofline and is designed to provide ventilation for any fire place, fire box, wood burning stove, or similar structure, system, or appliance designed to hold an open flame /fire. All chimneys must be covered with brick, stone, or stucco consistent with the materials on the residence, and designed and built in compliance with plans approved by the ARB, unless otherwise approved by the ARB.

The detail, design, and covering of any proposed chimney must be submitted to and approved by the ARB with the initial plan submissions or prior to any deviations or alterations to the plans for said chimney from those previously approved by the ARB.

Any ventilation system or structure of any nature or kind that will **not** extend or protrude above any exterior roofline; such as a direct vent fireplace, and that is designed to provide ventilation for any fire place, fire box, wood burning stove, or similar system, structure, or appliance designed and intended to hold an open flame /fire must be submitted to and approved by the ARB with the initial plan submissions or prior to any deviations or alterations to the plans for said ventilation from any previously approved submission to the ARB. Said submission should identify the method, location, and placement of said ventilation.

13. **Fences.** Extensive installation of perimeter fences in Rose Creek is discouraged. However, fences may be necessary to enclose areas for safety, security or privacy reasons. All fences, walls and barrier devices shall require ARB approval prior to construction or installation. In order to maintain the visual and aesthetic integrity of the golf course, Common Areas and open spaces, all home site boundaries adjacent to the golf course, Common Areas and other locations as determined by the ARB shall have open fencing as described in this paragraph or no fence at all. Following is a description of the acceptable styles for both privacy fencing and open fencing.

a. **Open Fencing.** Locations requiring open fencing or no fence at all will be dictated by the ARB. Open fencing shall be 4' high black steel tube

fencing as specified on the illustration attached as Appendix A. If a fence is built between residences in these areas, the same black steel fence is to be constructed to the actual building setback. The ARB will review each home site on an individual basis and make appropriate adjustments to this fencing plan.

- b. Privacy Fencing. Privacy fences between property lines within Rose Creek may be constructed of wood and should be an integral part of the design of the residence. Columns may be no higher than 7' and fences no higher than 6'.

Wood fences must be constructed of rough-sawn cedar and capped with a minimum 2" x 6" cap as specified on the attached as Appendix B. The top of fence will follow existing grade and slats must be plumb. Fence posts shall be set no more than 8' apart and set in concrete and the ARB strongly recommends the use of cedar clad steel posts. Wood slats shall have a minimum width of 4" and a maximum width of 6". All sides of wood fences shall be stained before deposits will be refunded. Check with the ARB for approved colors.

Only open fencing will be permitted to extend beyond the front face of the exterior wall that contains the primary residence's front entrance. Any fencing beyond the wall of the residence's front entrance shall require approval by the ARB. No double walls or fences on common property lines will be permitted. Plastic and chain link materials are not acceptable for fences.

Any fences, whether constructed by the owner or the Builder, shall be well maintained. It is the owner's responsibility to keep the fences maintained and repaired at all times.

14. Drainage. No activity shall occur on any home site prior to, during or following construction that would impede natural drainage. No grading, scraping, excavation or other rearranging or puncturing of the surface of any home site shall occur which will or may tend to interfere with, encroach upon or alter, disturb or damage any surface or subsurface utility lines, pipe, well or easement. No activity or improvement shall direct drainage so as to negatively impact adjacent lots, golf course or other existing improvements. All downspouts, with the exception of those emptying on the driveway, must be placed in pipes and directed to either the street or away from neighboring dwellings. Special attention during final grade must be made to avoid low spots that would create standing water in side yards and positive drainage away from the house with a minimum of 2% grade for 5 feet. Prior to commencement of ground disturbing activity, owner shall call **OKIE ONE at 800/522-6543** to locate any and all subsurface utilities, pipelines, etc.
15. Satellite Dishes. Location of satellite dishes must be approved and dishes must be approved by the ARB. Maximum dish size is 24" in diameter.

16. **Burglar Bars.** No burglar bars are permitted.
17. **Windows.** No reflective glass or reflective tinting is permitted on windows. Wood windows with or without metal cladding are required on the front façade of the residence.
18. **Utilities.** Owner is responsible for location of or damage to any existing utilities.
19. **Landscaping.** See Section V for a complete discussion of landscaping requirements. The landscape design for each home site must be approved in advance by the ARB.
20. **Irrigation.** Sprinkler systems are required. See Section V for a complete discussion of irrigation requirements.
21. **Retaining Walls.** A retaining wall will be required if the finished floor elevation is 24” higher than existing grade on the downhill side property line, on a 5’ setback and 30” on a 6 ½ ft. setback. All walls more than 4’ tall must be certified with the seal of a Registered Engineer. The determination of need for a retaining wall of any height can be made by the ARB at any time during the course of construction, at its sole discretion. All retaining walls shall be of a masonry product, consistent or appropriate with the exterior appearance of the individual home Architecture.
22. **Mailboxes.** All homes will require the Rose Creek approved mailbox. Contact the ARB for specifications and availability.

SECTION IV – REVIEW PROCESS

A. GENERAL.

Construction within Rose Creek, including site preparation, shall not begin before the following has been accomplished:

1. Final plans have been approved by the ARB;
2. Receipt of contractor’s deposits for site compliance and landscape compliance;
3. Receipt of signed Letter of Approval.

All fees and deposits stated in these Building Guidelines apply to all homes built in Rose Creek. In its sole and absolute discretion, ARB may require builders who disregard or abuse the building guidelines, decisions of the POA Board, ARB (including any conditions of those decisions), or the Rose Creek Covenants, Conditions and Restrictions to put up additional deposits. Egregious or repeated violations may cause a builder to be suspended or removed from the Approved Builder Program.

B. APPLICATION REQUIREMENTS.

To provide a systematic and uniform review of proposed construction, the ARB has established the following submission and approval guidelines. All proposed construction requires submission of a completed application, signed and dated, and with the proper fee. (See following schedule of fees.) Plans will not be reviewed without the completed application and applicable fee and deposits.

C. STAGES OF PLAN REVIEW.

1. **Conceptual Review.** No fee is required for this review. The submission should contain information depicting the exterior for the proposed building with information as to materials and colors. A scale drawing of the site plan with the footprint within setback lines should be included.
2. **Preliminary Review.** No fee is required for this review. When the concept review has not been requested, this submission should include a site plan with setback lines, drainage plan, preliminary floor plan and elevations with materials clearly indicated. Drawings shall be to scale.
3. **Final Review.** This review is based on the premise that either the concept or preliminary reviews have been made. Plans receiving preliminary review and having their concerns (if any) addressed will likely receive final approval, and any further concerns the ARB may have during final approval will be addressed as *conditions* to the approval. With a conditional approval, the remainder of this review will be handled by the staff to insure that both parties are in agreement. All plan sizes shall be 24" x 36". The final review submission requires complete application for residential construction and applicable fees.
4. **Appeals.** In the event that the ARB denies an application, the staff will communicate to the builder the reasons for the decision. Aside from modifying the plans and resubmitting them for reconsideration, the builder may appeal the ARB decision to the POA Board. Appeals must be made in writing to the staff describing why the ARB erred in making its decision and why the application should be approved. In making its decision, the POA Board will give significant weight to rationale behind the ARB's decision and staff's recommendation, if any.

The completed working drawings including:

Site Plan (scale 1" = 20' on 11x17 papers) including:

- Finished Floor Elevation, Elevations of property corners, center of building, culvert inlets, and edge of roadway;
- Tree survey showing location and species of trees 3" diameter at breast height ("DBH") or larger;

- Setback lines and existing easements; Building outline including any outbuildings and service yards
- Drives, parking areas, walks, patios, etc.; (type and color of material of these items must be approved by the ARB (**asphalt not allowed**)); pursuant to PUD 783 and local zoning ordinances located in the right of way adjacent a 4' sidewalk is required to be constructed by the builder at the time of construction of a home. The sidewalk shall be located 4' behind the back of the curb and may contain no color or stain of any kind.
- Drainage and grading plan with the existing contours indicated by dashed lines and proposed grades indicated by solid lines; the drainage pattern shall be indicated by arrows to show that the final grading will not direct drainage onto adjacent properties. It is the responsibility of the owner and owner's agent to insure that drainage is in accordance with the approved plans and the master drainage plan of the Development;
- Location and identification of special features such as drainage ditches, easements, retaining walls, etc.; and
- Notation of location of condensing units, utilities, existing phone pedestals, transformers, water and sewer services and connections.

Floor Plan(s) detailing square footage per level and total and showing the roof outline, entry steps, service yard details such as screening and all other architectural features (1/8" = 1' or higher).

Roof Plan indicating the roof pitch, an outline of the building walls below, the roof outline and any other pertinent features.

Elevation Drawings must include all four (4) elevations, indicate existing grades and finished grades, exterior finishes of materials, roof pitch, window and door designs, service yard enclosure, screening of meters and equipment and any other pertinent information such as the windscreen for chimney.

Color and Material Specifications to be used on the exterior must be identified in the Application. If requested by the ARB, a sample board with samples of the actual materials and their colors are to be submitted on a rigid 8 1/2" x 11" board.

Detail Drawings showing wall sections, service area enclosure details, and other architectural details. A schedule of window types and finish colors would help in the review process.

Electrical Plan(s) shall show the location of the meter setting, locations and specifications and fixtures of exterior lighting including security lighting and other electrical equipment for pools, etc.

Landscape Plan shall be submitted with the final review package. Changes to these drawings will be handled at field inspection. They must meet or exceed the standards approved on the original landscape plan. Drainage plan must be shown on landscape plan.

Grading Plan shall be submitted indicating drainage plan; any proposed grade changes and proposed erosion control devices if not included in site plan.

D. ON-SITE STAKE-OUT.

After all conditions for final review are met and before lot clearing can commence, a stake-out of the building, drives, and service yard must be installed and approved by an inspection performed by representatives of the ARB. For stake-out review, the property lines and foundation perimeter must be materialized on the site by a series of stakes (a minimum of three [3] feet exposed) connected by string or by chalk outline. To avoid delay between stake-out and commencement of construction, adequate notice should be given (48-hours preferred) as described in Section IV.H. to ensure the availability of an inspector. During on-site inspection, owner or builder shall indicate the proposed location of the dumpster, portable toilet, material staging area, employee parking area, construction fencing for side and rear lot lines, and any other construction-related activity. The request for inspection should be made by calling 405/330-3050

E. PROGRESS INSPECTIONS.

The progress of construction will be monitored to insure that compliance with the approved project's design as submitted for review is taking place.

SECTION V – LANDSCAPING

A. GENERAL.

1. In order to assure all residents of Rose Creek that the community will continue to be an attractive and pleasant place to reside, the ARB requires a landscape plan for all new residential construction. A building permit will not be issued to the contractor until a landscape deposit; made payable to Rose Creek POA is received. Please submit a landscape plan for approval at least 30 days prior to completion of construction. Landscape plans must be professionally prepared on a site plan indicating topo, showing existing trees, if any. The plan should be drawn at a scale of 1/8 inch equals one foot and should graphically illustrate location and sizes of all trees, plant material, lawn, mulched areas, and open areas. A complete plant list must be included, indicating both common and scientific names, plant height at time of planting, and plant quantities. Please refer to the Rose Creek Building Guidelines for a complete list of requirements. Upon completion of the landscaping as per the approved plan, the landscape deposit will be refunded with all interest earned.

B. OBJECTIVES.

All home sites, after construction, require landscaping. The design of the landscaping will vary, depending on size, shape, topography, and location of the property and the design of the structure. It is the intent of the landscaping to accomplish the following objectives:

1. **Beautify.**

- a. Soften vertical structure from the horizontal ground plane, with foundation plantings of sufficient density and size to break the line between ground plane and structure. Planting should be a mixture of evergreen and deciduous plant materials to provide for a year round landscape presence.
- b. Soften the impact of corners and broad wall areas with vertical and spreading foliage.
- c. To soften and reduce apparent height of house, foundation planting at the front should be layered from the ground plane using small plants towards the front and then transitioning up to larger plants near the foundation. A single row of uniformly spaced plants of equal size arranged in a single row along the foundation is not acceptable. Installing plant material of different sizes and textures in natural groupings is a preferred alternative.

2. **Screen.** Visually screen compressors, tanks, service yards, transformers, telephone pedestals, recreation equipment, parking, driveways, patios and other hard or unsightly areas.

3. **Restoration.** Any damage to neighboring lots caused during construction must be restored to the satisfaction of the ARB prior to completion of the home.

4. **Drainage.** It is the responsibility of each owner to handle surface water on the home site to minimize impact on adjoining property and insure that water is moved to the appropriate areas to interface properly with the Development's master drainage plan (*refer to Design Guidelines Section III.D.14.*)

5. **Phasing.** This approach to landscaping is approvable; however, the initial phase must meet the minimum Rose Creek requirements.

6. **Conservation.** Owners are also encouraged to plan for the conservation of water by planting native and drought resistant species.

7. **View.** Taller plantings and recreation equipment can not be placed in the neighbor's view line. Existing vegetation will be allowed to remain in the view line. The view line is defined by starting at the left and right rear property corners and proceeding twenty (20) feet toward the front corners and twenty (20) feet toward the center across the rear property line. These two new points, near each

corner, when connected form triangles that should remain free of obstructions for neighbor's view corridors.

D. PLANS.

1. **Landscaping.** The landscaping plan must be professionally prepared on a site plan indicating topo, existing and proposed vegetation. The plan should be drawn at a scale of 1/8 inch equals one foot. The plan should graphically illustrate location, lot number, adjoining lot border lines, nearest structure lines on adjoining home sites, sizes of plant material, lawn, mulched areas, and open areas. A schedule must be included on the planting plan indicating the following specifications for each plant:
 - Common name
 - Plant height at time of planting (2 gallon minimum)
 - Plant quantities
 - Identify grass and mulched areas
2. **Identify Trees.** Existing trees of 3" DBH, and above, must be identified as to exact location, size of trunk (DBH), genus name, and where possible, the species. No existing trees shall be cut, removed, transplanted or damaged without approval by ARB.
3. **Features and Surface.** All existing site features such as roads, walks, structures on adjoining home sites, bike paths, walls, etc. are to be graphically noted on the Landscape Site Plan. All surfacing materials are to be noted (as to whether they are concrete, grass, planting beds, etc.). **Texturing or other surface treatment of concrete paving is to be indicated and should include color presentation.**
4. **Sod Requirement.** All lawn areas must be covered with sod.
5. **Tree Requirement.** A minimum of two (2) trees is required in the front yard and a minimum of two (2) trees is required in the rear yard. Trees planted under this requirement must be a minimum size of 2" caliper. Trees and shrubs must be planted in accordance with the approved plan within the time frame outlined in Section V.A. At least one tree in the front and one tree in the rear yard must be of the shade tree variety. Ornamental trees do not count towards the tree requirement; please refer to the Rose Creek approved plant list.
6. **Irrigation.** All home sites must have an underground, automatic timer controlled irrigation system to adequately irrigate all planting beds and grassed areas of the home site. Spray should be contained to the home site. The ARB may require relocation or redirection of spray if adjacent home sites, streets or golf course are affected. The ARB is not responsible for the system's performance or function. The ARB shall not be held liable for any injury, damages or loss arising out of the manner or quality of approved irrigation systems.

SECTION VI – CONSTRUCTION REGULATIONS

A. GENERAL.

These Construction Regulations are intended for compliance by all contractors, subcontractors, material suppliers, maintenance personnel and any others engaged in construction or related activities in Rose Creek. These Regulations are not intended to restrict, penalize or impede construction activity during reasonable performance of duties while within Rose Creek. Rather, they will be enforced fairly to achieve the objectives enumerated below and in the Covenants, Conditions and Restrictions for Rose Creek and to facilitate orderly and controlled construction activities, thereby preserving the overall quality of Rose Creek's appearance. Violations are subject to assessments and repeated violations may be cause for denial of access.

B. GUIDELINES.

1. **Site Clearing.** Site clearing or construction on any property within Rose Creek is not permitted without first obtaining final approval from the ARB (see Section IV.D).
2. **Trash Receptacles.** Each building site must have a trash receptacle, Rollon Dumpster (10-yard minimum), for construction debris and is to be emptied or removed when full. Dumpster must be placed on jobsite prior to commencement of framing. The dumping of construction trash is not permitted inside Rose Creek and must be removed by covered truck. Wind-blown trash pickup is required.
3. **Portable Toilets.** One (1) portable toilet will be placed on job site prior to any on-site construction. Clean and sanitary conditions are required for all toilets.
4. **Nuisances.** No loud speakers are permitted on building sites. Inappropriate volume levels on radios, stereos, etc. will not be permitted.
5. **Construction Hours.** The construction gate will be opened at 7:00 am and closed at 7:00 pm Monday thru Saturday. No work on Sunday and certain holidays. All construction vehicles and crews must be off premises prior to closing of the construction gate. Any violation will be subject to fine and/or expulsion from future work in Rose Creek.
6. **No Pets.** Pets are not allowed on building sites.
7. **Compliance with Architectural Review Board Approval.** All buildings and landscape plans must be approved in writing by the ARB, and the owner and the building contractor are jointly responsible that approved plans are followed in all aspects with respect to the exterior of the house and grounds. Construction is to be complete to a point of having the exterior finished and landscaping in place in

accordance with the approved plan within twelve (12) months of commencement. Any change to the exterior of the house, siding, driveway, garage, etc., must receive prior approval from the ARB. Failure to comply may result in an assessment. See Schedule of Assessments below. The ARB reserves the right to levy any assessment for violating construction regulations against deposits held on account with Rose Creek POA.

8. **Signs.** To minimize visual clutter, only one approved builder sign and one approved real estate sign per homesite. Any subcontractor signage of any kind is not approved and subject to a fine. For Rose Creek approved sign information please call 330-3050. A sign stanchion specification will be provided by Rose Creek. Individual contractors will be responsible for providing a sign stanchion per Rose Creek specifications. Call 405/330-3050 for placement and coordination.
9. **Erosion Control.** Each owner shall be responsible for the installation and maintenance of all necessary erosion control devices and shall at all times keep erosion control devices in good working order. A temporary gravel driveway must be installed and maintained at all times during the course of construction. Any failure of erosion control devices and subsequent clean-up shall be the responsibility of the owner. Failure to perform clean-up will result in an assessment, as outlined in the Schedule of Assessments. In the event landscaping is delayed to meet optimal planting seasons, owner shall be responsible for establishing and maintaining turf to minimize erosion. Receipt of a Rose Creek acknowledgement of compliance will depend upon compliance with erosion control provisions.
10. **Repair to Damaged Property.** Damage or scarring to other property, including, but not limited to, open space, other home sites, roads, driveways, sidewalks and/or other improvements whether surface or subsurface will not be permitted. If any such damage occurs, it shall be repaired and/or restored promptly at the expense of the person causing the damage. Upon completion of construction, each contractor shall clean the construction site and repair all property including adjacent property damaged as a result of construction activity, whether above surface or subsurface, which was damaged, including, but not limited to, restoring grades, restoring vegetation, planting shrubs and trees as approved or required by the ARB and repairing streets, driveways, pathways, sidewalks, culverts, ditches, signs, lighting, and fencing, etc.
11. **Schedule of Assessments for Violations of the Rules and Regulations for Rose Creek.** The following is a Schedule of Assessments that will be enforced when a contractor or owner violates the Covenants, Conditions and Restrictions of Rose Creek and/or these Building Guidelines. The assessments collected will be used for grounds beautification in Common Areas and will not be refunded to the contractor or owner. Assessments will be taken from the contractor's deposit. Any remaining deposit will be returned to the contractor upon issuance of a Certificate of Occupancy and final installation of landscaping. Assessments

levied by the ARB due to violations may be appealed, in writing, with appropriate justification, to the Chairman of the ARB.

Schedule of Assessments

Type of Violation	Assessment
Not providing, emptying or maintaining trash dumpster (10 yard minimum) during construction. Must be in place when framing begins.	\$ 100 per day
Failure to provide properly sited portable toilet. Beginning with stakeout.	\$50.00 per day
Failure to provide adequate size gravel placed from garage to street. Must be in place prior to delivery of lumber package.	\$100.00
Clearing of site without stake-out approval.	\$500 per violation
Failure to install or maintain erosion control or clean up after an event causing mud in the streets and/or adjoining home sites.	\$250 plus the cost of clean-up
Curfew Violation - Work 7:00 AM to 7:00 PM.	\$250 per violation
Failure to adhere to the ARB approved plans or changing the elevations without ARB approval.	\$500 per violation. This violation warrants possible expulsion of responsible contractors.
Improperly hauling trash.	\$100 per violation and/or revocation of vehicle access and cost of clean-up
Pets at worksite.	\$50 per violation.
Use of signs not approved by Rose Creek ARB	\$250 per violation
Trash fires.	\$100 per violation
Excessive Noise	\$50 per violation.
Infringement or Trespassing on adjoining properties without express approval or damage to common areas or neighboring property.	\$250 per violation

ADDENDUM TO ROSE CREEK BUILDING GUIDELINES

Following is the schedule of fees and deposits required for ARB approval.

ARB Submission Fee for Single Family Residence	\$ 525
Landscape deposit	\$ 5,000
Contractor's damage deposit	\$ 3,500
Builder access fee on vehicle (payable annually)	\$ 500
Remodels/ Pools contractor damage deposit	\$ 2,500

Upon paying all applicable fees and deposits, all builders shall contact the Rose Creek Gatehouse to secure a Builder Pass