

Brittany Forest Home Owners' Association

14244 West 123rd Terrace

Olathe KS 66062

ARCHITECTURAL RULES

Purpose

The purpose of these architectural rules is to preserve and enhance the values and attractiveness of our neighborhood. It is not meant to discourage any improvement by homeowners. On the contrary, exterior improvements not only enhance individual homes, but also contribute positively to property values and ambiance. The intent of these rules is to protect all homeowners by assuring that new constructions and improvements are consistent with the harmony of exterior design within our association, located appropriately with regard to surrounding structures and made of high-quality materials and workmanship. The rules shall interpret and implement the provisions of our Declarations and Covenants by setting forth the standards and procedures for the review and approval of proposed improvements. This includes setting guidelines for architectural design, placement of any improvement; color schemes, exterior finishes and materials; and similar features which are recommended for use within the property, provided that said rules shall not be in derogation of the minimum standards required by the Declarations and Covenants. In the event of any conflict between these rules and the Declarations and Covenants, the Declarations will prevail.

Procedure for Architectural Approval

The Board of Directors will appoint an Architectural Committee to oversee the Architectural Rules and approve any improvements. The Architectural Committee shall be entitled to allow reasonable variances with respect to the Declarations and Covenants or any restrictions specified in order to overcome practical difficulties, avoid unnecessary expense or hardship. In general, any home and or property changes involving change in painting color scheme, new construction, additions, alterations, modifications, fences, decks, screens, major landscaping, gardens and other structures must be approved by the Association's Board of Directors as stipulated by the Covenants. This applies to builders of new homes as well as existing homes. It also includes exterior repairs or reconstruction because of hazard damage. To obtain approval for proposed improvements, homeowners must submit a written request to the Association Board using the Architectural Request Form found on our website. The request must include plans, specifications, location, material, dimensions, and nature of the proposed modifications. Once the request has been reviewed, and a potential site visit conducted, the Architectural Committee will generally make a quick decision and communicate said decision to homeowner. In certain instances, the committee will delay a decision in order to make a recommendation to the Board of Directors, which will be considered as soon as feasible. Homeowners are welcome and encouraged to provide input to the Board of Directors throughout the approval process. Any plans and specifications containing incomplete or missing information shall not be deemed approved.

UNAUTHORIZED MODIFICATIONS

For modifications made without Architectural Committee approval, the Board of Directors may seek legal counsel, file lawsuit, levy fines, and withhold pool privileges or demand removal or alteration of the modifications. The Board of Directors is empowered to make changes to unauthorized modifications at the owner's expense and treat the cost as additional assessment on the lot, secured by a lien.

Changes Which Do Not Require Approval

The Board of Directors has adopted a policy that the following exterior modifications will not require approval:

- Minor landscaping and flower boxes,
- Children's play sets or swing sets.
- Portable or inflatable wading pools up to two feet in height located in backyards.
- Repainting with ONLY existing or nearly identical colors.
- A single 18" satellite dish per residence, which is not visible from the street.
- Storm doors in materials and colors consistent with the color of the house.
- Gutters in material and colors consistent with the color of the house.
- Removal of dead trees and replacement with new trees.

Prohibited Changes

Some modifications will not be approved. The following are prohibited by the Declarations and Covenants:

- Detached structures with walls and/or roofs.
- Clotheslines
- Dog runs and pens
- Swimming pools (except as described above)
- Antennas and satellite dishes (except as described above)
- Designer and novelty mailboxes
- Split rail and chain-link fences

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Guidelines for Typical Architectural Requests

In dealing with individual requests, the Architectural Committee will consider harmony of design and location, topography, visibility, suitability of materials and workmanship, and effect on property values. This means requests will be considered individually; what is approved for one lot may not be approved for another if those considerations are substantially different. However, in general the same guidelines will apply to all lots. The following guidelines for typical architectural modifications are the current policy of the Declarations and Covenants. All of the following modifications require approval. However, this is not a complete list; the absence of an item does not mean approval is not required. If in doubt, submit a request.

Decks, Patios, & Pergolas. Deck frame and floors should be made of pressure-treated wood or other suitable material which includes composite decking. Rails can be a combination of wood and/or metal. They should be of reasonable height. Patios can be made of concrete, brick, stone, or pressure treated or composite wood. Pergola design must be submitted for approval.

Porches and Decks. Materials, colors, and design should be consistent with the house.

Mailboxes. Mailboxes should be a "standard" size and shape. Posts must be 4X4 or 6X6 and set in concrete.

Fences. Fences should be made of wrought iron, decorative masonry, pressure-treated wood, or resistant woods like cedar or redwood. Fences must not cross property lines and may not be placed in the front or side yard. Consideration for exceptions will be made due to structural constraints, lot shape, cul-de-sac lots (meters, faucets, property lines, doors/windows, and A/C units). If the fence extends beyond the rear building line, shrubs may be required to help hide the fence. The "good" side, e.g., the picket side, must face outward from the lot. Fence height is limited to six feet in height.

Gardens and Landscaping. Gardens (in back yard only) and minor landscaping do not require approval. Major landscaping impacting the street view or greater than 100 square feet must be approved. In addition, hedges, trees, and shrubbery near property lines or streets that might impair sight lines must be approved.

Exterior Painting. Repainting with colors other than colors nearly identical to existing colors requires approval. The Board will consider the consistency of the overall color scheme with the color of neighboring houses.

Vinyl Siding. In an effort to establish minimum guidelines for the installation by contractors and homeowners the Board of Directors requests that the following list be used to insure the use of a minimum quality of materials. Vinyl Gauge: .044 or higher. Colonial Bead Flat only. Proof of lifetime transferable warranty. Workmanship must match doorjamb and window case specification. Siding on new construction must start with 1/2" plywood equivalent underlayment. Color sample must be submitted with Architectural Request

Building Permits. For projects that require building permits, the approved permit and inspections must be available for Board inspection. Any project that requires a building permit must be approved by the Architectural Committee, but not necessarily prior to applying for a permit. The Architectural Committee expects each homeowner to obtain the appropriate permit from governing agencies; that is, Board approval does not indicate city-zoning approval.

Retaining Walls. Must be constructed of stone, brick, or similar decorative masonry.