

Design Review

**Guidelines**

&

**Declaration of Covenants, Conditions** &

**Restrictions**

 2021



CONTENTS

# .Section I. Design Review Guidelines

Section II. Declaration of Covenants, Conditions and Restrictions and Reservation of Easements

TABLE OF CONTENTS

Description Page

[INTRODUCTION 1](#_TOC_250001)

DESIGN REVIEW PROCESS

Concept . . . . . . . . . . .• • . • • . • . .• . • . • 2

Design Review Committee 2

[Preliminary Plans . . . . . .. . . . .. . . .. .. . .. 3](#_TOC_250000)

Final Approval . . .• • . . . . • 3

Site Inspections 4

DESIGN CRITERIA AND MATERIALS

Building Setbacks . . . . . . . • 5

|  |  |  |
| --- | --- | --- |
| Exterior Materials..................... | 5 |  |
| Walls and Fences . . . . . . . . . . . . . . . . . . . . . | 6 |
| Mailboxes . . . . . . • . . • . . . . . . . . . . . . . . . . | **7** |
| Exterior Lighting . . . . . . . . . . . . . . . . . . . . . | 7 |
| Pools and Tennis Courts . . . . . . . . . . . . . . . . | 7 |
| Solar Energy . . . •. • . . . . . . . . . . . . . . . . . . | 7 | . |
| Heights and Size Restrictions . . . . . . . . . . . . | 8 |  |

LANDSCAPING

Vacant Homesites 9

Natural Features . . . . . . . . . . . . . . . . . . . . . . 9

Grading and Excavating . .• . . . • . . . . . . . . . . 9

Landscape Plan . .• • • •. • • . .• . .• • .• . . . . . . 9

Landscaping Bond • • .• • .• . . . . .• 10

GENERAL COMMUNITY STANDARDS

#### Temporary Improvements• . .• . . .• . • • . 10

Refuse and Storage Areas . . . . . . . . . . . .• . . . 10

Site Cleanliness • . . . • • . • . . . . . . . .• • 10

### Sign’s 11

Remodeling and Additions . . . . • • • 11

### INTRODUCTION

**Design Review Guidelines**

Wetherington is a unique residential community that encompasses 350 acres of natural rolling hills, indigenous hardwoods and gently flowing creeks. The natural beauty of *this* land combined with an Arthur Hills golf course, clubhouse and swim and tennis facility will establish Wetherington as one of Cincinnati's premier country club communities.

Great care has been taken in the planning, design and construction phases of the community to ensure that Wetherington’ s natural beauty is retained for years to come. To *this* end, is paramount that the housing designs and construction process are closely monitored so as to make the homes in Wetherington as special and aesthetically pleasing as the land itself.



**DESIGN REVIEW PROCESS**

To accomplish the Design Review Committee's goal of architectural integrity and balance with the existing environment, all building designs, site plans, landscaping plans and color combinations must be considered and approved by this group prior to construction.

Neither the Design Review Committee, nor the design criteria that it will utilize, seek to make judgments as to what is beautiful or not beautiful. The objective is not to discourage creativity nor infringe upon the freedom of individual expression. Indeed, design creativity is not only welcomed but encouraged.

The Design Review Committee and design criteria seek only to coordinate the many directions of all residents, to create harmony with the natural environment, and to protect the mutual interests and individual investments of all Wetherington residents.

**DESIGN REVIEW COMMTITEE**

The Wetherington Design Review Committee will consist of three to five members who will be Architects, Planners, Engineers, or Developers by profession. The Developer shall appoint the Board's members until it becomes a committee of residents.

The Board will review plans at the schematic design stage and at the completion of working drawings. Currently, the Board consists of:

Three (3) Representatives of the Developer One (1) Resident of the Community

The address of the Committee is 3650 Park 42 Drive, Cincinnati, Ohio 45241. Meetings of the Design review Committee shall be on an as needed basis. The Committee shall exercise

diligence in acting upon building plans promptly so as not to delay planning, design, or construction process.

Plans will be reviewed according to the guidelines hereinafter included. No construction, tree removal, or site alteration shall commence on any lot without written approval of the Design Review Committee. No exterior alteration or addition, including exterior staining involving a

color change shall commence without written approval of the Design Review Committee. The basis for approvals shall be the approved plans as submitted and on record. Proposed changes in plans following approvals must be resubmitted in writing to the Design Review Committee.

The Committee Chairperson shall have the authority to determine if such change is sufficiently minor as to be inconsequential to the character and quality of the development, in which case the Chairperson may approve the change without full Committee review and approval. The developer may in accordance with the Declaration, replace any existing members of the Design Review Committee or appoint additional Design Review Committee members.

### PRELIMINARY PLANS

I

Prior to commencing preparation of working drawings (final engineering and architectural). the builder or homeowner shall submit to the Design Review Committee preliminary plans to conceptual acceptability; two copies of the plans shall be submitted to the office of the Homeowners Association. Preliminary plans shall include:

1. A site development plan showing proposed building location, and driveway location, any proposed change in existing topography, existing trees of 4" or greater in caliper and proposed retaining walls.
2. Sketches of building elevations showing exterior appearance of all sides.
3. Sketch of building floor plan.

The Design Review Committee will review the sketch plans and promptly return them to the builder or homeowner with comments, enabling the builder or homeowner to proceed with detail design and preparation of final working drawings.

FINAL APPROVAL

Prior to commencement of any construction activity, two copies of complete site development and building plans to scale shall be submitted to the Design Review Committee. These plans must include:

1. grading plan showing finished contours
2. existing environment features (e.g. ravines, creeks, significant tree stan and the like)
3. proposed building pad with dimensions and lot setback distances
4. proposed retaining walls
5. driveway location with dimensions and type of surface materials
6. complete architectural plans and specifications including structural details. floor plans, decks, or balconies and elevations clearly depicting the design and exterior appearance including types of materials, color trim and detail for each side of the structure
7. landscape plan

SITE INSPECTIONS

The Design Review Committee shall have the right to enter upon and inspect any property at any time before, during and upon the completion of work for which approval is necessary. Upon completion of construction, the builder or property owner shall provide the Design Review Committee a final "as built" survey and a copy of the certificate of occupancy; if applicable. If the improvements to include landscaping arc considered substantially complete and no expansion affecting adjacent areas has occurred, then the Landscape and Erosion Control Deposit (LECIJ) will be released. If improvements are not satisfactorily made, then the LECD shall be used to complete said improvements.

Builder and Property Owners are forewarned that the Declaration provides for the remedy or removal of any non-complying improvements. The cost of the remedy or removal shall be borne by the builder and or the property owner. Union Township will not issue a zoning certificate required for building permit unless an approved Design Review is received.

DESIGN CRITERIA AND MATERIALS BUILDING SETBACKS

The Design Review Committee has provided setback requirements to ensure that the community will be pleasing in appearance from views not only from the street but also from the golf course. Each Architect and Designer should carefully consider the natural characteristics of the site and work within the review process to achieve the long-term aesthetic goals of the community.

INTERIOR HOMESITE

Front: 40'

Side: 10' minimum, tot.al of 25'

Rear: 30'

CORNER HOMESITE

* + Front: 40'

Street Side: 40', O er Side 10'

Rear: 30'

GOLF COURSE HOMESITE

Front: Side: Rear:

Golf Course Easement:

40'

10’ minimum, tot.al of 25'

30' from golf Couse easement

Varies with site

All setback requirements may be modified due to unique site characteristics that dictate such

change to preserve the aesthetic integrity of the particular site or the community as a whole.

"Outdoor" elements of the house which are attached to the home, (such as decks, porches, wing walls and such) arc considered to be part of the house proper and will not be allowed to encroach into side or rear yard setbacks, except as variations in the case of unique site characteristics,

which the Committee may consider on a case-by-case basis. Patios, driveways, walks, etc., may

usually encroach into setback areas.

**EXTERIOR MATERIALS**

The exterior of each residence should be consistent with the high quality of the overall community. To this end it is required that all exterior finish materials be consistently applied to all sides of the building. Recommended materials include brick, stone, stucco, Dryvit or wood. Hardie plank type products can be used for siding, trim and soffits. Aluminum may be used for soffits and fascia.

The composition of all pitched roofs is to be cedar shake shingles, slate, concrete tile or architectural shingles. All roof pitches must have at least an 8/12 slope.

Any exposed portion of a chimney must be constructed solely of brick, stone, stucco, or wood. If the firebox is a prefabricated metal type with a metal spark arrestor, this must have a cowling or surround of a material approved in advance by the Design Review Committee,

The garage doors of each home should have a side entry type access unless the Design Review Committee grants an exception where the size or shape of the home site would preclude a functional approach to the garage.

All exterior mechanical equipment including but not limited to transformers, vents, air

conditioning compressors, pool pumps, meters, etc. must be concealed from view by walls of the

same material and color as the home or by an opaque landscaping screen. No antennae of any kind shall be erected. used or maintained where they are visible from the street or an adjoining property.

**WALLS AND** FENCES

Walls and fences should be considered as an extension of the architected of the residence. They should serve to make a transition between the mass of the architecture and natural forms of the site. All walls and fences should be designed to be compatible with the total surrounding environment and should not block natural views. Fences, walls and should be considered as design elements to enclose and define court yards, to extend and relate the building forms to the landscape, as well as to assume security and privacy elements. Walls and fences will not be allowed to serve as perimeter fencing. If the homeowner desires some screening of his boundary, he shall use natural bushes or shrubs.

All walls and fences must be approved by the Committee prior . to their installation. It is recommended that walls be made of solid masonry or ornamental wrought iron with columns. Prefab wood fencing or chain link will not be permitted within the community. Maximum height for walls and fences is 6'. The Committee will review requests for height increases and material usage variance on a case-by-case basis.

Retaining walls which attach to the residence should utilize the same materials that the wall comes in contact with. All retaining walls built anywhere on lot should be made from stone, brick, landscape ties or other approved materials. Final design and materials must be approved by the committee.

#### Mailboxes

The Design Review Committee will require the installation of a mailbox prior to its final site inspection and release *of* the Landscaping and Erosion Control Deposit (LCED). The mailbox will be of a similar design throughout the community. A vendor for the acquisition of the mailbox will be provided by the Design Review Committee. The payment for the mailbox and its installation will be the responsibility of the property owner.

#### EXTERIOR LIGHTING

As with all exterior design work, lighting should be used to enhance the overall design concept of the home in an aesthetically pleasing manner. Exterior pool and landscape lighting must not infringe upon adjacent neighbors; therefore, glare shields are requested to eliminate bright spots and glare sources. Exterior lighting should utilize low-voltage or similar non-glare direct task type fixtures and they should be as close to grade as possible. *As* no bare light bulbs are permitted to be shown, these shields also help in bulb concealment. All lighting conduit and fixtures must be as inconspicuous as possible, especially by day if lights are above grade level. Exterior lighting must meet National and Local codes and must be approved by the Architectural **Review** Committee prior to installation.

**POOLS AND TENNIS** COURTS

The construction of swimming pools and tennis courts are permissible; however, their location, design and use of materials must be approved by the Design Review Committee. In addition to the restrictions of the committee, builders and property owners are subject to the requirements of the local building authorities.

#### SOLAR ENERGY

Many of the techniques and hardware of solar energy are still in the developmental stage. The application of the principles of solar design should be carefully considered in the planning and construction of all residences in the community.

. Solar collectors must be aesthetically integrated into the design forms when exposed to view and they must be hidden from view whenever possible. Solar collector panels should be carefully designed to relate to the architectural mass by which they are attached. Panels should be racked at the same pitch as the roof and detailed to be as unobtrusive as possible. The Committee will discourage or reject any collector of any size, shape or color that is insensitively designed or located. All solar equipment must be screened from adjacent views in some fashion acceptable by the Design Review Committee.

#### HEIGHT AND SIZE RESTRICTIONS

The height of any dwelling unit shall not exceed 35', measured from the main entry floor level to the highest roof ridge. More stringent restrictions may be imposed on given homesites where it is deemed necessary by the Design Review Committee to protect the aesthetic integrity of the community.

There are no minimum or maximum square foot siz.es for the homes in Wetherington. Each home will be evaluated based on its individual impact on the homesite, the homes in close proximity and the community as a whole.

#### LANDSCAPING

**VACANT** HOMESITES

Some property owners may not elect to build their home for up to three years after the purchase of the homesite. In this instance, the property owner will be responsible for the periodic maintenance of the homesite. No stocking of material, firewood or temporary shelters will be permitted on any vacant homesite without prior approval by the Design Review Committee. The Homeowners Association will maintain the site for a fee that will be established based on the amount of maintenance required.

#### NATURAL FEATURES

Throughout Wetherington many fine mature trees exist. Many are located in prominent view· from our streets and roads giving them special significance. The community has taken a positive step toward the recognition and protection of such trees by requiring approval by the Design Review Committee to remove any tree, on any building lot, with a trunk diameter over four (4) inches at four (4) feet above natural grade.

In addition to the already established vegetation many other plant types will be acceptable for use within the community. The Architectural Review Committee will take into consideration all elements of the individual landscape plan and plan materials selected for the approval process.

Fundamental to the design criteria is the need for gardens and lawns to harmonize with the native terrain and natural beauty of the community. Owners will be encouraged by the Committee to landscape their homesites with plant material which is indigenous to the existing area.

**GRADING AND** EXCAVATING

The design and development concepts of the Community call for the maintenance of the existing

grades in as much of the original condition as possible.

The Committee is particularly conscious of the site utilization and desires not to disrupt the natural terrain in most cases. The Design Review Committee is keenly aware that, whenever possible, structures should be designed around the specific homesite. It is important to remember that the beauty of our development is the land and its natural features and· that the architecture should complement and enhance rather than compete with or destroy this beauty.

In order to help ensure compliance with this philosophy, as pan of the final design submit al

grading plan will be required. Grading approval must be obtained from the Committee before

·· earth is moved or removed from a specific homesite. Absolutely no grading whatsoever shall be permitted without first obtaining this authorization.

All grading reviews shall be subject to the jurisdiction of the Committee and shall be considered individually for each lot. Recommendations or demands will be based upon individual homesite locations. terrain, soil conditions, drainage, cuts and fills, and whatever other conditions the committee feels impact upon the site grading design.

### LANDSCAPING PLAN

A strong emphasis is placed on landscaping in the architectural review process. Quality landscaping is important to both the appearance of each individual home and the overall continuity of the community.

To ensure the overall beauty of the community is preserved and enhanced, the Design Review Committee has the authority to approve or disapprove landscape plans for individual residences. Furthermore, for lots that border the golf course, Wetherington Golf Club also has the authority

\_ to approve landscape plans. It is for these reasons that the Committee requests a landscaping plan to be submitted with the site plan. For golf course lots and comer lots the Design Review

* - Committee will require the side and rear yards to be landscaped.

Wetherington has been designed utilizing the natural elements as much. as possible. Various hardwoods and other trees are prolific within the community and it is the intent of the Design· Review Committee to maintain this landscape integrity.

·· The determining factor of good landscape design should always be the architecture and location of the residence. The Design Review Committee will take into account the various relationships between the home, the site, and adjacent homes, views, prevailing breeze. golf Couse and other

- amenities in making decisions regarding specific landscape plans.

Landscape plans should be fully detailed and accurately down to an appropriate scale on a full. sized site plan. The plans should show contours and elevations clearly. as well as drainage provisions, and all pertinent site and architectural information including an accurate outline of the building with doors, windows, stoops, decks and other features accurately located and drawn. The particulars of outdoor surfaces such as walks, decks, patios, driveways, courtyards, etc.,

should also be specified. If spas or retaining or head walls are to be installed, architectural drawings of installations should be provided with an articulation of the materials to be used.

LANDSCAPING DEPOSIT

A Landscape and Erosion Control. Deposit (LCED) must be submitted to the Design Review Committee prior to approval of any permanent improvement. This deposit will ensure that all homes in the community receive a minimum landscape package and will also serve to repair any damages to community property or site cleanings that were directed by the Design Review Committee.

The amount of this deposit is subject to change from time to time. The full amount of the deposit is refundable, less any justifiable expenses, within 30 days of the final site inspection so long as no significant discrepancies are discovered at this time. Any discrepancies identified at the final inspection will cause the return of the deposit to be delayed until such time as the discrepancies are remedied.

GENERAL COMMUNITY STANDARDS

### TEMPORARY IMPROVEMENTS

No temporary building or structure shall be permitted except for those trailers, barricades, trash receptacles or portable toilets that may be approved or required by the Design Review Committee. The existence of these structures will only be during the construction of a permanent improvement and 'Will be approved or required on a case-by-case basis by the Committee.

REFUSE AND STORAGE AREAS

Garbage and refuse shall be placed in containers and shall be capped or contained in such a manner that they are inaccessible to animals. These containers shall be concealed within buildings or screened by landscaping to an extent that they are not visible from the street or adjoining homesites.

## SITE CLEANLINESS

All sites must be kept free of any loose debris and other nonindigenous materials. During the construction process, the builder will be required to maintain a trash receptacle sufficient in size to contain all debris from the project This receptacle must be emptied on a frequency that avoids the receptacle from becoming overloaded to the point that the debris projects above the top rim of the receptacle.

During the construction process it is critical that all loose debris be contained on a daily basis

and that no debris is allowed to blow into adjacent homesites.

SIGNS

The installation of any signs is strictly prohibited except for those generic community signs that benefit the Developer, Featured Builder, or approved builders. This prohibition includes signs by subcontractors realtors, lenders, etc.

REMODELING AND ADDITIONS

It is required that all plans for remodeling or additions that alter the exterior appearance of any permanent structure or homesite be approved by the Design Review Committee. All of the requirements and guidelines set forth in this document apply to these types of improvements.

