

The purpose of these criteria is to acquaint residential owners, contractors and developers with the Covenants and other requirements which will help to maintain the natural characteristics of the community. They also act as safeguards for the community.

revised 9/10/24  
Section IV O

It is the intent of the Developer (First of DeLand Corp.), to provide for a community designed for a natural setting. Each structure is an element of this community and should blend appropriately.

SECTION I. ARCHITECTURAL REVIEW BOARD (ARB). No building, fence driveway, patio, paved area, wall or other structure shall be commenced, erected, or maintained upon the Existing Property and Additions to Existing Property, nor shall any exterior addition to or change or alternation therein be made until the plans and specifications shall have been submitted to and approved in writing by the Board of the Association Directors of the Brandywine Homeowners Association, or by the Architectural Review Board composed of not less than three (3) and not more than five (5) representatives appointed by the Board. In the event said ARB fails to approve or disapprove such design and location within thirty (30) days after said plans and specifications have been submitted to it, or in any event, if no suit to enjoin the addition, alteration, or change has been commenced prior to the completion thereof, approval will not be required and this stipulation will be deemed to have been fully complied with. Four (4) copies of all plans and associated data shall be furnished the ARB for its approval, three (3) copies of which will be returned to the Purchaser.

SECTION II. SETBACK LINES. Since the establishment of standard inflexible building setback lines for location of houses on lots tend to force construction of houses both directly behind and directly to the side of other houses with detrimental effects on privacy, preservation of important trees, etc., only minimum specific setback lines are established in conformance with the community development plan approved by the county:

A. Standard single family lots:

- front - 25 feet
- rear - 30 feet
- side - 10 feet each side

B. Estate lots:

- front - 35 feet
- rear - 35 feet
- side - 15 feet each side

In order to assure, however, that location of houses will be staggered where practical and appropriate, so that the maximum amount of view and breeze will be available to each house, that the structures will be located with regard to the topography of each individual lot, taking into consideration the location of large trees and similar considerations, the ARB shall have the right to recommend the precise site and location of any house or dwelling or other structure upon the Existing Property and the additions to Existing Property.

SECTION III. REVIEW DOCUMENTS. Plans for structures shall be no less than 1/4" = 1' scale and site and landscape plans 1/8" = 1' scale.

Drawings and documents required for review shall consist of the following:

- A. Floor plan(s) with habitable square footage shown thereon.
- B. Elevations of all sides of contemplated structure(s).
- C. Summary specification list of proposed materials together with samples of exterior materials and colors.

The Builder, Contractor, or his representative will also provide a site plan showing the location of the structure(s), setbacks and major trees over 6" in diameter. The Builder, Contractor, or his representative will also provide preliminary landscape plans indicating plant materials.

SECTION IV. DESIGN CRITERIA-STRUCTURES. The following criteria are established as guidelines by the ARB as recommendations for all structures, walls, fences, etc. The ARB reserves the right to modify the guidelines in appropriate circumstances at its discretion. It is the intent of this development to encourage as many natural color and

textural surfaces as is possible.

A. Building size

1. Generally, no residence shall be constructed with a conditioned living area of less than the following areas:
  - a. For Standard Lots (approx. 10,500 – 16,000 S.F.)  
the minimum living areas shall be
    - 2 bedroom units: 1,200 S.F.
    - 3 bedroom units: 1,400 S.F.
    - 4 bedroom units: 1,700 S.F.
  - b. For Estate Lots (approx. 20,000 – 35,000 S.F.)  
the minimum living areas shall be
    - 2 bedroom units: 1,450 S.F.
    - 3 bedroom units: 1,700 S.F.
    - 4 bedroom units: 2,000 S.F.
2. Height limitation shall be 35' above mean existing grade of the surrounding lots.

B. Exterior Materials

The following materials are acceptable:

1. Brick in natural earth tones; antique.
2. Vertical or horizontal wood siding stained or bleached.
3. Stone, natural or approved manufactured.
4. Stucco, natural earth tones.
5. Anodized or painted finish are required on all metal finishes except windows; preferably in earth tones. **The same material must be used on both roof halves of multiple dwelling units. revised June 2013..lm**
6. Exposed roofing shall be clay tile, cement tile. asphalt shingles, hand split cedar shakes, slate or other materials as may be approved.
7. No exposed concrete block finishes will be permitted.

C. Garages

1. All residences must provide a minimum enclosed space to accommodate two normal size automobiles. Garage may be attached or unattached to the house. In general, garages should be located to the side or rear. No carports shall be allowed. Garages may be detached from the main living structure.
2. Openings of garages should not be visible from the street; in cases where it is unavoidable, electric automatic doors shall be used. No garage is to face into a neighboring yard without satisfactory screening of some kind.

- D. Each lot shall have receptacles for garbage in a visually screened area not visible from the road. Trash collection areas, service yards, and similar areas shall not be allowed in front yard areas.
- E. No exposed window air-conditioners shall be allowed. All compressors must be screened, and located in side or rear yard areas.
- F. Underground wiring shall be the responsibility of the owner and will be mandatory. All tanks shall be underground where practical or in a screened enclosure in the rear yard only.
- G. Residences shall be prewired for cable television or master antennas. Individual antennas of any type will not be permitted.
- H. Individual mail boxes, newspaper boxes, name plates and house numbers shall be located at curbside in a form as prescribed by the ARB.
- I. All swimming pools must be approved by the ARB prior to construction. In cases where the back yard is not completely fenced in or the pool enclosed, the pool then must be enclosed with a fence not less than four feet (4') in height. The entrance gate to the pool is to be constructed with a self-closing latch placed at least 40 inches above the ground. The minimum set back for unenclosed pools shall be 10' from all property lines. No pools shall be located in front yards unless specifically approved by the ARB.
- J. All entrance gates to screening enclosures must be constructed with a self closing latch placed 40 inches above the ground. All screened enclosures shall meet existing setback requirements.
- K. Dust abatement and erosion control measures shall be provided in all stages of construction to reasonably protect adjoining property.
- L. Prior to the occupancy of a residence on any lot, proper and suitable provision shall be made for the disposal of sewage by connection with the sewer mains of the Developer or its assigns, or the entity the Developer contracts with for sanitary sewer service. No individual sewage disposal system shall be permitted, nor private potable water systems.

Wells for irrigation purposes only will be permitted.

- M. All changes in plans during construction regarding exterior elements or materials or site plan modifications shall be approved by the ARB.
- N. Roof line profiles shall be gable ended. hip roofs, shed roofs, or flat built-up roofs. "A-Frame" structures shall not be allowed. Particular attention shall be given to color coordination between roofing materials, fascias, sidings, doors, and other enclosures for compatibility with adjoining homes and/or for the distinction of their design statement.
- O. Screen walls and fences in combination with appropriate landscape material shall be reviewed for compatibility and durability with main structures and effectiveness in providing reasonable visual control. Chain link revised 9/10/24 shall be prohibited. **revised 5-13-09**  
Farm fencing with woven or welded wire in the wood or composite frame of 2 rail ranch, 3 rail ranch, 4 rail ranch, four-rail crossbuck, five-rail crossbuck, wire panel styles shall be allowed at the discretion of the committee. All farm fences with wire shall be prohibited in front yards. Examples of styles/materials that are strictly prohibited are chain link, poultry wire, electric, and barbed wire constructed into the wood or composite frame. **revised 9/10/24**
- P. Screened porches and screened enclosures at main structures or appurtenant structures shall not be constructed without review and approval of the ARB.
- Q. Exposed metal chimneys or flues shall be permitted, but all such structures must be approved by the ARB.
- R. All exposed sheet metal including gutters, downspouts, flashing and stacks shall be painted in a color coordinated with the main structure.
- S. All undereave areas shall be enclosed or finished with acceptable materials.

SECTION V. DESIGN CRITERIA-LANDSCAPING. Landscaping should enhance the privacy of the house. However, it is the intent of the association to maintain greenbelt and common property areas. It is also hoped that the natural ground cover of the land can weave throughout the residential development without its impedance by

lots totally planted in grass without recognition of the natural elements of the land. The criteria of low maintenance should be respected wherever possible without in any way, downgrading the design.

- A. Gravel, bark, pine needles, concrete with exposed aggregate should be characteristic of the driveways and walks.
- B. Trees not permitted in landscaping are: Ear Tree, China Berry, Australian Pines and Queen Palms, (Cocos Plumosa). Citrus Trees may be planted only in the back yard.
- C. All front yards which require grass, in each single family area shall be sodded to the pavement in front of each lot, except for planting beds, natural existing areas which are left natural and underbrushed or areas of plantings to be designated by Developer.
- D. No fence or wall or swimming pool enclosure shall be constructed without permission of the ARB.
- E. Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat and over the rear of each lot. Within these easements, no structure, planting or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities or which may change the direction of flow or retard the flow of water through drainage channels in the easements. The easement area of each lot and all improvements for which a public authority or utility company is responsible or those easements within the property line or utility easement will be maintained by the homeowner. Those areas designated as common areas or pedestrian/bicycle pathways shall be maintained by the Association.
- F. An irrigation system for watering landscaping in at least the front yard will be required. Applications for permission to drill water wells for irrigation only may be made to the Association which reserves the right to prohibit such wells

in its absolute discretion.

- G. Preservation of natural grades and tree cover shall be in every instance of a primary factor in siting of each residence. Trees of 6" diameter or greater shall be maintained and where possible, incorporated in the design of the residence. No trees of 6 " diameter or greater shall be removed from the site without the approval of the ARB.
  
- H. Driveways shall be of minimum area to preserve the site.
- I. Color schemes shall be in the earth and natural tones. Pastel pinks, oranges, blues, and other such paint/brick/ stucco colors are to be discouraged.
- J. Site plans of residences including the location of existing foliage over 6" diameter by size and species, preliminary landscape plans indicating new plant material and species shall be submitted to the ARB for compatibility with adjacent sites and sufficiency of new plant material with regard to quality, quantity, and placement. All foliage over 6" in diameter which is to be removed from the site shall be so designated on the preliminary site and landscape plan.
- K Mailboxes shall be located at curbside and in a form acceptable to the ARB and postal service.
- L. Firewood storage, service yards, meter yards, air-conditioning compressor, maintenance sheds and other storage areas shall be screened, fenced, or otherwise enclosed and shall be prohibited from front yard areas.

SECTION VI. ADMINISTRATIVE PROCEDURES. All requests for approval of building and site plans shall be in writing and signed by the owner or owner-purchaser. All requests for modification or changes after initial approval has been granted shall likewise be in writing. Approval or disapproval of all requests by the ARB will be in writing and verbal approval or disapproval is deemed to be inadequate and unacceptable.

Licensed builders building in Brandywine Subdivision are

presumed to be familiar with these standards and the restrictive covenants, and copies of both documents will be furnished the builder upon closing of the lot sale. All builders are required to adhere to these standards as a condition of purchase of a residential lot in Brandywine Subdivision. Further, builders are encouraged to enthusiastically support these design standards in order to ensure the integrity of the development.

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Adopted by the ~~Brandywine Homeowners~~

Corporation

, 1976

Association \_\_\_\_\_, 1976