

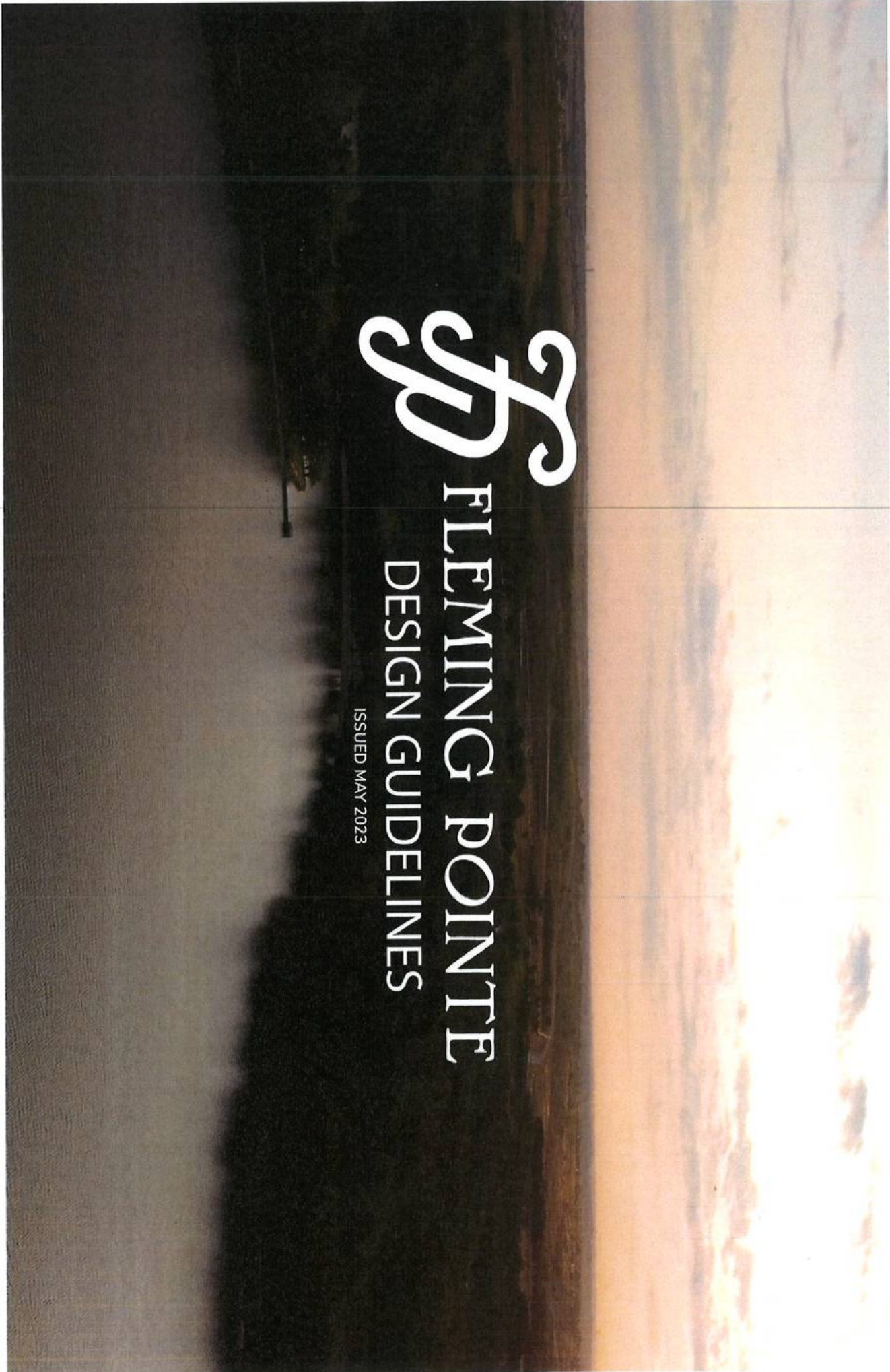
**EXHIBIT N**  
**DESIGN GUIDELINES**

[see attached]



FLEMING POINTE  
DESIGN GUIDELINES

ISSUED MAY 2023



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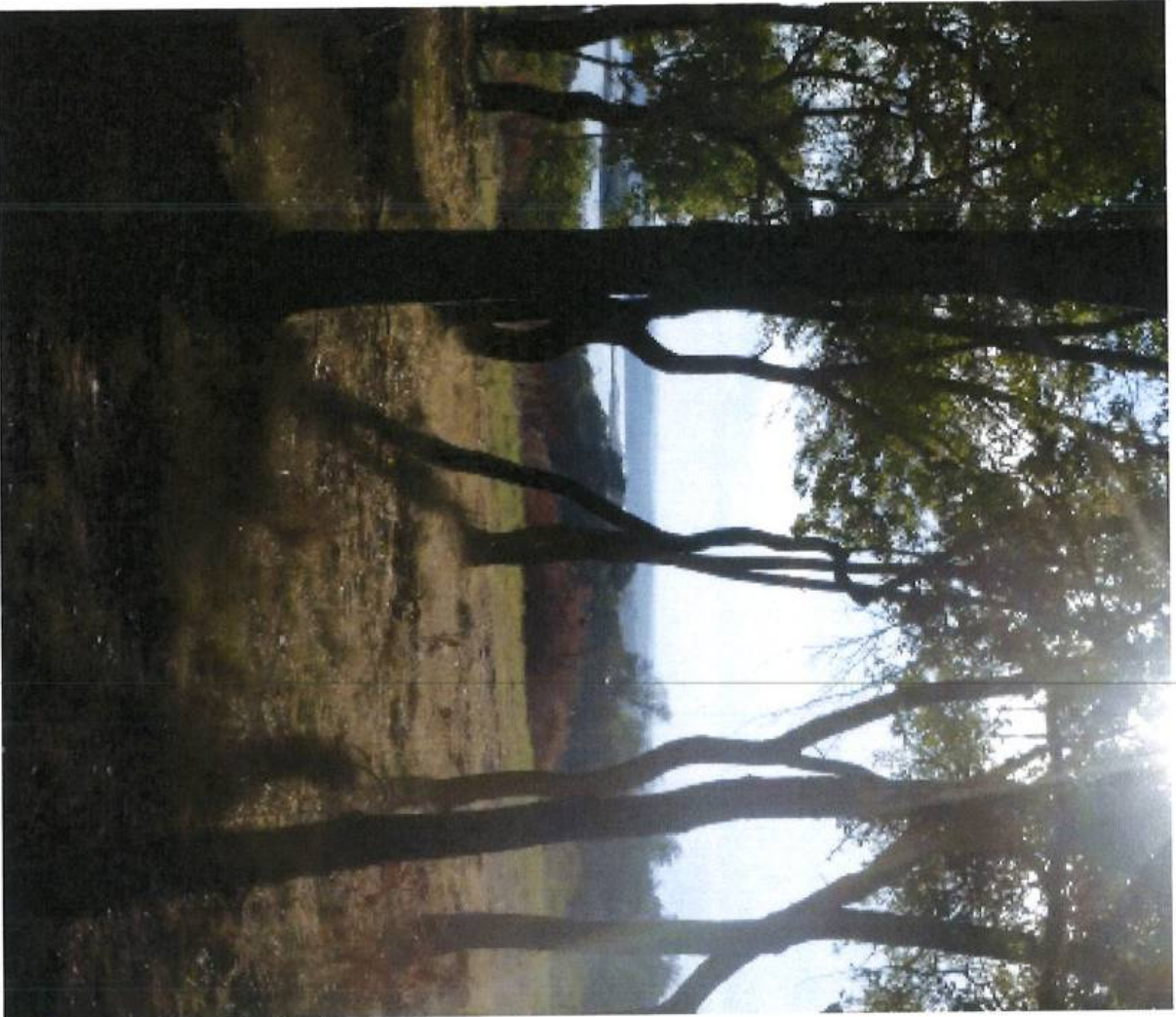
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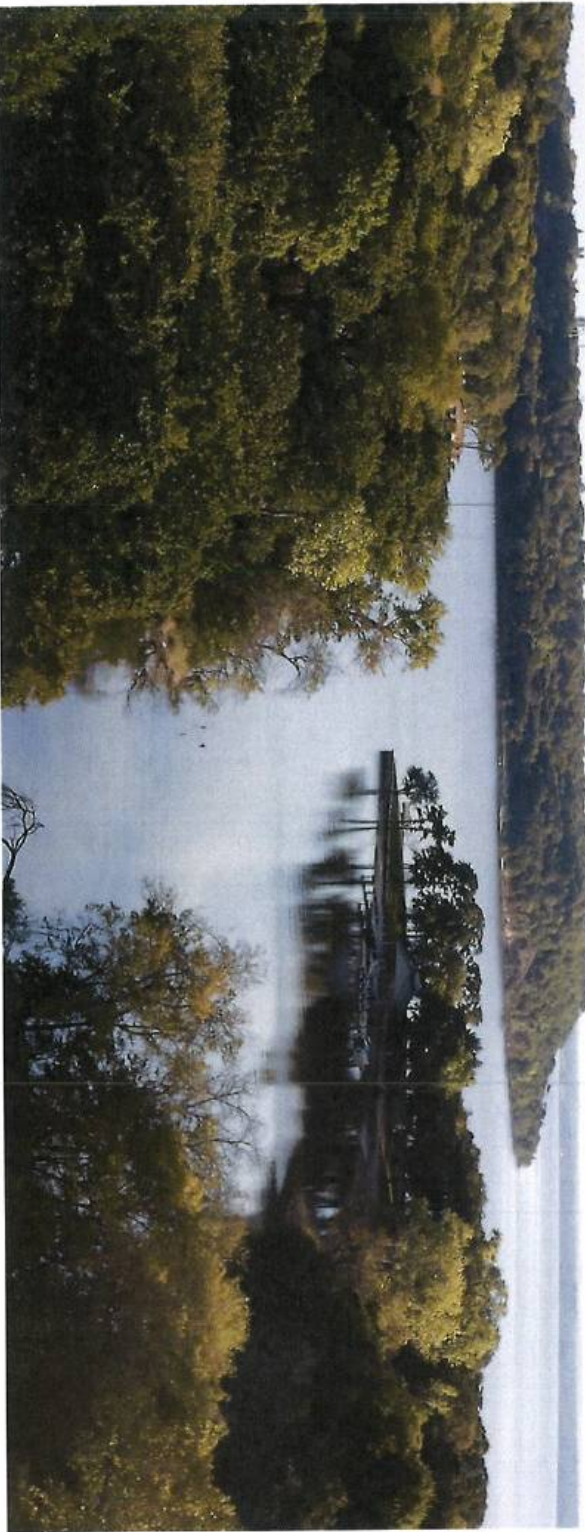
# Introduction

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## SECTION ONE

- 1.1 About
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# About Fleming Pointe



Fleming Pointe on Eagle Mountain Lake.

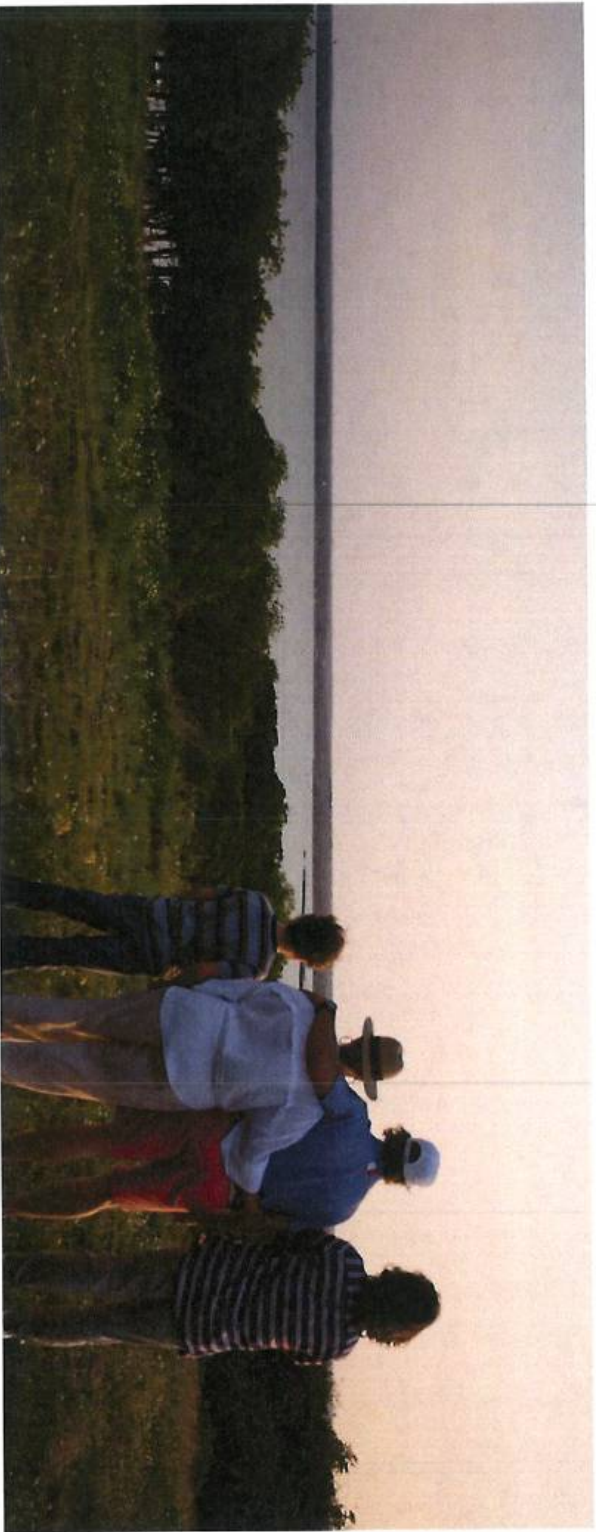
A once-in-a-lifetime opportunity, come and purchase the lot of your dreams and bring your custom builder to make it come alive.

From big, spacious luxury residences to quaint, bungalow cottages, Fleming Pointe specializes in catering to today's modern lifestyles. We focus intently on the desires of our clients, helping homeowners and their custom builders to create unique designs perfectly in-tune with the way they wish to live while also maintaining the integrity of this special place.

Discover the amazing history and incredible natural beauty of Fleming Pointe.

Once approved, your custom builder can craft a residence like no other within this stunning, exclusive property.

# The Vision



Its rolling hills, majestic cliffs, and quaint little valleys played host to all manner of special occasions, picnics, and outings. The developer immediately recognized the uniqueness and special character of the property and shares the original family members' conviction that the land be respected and treasured as a family-oriented oasis.

Now, thanks to the vision of Fleming Pointe and the heirs, Fleming Pointe will be preserved in all its grandeur, while also becoming home to a limited number of very fortunate families. Will yours be one of them?

# The Lifestyle



Fleming Pointe, a place where the solitude is as grand as the scenery. With unspoiled terrain and breathtaking vistas reminiscent of the Texas Hill Country. Yet it's situated mere minutes from downtown Fort Worth.

There is simply no other community like Fleming Pointe anywhere else in the Fort Worth area.

Situated on Eagle Mountain Lake just minutes from downtown, Fleming Pointe provides all the best of a remote, country getaway with the convenience and close proximity of a thriving urban center. Fleming Pointe is situated near the beautiful Eagle Mountain High School currently under construction.

As the fifth largest city in Texas, Fort Worth is as uniquely diverse as it is upscale and modern. Western history abounds, with the legendary Stockyards area and its famous restaurant destinations like Joe T. Garcia's and Lonesome Dove. There are world-class art museums, theaters, music venues, and shopping options. Top it all with a thriving business environment and non-stop economic growth, and you have a modern Texas city that offers a quality of life that's virtually unmatched.

Yet you're always just a short drive from the grandeur and solitude of Fleming Pointe.

# Design Guidelines Overview

## PURPOSE

The intent of these standards set forth by these Design Guidelines is to enhance and preserve the quality of the community while maintaining the natural beauty of the development. The purpose of the Fleming Pointe Design Guidelines process is to ensure that the standards set forth in the Design Guidelines are consistently adhered to by each individual project. This review is essential to maintain the integrity and quality of the overall development, thus enhancing the value of individual properties.

Residences and structures should preserve the natural features of each lot such as significant trees, views, and topography and shall be sited so as to minimize disruption of the site. Accordingly, a house plan, site plan, landscape plan for the entire lot, and any other documentation requested must be submitted for approval to the Town Architect in accordance with these Design Guidelines. Any changes or additions to the lot after construction of the residence is complete must also be approved by the Town Architect.

The Town Architect may determine that what was found acceptable in one situation may not be acceptable in another as the intent is to ensure each design is appropriate to the specific lot and doesn't dominate or contrast sharply with the surroundings. As such, the Town Architect has the discretion to grant variances from the Design Guidelines and as further permitted by the Declaration.

These Design Guidelines supplement the Declaration of Covenants, Restrictions and Easements for Fleming Pointe (the "Declaration"). All Applicants must comply with the terms and provisions of the Declaration. To the extent of any conflict between these Design Guidelines and the Declaration, the terms and provisions of the Declaration shall control. These Design Guidelines may be amended from time to time as set forth in the Declaration.

## TOWN ARCHITECT

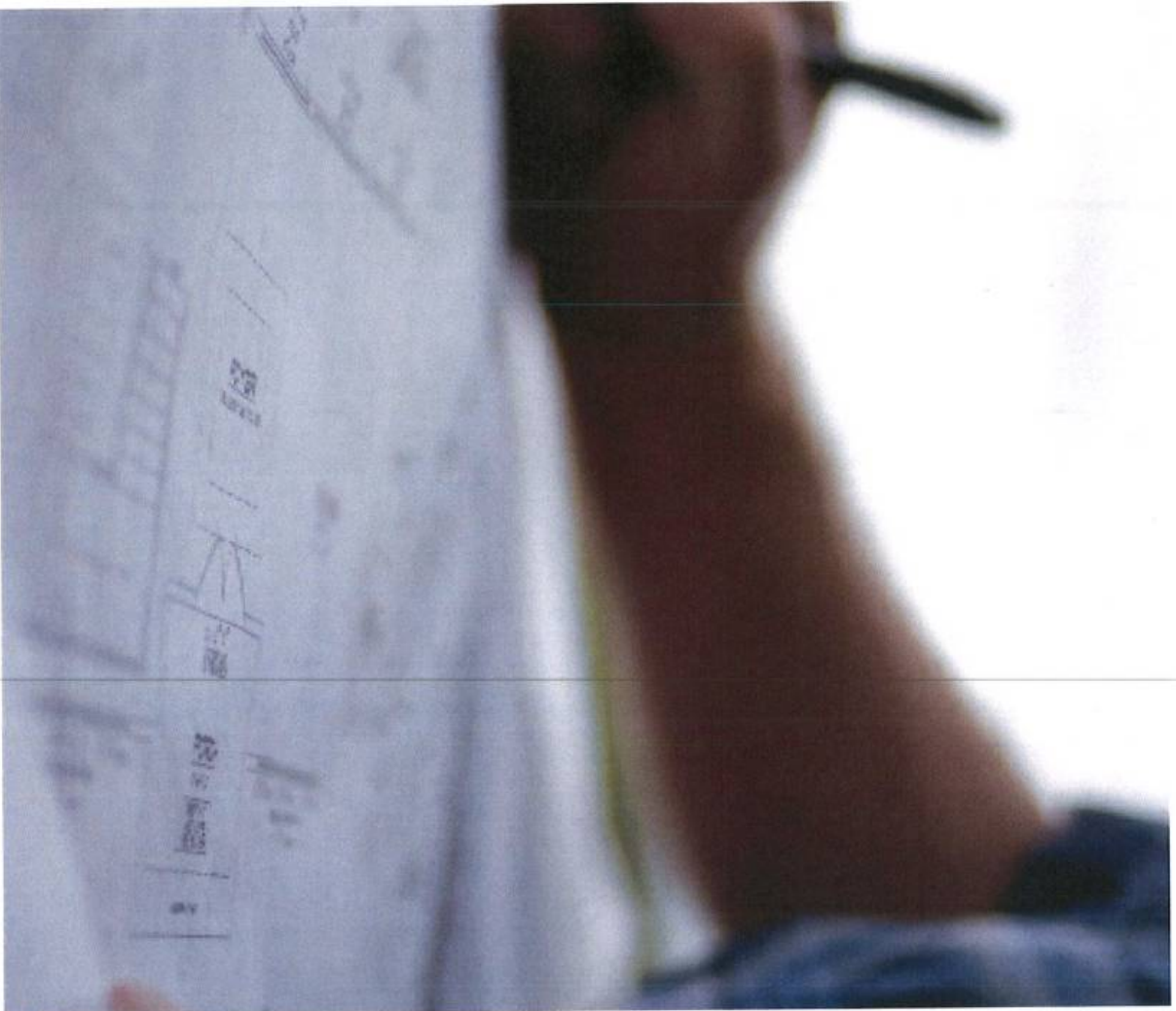
Cornerstone Projects Group, LLC ("Town Architect") will provide architectural design review services for Fleming Pointe. The Town Architect is responsible for ensuring the compliance with the overall design intent for Fleming Pointe, including establishing Fleming Pointe as a recognizable neighborhood. The Town Architect's responsibilities shall include but not be limited to: (i) approve all aspects of production and custom builders' designs and layouts and (ii) make periodic site visits as reasonably necessary to each home while under construction.

Plans for all proposed site improvements shall be submitted to the Town Architect. The Town Architect will endeavor to review and respond to all submittals within 10 days, but no more than 15 days, after receipt.

Approval of or comments to each submittal will be provided in writing. Interior modifications to the building that do not affect the exterior appearance of the site improvements do not require resubmittal to the Town Architect.

A digital submittal is required through the online project management system. Submittals shall be made as one (1) multi-page PDF file. In addition to the digital submittal, hard copy submittals might be requested on a case by case basis by the Town Architect.





# Design Review Process

## SECTION TWO

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  - Progress Reviews
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# Design Review Process Overview

## DESIGN REVIEW SCOPE OF WORK

### Schematic Consultation

This consultation is not required but offered to encourage Town Architect assistance with following review submittals. The Town Architect is available for schematic design consultations to review schematic design imagery that speaks to the intent that will be further developed in subsequent reviews. Such consultations shall be requested in advance and shall not exceed (2) 1-hour meetings.

### Submittal One - Preliminary Design Submittal

The first submittal will be reviewed early in the design process, typically at the 20% construction document stage. Review will confirm that schematic design is consistent with that of the Fleming Poine Design Guidelines; and to avoid or correct any item that may require redesign. See page 2.2 for a list of documents that will be required and reviewed at this stage.

### Submittal Two - Final Design Submittal

The second submittal is the final review in the design process that occurs after the preliminary submittal and before construction may begin. Review will confirm that the final design is consistent with that of the Fleming Poine Design Guidelines. See pages 2.3 for a list of documents that will be required and reviewed at this stage.

### Construction Reviews - Progress Reviews + Final Walk

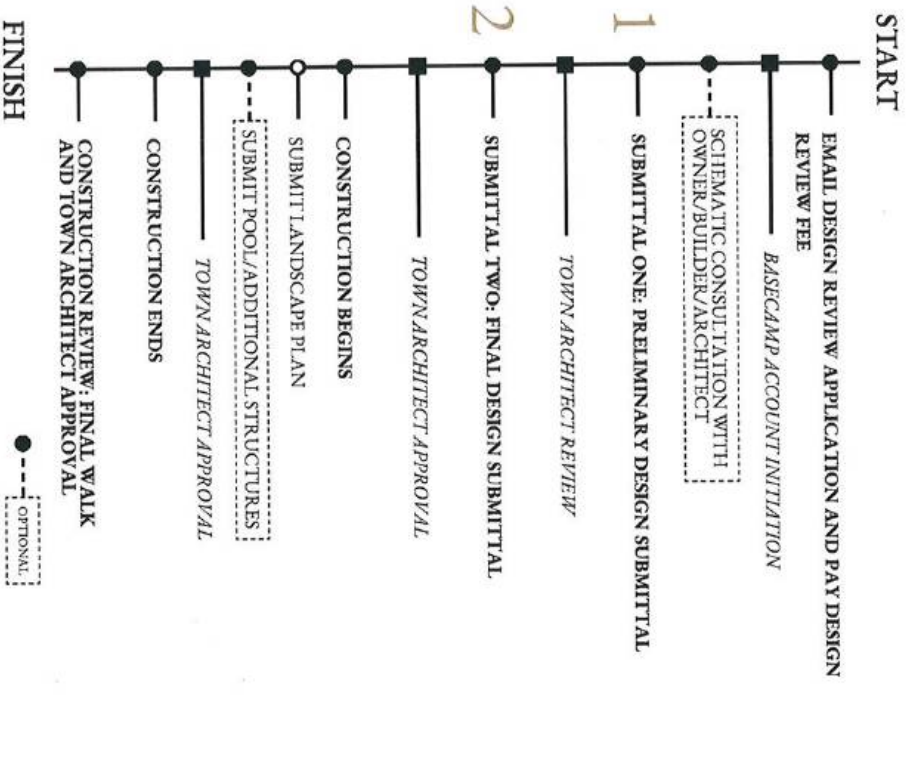
The Town Architect will make periodic visits as well as perform a final walk following substantial completion of construction and prior to owner occupancy to identify any items that are inconsistent with the approved construction documents and the Design Guidelines. Final walk approval closes the design review process for the lot. Any other additions or modifications will need to start a new review process.

## DESIGN REVIEW FEE

- Review fee to be paid to Cornerstone Projects Group either through wire transfer or delivered check prior to submittal one.
- Provide application form along with proof of payment for the design review fee to begin the preliminary design review submission for the project.
- No grading of any kind shall be started until all plans for the lot including plans for drainage and any other structures have been given final approval by the Town Architect.

## BASECAMP

- Applicants must email the completed Design Review Application and evidence of payment of the Design Review fee to Cornerstone Projects Group (TownArchitect@CornerstoneProjectsGroup.com) to have a new project set up on Basecamp.
- Once Basecamp is set up, all correspondence with Town Architect should be posted through Basecamp.
- Submittals should be electronically transmitted in PDF form via Basecamp (https://basecamp.com/) under discussion threads.



# Submittal One: Preliminary Design Submittal

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## OVERVIEW

- Prepare and submit a preliminary design set to the Town Architect.
- The set should adequately convey any existing site conditions as well as the project's design intent.
- The Town Architect reserves the right to request additional information to review the proposed design.
- Upon reviewing the set, the Town Architect will provide comments on the general direction of the project, potential opportunities to explore the design, as well as any issues to be aware of to move forward in the review process.

## WHAT TO SUBMIT

### Site Plan (min. scale 1" = 20'-0")

- Legal description with lot and block number, street address and lot square footage.
- Dimensioned property lines, easements, and building setbacks.
- Lot size and lot coverage calculations.
- Existing topography and proposed grading and drainage (1' contour interval). Proposed grading must show how it meets the existing grading at property line.
- Spot elevations to be included.
- Building footprint(s) with finished floor elevations.
- Site amenities including driveway, parking areas and turnarounds, fences/walls, patios, decks, pool/spa, recreational facilities, boat docks, etc., are to be shown and include height and material selections.

### Plans - Schematic Floor and Roof (min. 1/8" = 1'-0")

- All floor plan layouts of the first and second floors, including any proposed attics, basements, and accessory structures.
- Gross building square footage and air-conditioned square footage.
- Label all porches and balconies.
- Roof plan to include notations indicating roof slope(s) and material choice.

### Elevations - Schematic (min. scale 1/8" = 1'-0")

- Notate Architectural Style of the Home (must be chosen from list on Design Guidelines).
- Architectural elevations of all four sides of the proposed structure(s).
- The vertical dimensions of the plate heights for all floors of the home.
- The vertical dimensions of the highest roof ridge and all other ridge heights.
- Notation of exterior materials. Materials should be appropriate to the chosen style.

\*Any variance request will be submitted to the Town Architect for approval. Submittals should be electronically transmitted in PDF form via Basecamp.

# Submittal Two: Final Design Submittal

## OVERVIEW

- Must have completed Submittal One: Preliminary Submittal. Submittal Two should have addressed any comments provided during Submittal One.
- Architectural plans shall be designed and scaled by a registered architect with the Texas Board of Architectural Examiners and must be the set that fully describes what is to be built.
- Submittals should be electronically transmitted in PDF form via Basecamp.

## WHAT TO SUBMIT

### Site Plan (min. scale 1" = 20'-0")

- Legal description of lot number, street address and lot square footage.
- Dimensioned property lines, easements, and building setbacks.
- Lot size and lot coverage calculations.
- Existing topography and proposed grading and drainage (1' contour interval). Proposed grading must show how it meets the existing grading at property line.
- Spot elevations to be included.
- Building footprint(s) with finished floor elevations.
- Site amenities including driveway, parking areas and turnarounds, fences/walls, patios, decks, pool/spa, recreational facilities, boat docks, etc, are to be shown and include height and material selections.
- Any retaining walls over 36" shall be designed and scaled by a currently registered engineer.
- Indicate location of all mechanical, electrical, pool/spa equipment and utility equipment and meters, including wells, septic systems, etc. If final location changes, an amendment must be submitted showing the location and screening.

### Floor Plans (min. scale 1/8" = 1'-0")

- All floor plan layouts of the first and second floors, any proposed attics, basements, and accessory structures.
- All rooms noted with dimensions, door/window locations and sizes.
- Total square footage (gross) and air-conditioned square footage (net) for all floor levels, basement, usable attic spaces, accessory buildings, patios, decks, and porches.
- Label all porches and balconies.

### Roof Plans (min. scale 1/8" = 1'-0")

- Roof plan to include notations indicating roof slope(s) and material choice.
- Roof plan noted to indicate plumbing/mechanical vents, satellite equipment, fireplace chimneys, dormers, roof windows, and skylights.

### Electrical/R-eflected Ceiling Plan (min. scale 1/8" = 1'-0")

- Electrical plan/reflected ceiling plan must show all interior and exterior lighting.

### Elevations (min. scale 1/8" = 1'-0")

- Note: Architectural Style of the Home (must be chosen from list on Design Guidelines).
- Architectural elevations of all four sides of the proposed structure(s).
- The vertical dimensions of the plate heights for all floors of the home.
- The vertical dimensions of the highest roof ridge and all other ridge heights.
- Material legend, including color, pattern, and material specification. Materials and color palette should be appropriate to the chosen style. Color to be approved by Town Architect.

### Sections (min. scale 1/8" = 1'-0")

- Building sections to illustrate the building interior/exterior and the building's relationship with existing and new topography.
- Vertical dimensions indicating final grade, floors, ceilings, and ridge of roofs.
- Wall sections required to identify wall assembly components.

### Landscape Plan (min. scale 1" = 20'-0")

- Plans may be submitted separately at a later time, but must be submitted and approved prior to installation.
- Plans must be prepared and scaled by a currently registered Texas Landscape Architect.
- Submittals should include irrigation plans that must be scaled by a Texas licensed irrigator.
- Include location, species, and caliper size of all planting materials.
- All landscape to be shown and labeled.
- All site lighting plan showing outdoor lighting on the site.
- Pools, pool enclosure, if applicable. A pool plan may be required for additional review.
- Fence location should be shown on plan with fence specification included.
- Include all mechanical, electrical, pool/spa equipment and utility meters and how they will be screened from street and neighboring lots.
- Any retaining walls over 36" on site must be designed and scaled by a current registered engineer.
- No installation work may commence prior to receipt of approval by the Town Architect.

\*Any variance request will be submitted to the Town Architect for approval.

\*Construction may only begin once Final Design Approval has been granted by the Town Architect.

# Construction Reviews

## PROGRESS REVIEWS

- The Town Architect will make periodic visits as well as perform a Final Walk following substantial completion of construction and prior to owner occupancy to identify any items that are inconsistent with the approved construction documents and the Design Guidelines. Final Walk approval closes the design review process for the lot. Any subsequent additions or modifications after Final Walk will require a new review process. Refer to page 2.5 for subsequent submittals.

## FINAL WALK

- Following substantial completion of construction, the Builder must notify the Town Architect that the home is ready for a Final Walk. Requests must be communicated through Basecamp.
- The Town Architect will not review the interior elements of the project and will look for the following when performing a Final Walk of the project:
  - Does the built home and any other improvements or accessory structure match the Final Design Submittal approved on Basecamp?
  - Does the landscape match the landscape plan approved on Basecamp?
  - Do the building materials match what was approved on the Final Design Submittal?
  - Is the site cleared of all construction materials?
- The Town Architect will post Final Walk approval on Basecamp.
- Final Walk approval closes the design review process for the lot.

# Modifications and Subsequent Submittals

## MODIFICATION BEFORE OR DURING CONSTRUCTION

- For modifications to the final design after submittal approval but before Final Walk, a request must be submitted to the Town Architect, along with all documents pertaining to the requested modification. The modification may not be incorporated into the design until approval has been granted by the Town Architect.

## SUBSEQUENT SUBMITTALS



- Modifications or additions may occur after construction is completed and Final Walk approval has been granted.
- Designs will go through the same review process, ending with the Final Walk. Refer to Design Review Applications for fees.
- All landscaping, additional structures, pools, boat docks, decks, or any new improvement that is visible from the exterior of the home must be submitted for review and approval by the Town Architect.

## WHAT TO SUBMIT

- Set of drawings submitted as PDF on Basecamp. The Town Architect reserves the right to request additional information in order to review the proposed design modification or addition.
- Drawings must be drawn professionally.
- Floor plans and elevations of all sides to be provided.
- Material choices that match the existing.
- All windows and doors to match existing.
- Area plans with both gross and air-conditioned square footage.
- For subsequent submittals, payment of the design review fee.



# Design Review Applications






**FLEMING POINTE DESIGN REVIEW APPLICATION CONTACT LIST**

<b>Honored Owner</b>	
Owner Name	
Mailing Address	Street City, State Zip Code
Telephone Number	Home Office Cell
Email Address	Professional Residential

<b>Registered Architect</b>	
Architect Name	
Architectural Firm	
Texas Registration Number	Street City, State Zip Code
Telephone Number	Office Cell
Email Address	Professional






**Approved Builder**

Builder Name	
Building Form	
Mailing Address	Street City, State Zip Code
Telephone Number	Office Cell
Email Address	Professional

<b>Registered Landscape Architect</b>	
Landscape Architect Name	
Landscape Architect License Number	
Texas Registration Number	Street City, State Zip Code
Telephone Number	Office Cell
Email Address	Professional

**CORNERSTONE PROJECTS GROUP: WIRE TRANSFER INFORMATION**

**First Bank**

Bank Routing Number: 114000933  
 Account Number: 609555969  
 Account Name: Comerstone Projects Group, LLC  
 Description: Fleming Pointe, Planning Area #, Block #, Lot #, Address  
 Include the name of the account holder, Comerstone Projects Group, LLC





# Regulating Plans

## SECTION THREE

- 3.1 Home Sites
- 3.2 Water Well and Aerobic Sprinkler Exhibit

# Home Sites



## PLACEMENT

Home site placements may be customized once a builder or future resident begins planning their home. Customization includes consideration of topography, preservation of significant trees, and maximizing privacy between lots. Home sites should complement the natural surroundings and harmonize with the landscape of Fleming Pointe.

Final home site selection is subject to the approval of the Town Architect.

## SETBACKS

- 50' minimum setback from front or street-facing property line
- 30' minimum setback from side and rear property lines
- 15' minimum setback from side property lines
- Buildable Area
- Development Gas Well
- Property Lines
- Setback Lines
- Water's Edge

- Primary facades shall contain the primary entry and must be street-facing
- Generally, garages are encouraged to be located on the side or rear of homes. Garages may face the street if included in a screened motor court configuration.
- Site utilities and equipment (wells, septic systems, gas tanks, etc.) may not be located within setbacks and must be screened and located appropriately.

# Water Well and Aerobic Sprinkler Exhibit



Water Well and Aerobic Sprinkler Exhibit  
Baird, Hampton & Brown Engineering & Surveying  
817-596-7575

## WATER WELLS

This exhibit shows the approximate required location of water wells. Actual water well locations are subject to the review and approval of the Town Architect. Water wells must be located at least 100' from any other water well and at least 50' from any property line.

Variations will not be granted if the granting thereof will impact the ability to install a water well on adjacent properties.

All water well drilling and pump installations in the development shall be performed by individuals licensed with the Texas Department of Licensing and Regulation ("TDLR"), and all drilling, boring, coring, or constructing of a water well and/or installing or repairing of well pumps and equipment in the development, shall comply with all Governmental Requirements, including any necessary permitting from the Upper Trinity Groundwater Conservation District.

## AEROBIC SYSTEMS

Residents in Fleming Pointe will need to install an aerobic system for their home. All on-site sewage facilities (OSSF) and all work related thereto in the development shall be performed by individuals with the necessary licenses required by the Texas Commission on Environmental Quality, including but not limited to Texas Administrative Code, Title 30, Part 1, Chapter 30 Subsection G and Chapter 285, and shall comply with all Governmental Requirements (the Aerobic Plan).

The Aerobic Plan, including the location of all of the OSSF facilities, shall be submitted to the Town Architect before any on-site preparation, excavation, or installation begins. The suggested locations of related aerobic facilities is subject to the approval of the Town Architect.

No aerobic system shall be designed to be sprayed directly onto adjoining lots, roadways, paved surfaces, Fleming Pointe mailboxes or entrance monuments.



# Architectural Guidelines

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## SECTION FOUR

- 4.1 Architectural Character
  - 4.1.1 Mediterranean
  - 4.1.2 Transitional
  - 4.1.3 Tudor Revival
  - 4.1.4 Texas Hill Country
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  - 4.1.6 Contemporary Farmhouse
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  - 4.1.8 French Eclectic
- 4.2 Masonry Standards
- 4.3 Roof Standards
- 4.4 Home Elements
- 4.5 Accessory Massing Elements

# Architectural Character

## OVERVIEW

The architectural styles and standards listed in the Design Guidelines will highlight appropriate architectural character for homes in Fleming Pointe. Fleming Pointe considers the home to be an artful expression of the homeowner. As such, it is expected that they styles in the community will be varied. The Town Architect encourages a healthy variety of designs.

When considering appropriate design submissions, the Town Architect will consider the following questions:

- Is the architecture artful and aesthetically pleasing?
- Does the architecture blend thoughtfully into the landscape of Fleming Pointe?
- Does the architecture compliment the land and the neighboring homes?

While style vocabulary is based on the architectural traditions, the Town Architect encourages innovation and creative solutions in the design of each home. The Town Architect will ensure along the process, that each home has architectural integrity and authenticity. The Town Architect is vested with full authority and discretion as to what constitutes appropriate and inappropriate architecture for Fleming Pointe.

## DESIGN CONSIDERATIONS

### Massing and Site Planning

Buildings should be composed of simple rectangular-volume building forms. The massing should be appropriate for the architectural style of the home and every home should respond to the landscape and harmonize with the natural surroundings.

Every lot is different in its shape and topography, therefore every home must be custom in its approach to massing and site planning. Large, bulky, and disproportionate massing are discouraged. Instead, consider massing that is broken down into smaller distinct volumes where possible.

### Size Requirements

The primary single-family residence placed on a lot shall contain a minimum of 3,500 square feet of living space. Actual living space does not include garages and covered porches.

No structure may exceed two and one-half (2.5) standard stories or 35 feet in height. Massing of the home shall contain a minimum of 10'-0" for the first floor and 9'-0" for any second floor.

### Exterior Elevations and Details

The design elements of a home should be appropriate to the chosen style and be consistently detailed in its entirety. They should take a simple, straightforward form, and should serve a clear and logical purpose. Non-contextual ornamental elements are not permitted.

### Colors

Color selections should harmonize with the landscape. Homeowners and builders are encouraged to choose natural colors found in the native setting of Fleming Pointe.

# Mediterranean



Mediterranean style homes have strong classical elements expressed in columns, molded cornices, arched entries, and other fine details.

The three main types of Mediterranean style homes include Italian Renaissance, Spanish Revival, and Modern Mediterranean.

Mediterranean style homes are architecturally defined by low-pitched, hipped, and gabled roofs (often covered in clay tiles), deep overhangs, porches, and balconies.

The classical color palettes are either home clad in earth tones with dark or natural trim, or white structures with white or off-white trim. The Mediterranean style homes maximize the benefits of the rugged elements of Texas.



# Transitional

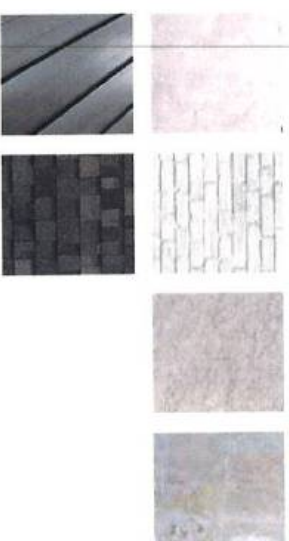


Transitional architecture is a blending of elements from traditional and modern style homes.

Traditional, or classic architecture often utilizes symmetry and balance - natural forms with clear structure and proportions. Traditional homes lend to more maximalist, segmented living spaces, beautiful millwork, tactile materials, and recognizable warm aesthetic.

Modern style homes on the other hand, depend on simple design and angular proportions. These homes are more open with less partitions, offering spaces with multiple functions.

The transitional style finds a balance between these two contrasting styles through sleek-lined gabled fronts, open living spaces, and simple forms.



# Tudor Revival



The Tudor Revival style is inspired by English architecture of the late medieval period. Its designs draw from architecture of both cottages and grander manor houses. The earliest examples in North America appeared in the late nineteenth century.

Tudor Revival houses have steeply pitched side-gabled or hipped roofs with projecting gabled bays or cross gables with half-timbering, and tall chimneys. Decorative medieval wood details became part of the half-timbering, along with wide bracketed eaves. Windows are usually multi-paned with wooden muntins, or sometimes leaded glass in diamond pattern.





# Texas Hill Country



The Texas Hill Country style is a regional historical style with its roots in the European immigrants who settled the area, using available building materials during lean economic times. The settlers to the hills of central Texas brought their carpentry and stone-mason skills to their buildings. The locally available white limestone and later brown sandstone were used with the local cedar to construct these well-crafted, attractive houses. The rustic, simple, and authentic nature of Texas Hill Country style also reflects the difficult economy that was in place when the area was being settled.

The Texas Hill Country style has a modern elegance because of simplicity, materials, and detail in construction.

# Modern



Modern architectural design is defined by the use of innovative and new construction technologies focusing on the use of steel, reinforced concrete, and glass. Form following function, truth to materials, and rejection of ornament are three key principles that should inform modern architectural design.

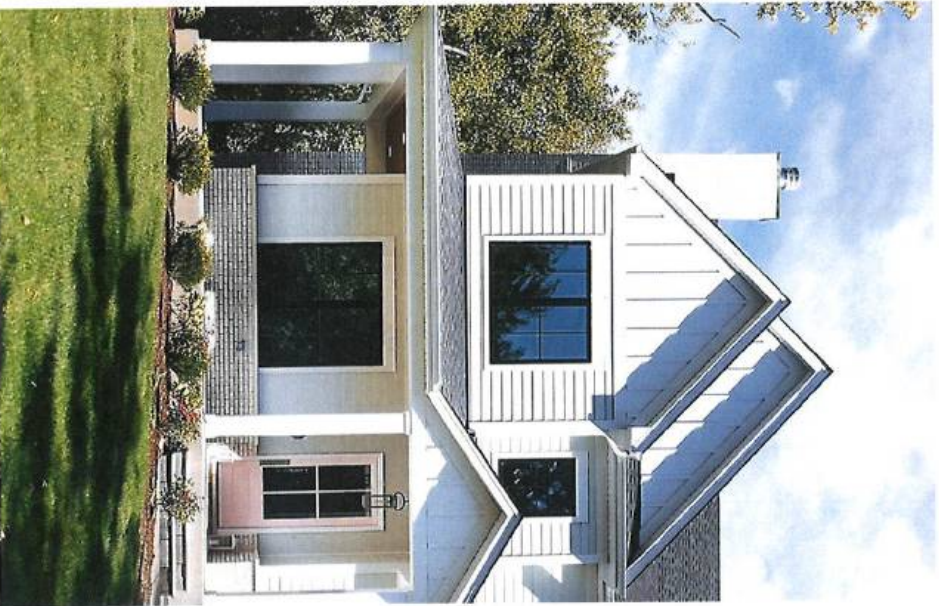
The principle of form following function is to ensure that the design form speak to the building use and function rather than its composition to speak to other stylistic requirements.

By being true to the materials utilized, the design allows for the materials chosen as appropriate to the site without concealing each materials character and appearance. For example, exposed concrete or timber would be unpainted in order to appreciate its natural materiality. Clear sealing is typically the only appropriate source of protection materials in modern architecture.

Modern architecture as defined above focuses on the honesty and simplicity of forms following function and allowing materials chosen to be natural in appearance; thus, ornamentation is avoided. Modern architecture's 'ornament' is often the detail of the form and materials.



# Contemporary Farmhouse



The Contemporary Farmhouse style is a contemporary take on traditional farm houses constructed during much of the agrarian period of American history in the south. This style combines the foundation of the Classical Revival house, the aesthetics of the utility-focused farmhouse, and the necessity of modern comfort.

The Contemporary Farmhouse has simple lines with little ornamentation. The gables typically face the side, but sometimes cross-gables are seen. One of the defining features of this style is the large covered porch extending across the front, sides, and sometimes the entirety of the house. The porch is usually a simple structure with squared columns or turned posts and railings, deep enough to allow for furniture. Chimneys are typically masonry. Limestone is used as the base or accent material, and the house is clad in horizontal or vertical siding. The addition of dormers, shutters, and eave brackets can provide more detail to this clean architectural style.

# Waterfront Cottage



The Waterfront Cottage style intent is to borrow from modern or contemporary architectural design principles while blending in traditional elements and principles; or also allow for more rustic traditional styles while blending in contemporary principles. While less emphasis on form following function as in the modern style; Waterfront Cottage utilizes traditional residential massing and roof forms while utilizing natural materials true to their materiality similar to modern principles.

By being true to the materials utilized, the design allow for the materials chosen as appropriate to the site without concealing each materials character and appearance. For example, stone and timber would be unpainted in order to appreciate its natural materiality. Clear sealing is typically the only appropriate source of protecting materials.

Also similar to modern architecture, Waterfront Cottages focus on honesty and simplicity of forms and allowing materials chosen to be natural in appearance; thus, ornamentation is avoided. Waterfront Cottage architecture's 'ornament' is often the detail of the form and materials.

# French Eclectic



The French Eclectic style is rectangular in plan and symmetrical in design, and is at least 1 1/2 stories in height. The main distinguishing characteristic of the style is a massive hip roof with its ridge paralleling the front of the house. The roof incorporates a second floor, which is typically lit by the addition of several dormers. Most of these dormers have segmental or hip roofs, although shed dormers can be found. Commonly, the dormers are located within the plane of the exterior wall.

Exterior cladding can be of brick, stucco, or clapboard. Detailing varies from traditional classically inspired door surrounds with pediments and pilasters, to a looser English Tudor favor with board and batten doors and round arched entry porches.

Windows may be either multi-light double-hung sashes or casement style and are often highlighted by decorative shutters. To expand the structure, frequently wings are added to the sides of the main block of the building and are usually subservient in size. Decorative quoins are often found at the building's corners and near doors and windows.

# Masonry Standards

## OVERVIEW

Homes should have predominantly masonry exteriors of stone, brick, and/or stucco. The amount of masonry depends on the architectural style of the home. Any variation on a masonry exterior will require approval by the Town Architect.

## MASONRY - STONE

### Patterns

The stone may be laid in one of the listed patterns, depending on the architectural style of the home:

- Ashlar
- Billmore
- Cobblestone
- Fieldstone
- Ledge
- Stack

Other patterns not listed may be used with the consent of the Town Architect.

### Grout

Grout patterns should compliment the profile of the stone. Recessed or concave grout detailing is preferred. Flush grout detailing is only permitted on cut stone assembly.

### Stone Selections

- Black & Tan
- Blanco Blend
- Cave Rock Blend
- Desert Brown Blend
- Grandbury Stone
- Limestone
- Lizards
- Millcreek Blend
- Missap Stone
- Moss Builders Old Hickory
- Oklahoma Builders
- Oklahoma Fieldstone
- Rattlesnake Stone
- Red River Blend
- Rhinestone Chopped
- Savannah Stone
- Turnblaweed Stone
- Vaquero Blend

Stone selections not listed above may be permitted subject to Town Architect approval.

\*River rock and Bedrock may not be used.

## MASONRY - BRICK

### Patterns

Brick may be placed in one of the listed patterns:

- Bakerweave
- English Bond
- Flemish Bond
- Header Bond
- Herringbone
- Running Bond

### Rules

- Brick size, selection, and pattern placement must match the architectural style of the home and be approved by the Town Architect.
- Brick may be painted only if it compliments the architectural style of the home.
- Reclaimed bricks may be permitted with the Town Architect's prior approval.
- Glazed bricks may be permitted with the Town Architect's prior approval.
- All bricks must be fire-clay. Cement bricks are not allowed unless a variance is granted by the Town Architect.

## MASONRY - STUCCO

### Applications

When applied over wood or metal stud frame, stucco must be applied in the standard 3-coat process: scratch coat, brown coat, and finish coat. Stucco must be applied over a metal lath adhered to the exterior wall membrane. On masonry or concrete surface, stucco is applied in 2 coats.

### Finishes

- The finish coat may have a float, stippled, smooth, or pebbled texture.
- The finish may be natural or integrally colored through the use of pigment, colored sand, or stone chips.
- Formwork should be detailed out of 100% masonry. Alternatives are subject to the approval of the Town Architect.
- The exterior use of styrofoam is prohibited.

# Roof Standards

## OVERVIEW

The roof of each home has great potential and may create its own pleasing relationship to the landscape, roadways, and neighboring home sites.

## MATERIALS

Roofs are encouraged to be constructed of slate, concrete, clay tile, tile or standing-seam metal. Shingle roofs will be allowed if approved by the Town Architect.

If shingles or any materials not listed are desired, the Town Architect may grant a variance after considering the following questions:

- How visible is the roof from the street and adjoining lots?
- Does the variance fit the architectural style of the home?
- Are the materials high/premium grade?
- Will the variance aesthetically detract from the development?

## ROOF NOTES

- Roof pitch should match the style of the home. Homes are preferred to have one roof pitch throughout. Two slopes or more may be permitted on a case-by-case basis subject to Town Architect approval.
- Roof volumes should match the architectural style of the home. Roof volumes should be contained by combining simple forms as opposed to a single, giant form.
- Gable roofs and hip roofs are permitted. Other roof types such as gambrel, mansard, etc., must have approval from the Town Architect.
- One nested gable is allowed on the home where the gable faces the street.
- All roofs should have a consistent color throughout.

## ROOF VENTS

- All roof vents must be painted to match roof color.
- All exposed flashing shall be painted the same color as the roof or adjacent material to best conceal the flashing.
- The color of the gutters and downspouts must blend with the fascia and soffits. If copper gutters and downspouts are specified, prior written approval is required.
- Roof vents and hardware should be located away from public view.
- Ridge vents are encouraged.
- Gutters and downspouts must extend away from the foundation a minimum of 1'
- Standard rolled and crimped gutter systems are prohibited.

# Home Elements

## PORCHES

- Porches may be single or two story.
- Front porches shall be a minimum of 10' in depth.
- The roof slope of the porch is to be between 3:12 and 6:12, unless it is a direct extension of the roof of the home.
- Porches may have a shed roof or a hip roof with gable inset over the door.
- Porch flooring material should be enhanced and complement the style of the home.
- Balconies must project a minimum of 4' from the face of the home.
- Exposed second floor decks may be approved on a case-by-case basis subject to Town Architect approval.

## SHUTTERS

- Shutters must be sized to fully enclose the windows even if the shutters are ornamental.
- Shutters must also have hardware even if the shutters are ornamental.

## OPENINGS

- Openings are required on all sides of the home.
- All windows and doors must be vertically proportioned. Avining or transom windows are the exception.
- Wood, wood clad, and metal windows will be permitted.
- Aluminum windows are prohibited.
- Black out windows are prohibited.
- Windows shall be energy efficient and will follow applicable energy code, if any.
- When visible from any street or open space, storm shutters or storm windows may be installed, but only with Town Architect approval.
- Sliding glass doors are prohibited on any elevation visible from the street without Town Architect approval.
- Sightsights are subject to Town Architect review and approval.

## FRONT DOORS

- Front doors must be made of long lasting and high quality materials that complement the architectural style of the home.
- Front doors must be made of either wood or metal.
- All homes shall have a minimum of 8' tall front doors.

## GARAGES

- Side or rear entry garages are strongly encouraged.
- If a front facing garage is desired, it must have enhanced garage door features which will be approved by the Town Architect on a case-by-case basis. Front facing garages shall have a minimum setback of 20' from front elevation of the house and should incorporate a porte-cochère if compatible with the design.
- All homes are required to have a garage large enough to accommodate at a minimum three full size automobiles.
- All garages should have a minimum of 8' tall doors, varying sizes may be granted approval by the Town Architect.
- All garage doors visible from the street shall be natural wood, wood clad, or glass material. Any synthetic material utilized is subject to the approval of the Town Architect.
- All garages shall be sheet rocked and painted.



# Accessory Massing Elements

## DORMERS

- Shed, hip, and gable dormers are permitted.
- The slope of the roof on the dormer must be equal to the slope of the roof on the home.
- Eaves of the dormers should match the eaves of the home.
- Roof material of the dormer should match the roof material on which it is located.
- Dormers should be no wider than the window or windows plus required corner casing.
- Dormers should not be over 25% of the roof area, when viewed in elevation.

## TOWERS

- Tower elements may be conditioned spaces or open.
- Roofs on a tower may be hipped or gabled, with slopes ranging between 3:12 and 6:12.
- Eaves must match the main body of the house.
- Towers may be comprised of a different material than the house as long as it blends in and is architecturally appropriate.

## VERTICAL ENTRANCES

- Vertical double height entrances with a ratio greater than 1:1.5 are prohibited.
- Entrances through tower elements may be permitted, subject to Town Architect approval.

## CHIMNEYS

- Chimneys shall be constructed of brick, stucco, or stone and be compatible with the architectural style of the home.
- All prefabricated fireplaces will have an architecturally compatible terminus cap approved by the Town Architect.
- Broad massive chimneys are encouraged.



# Site and Landscape Criteria

## SECTION FIVE

- 5.1 Lot Elements
- 5.2 Secondary Structures
- 5.3 Landscaping Criteria
- 5.4 Suggested Plant Materials
- 5.5 Drainage and Irrigation Systems
- 5.6 Fencing and Walls

# Lot Elements

## FRONT WALKWAYS

- Front walkways may be a minimum width of 48 inches. Walkways may connect to driveways.
- Steps leading to the front door or porch must have risers faced with the same material as the walkway.
- Materials should complement the materials of the house.

## ENTRANCES

- Two symmetrical masonry columns on either side of the driveway entrance are allowed. Entrance columns are required on homes with fencing on the front street boundary of the property.
- Masonry columns must be made of stone, brick, or stucco. Columns should be compatible with the overall design and aesthetics of the primary residence.
- Masonry columns may not be taller than 6' nor shorter than 4'.
- Masonry columns may incorporate an entry gate as long as they are compatible with the overall design, aesthetics, and materiality of the primary residence.

## DRIVEWAYS

- All driveways will be decorative concrete or other dust-free material that is approved by the Town Architect.
- Driveways should accommodate existing significant trees (defined as trees with 12-inch diameter at breast height) and may likely therefore take a curvilinear shape, depending on the unique conditions of the lot.
- Driveways shall be a minimum of 12' wide and a maximum of 16' wide, except at the driveway apron to garage entrances or to provide for a turnaround or governor drive.

## CULVERTS

- Culverts are required for all driveway entrances and walkways that cross over a borrow ditch.
- Culvert pipes must be covered and landscaped with masonry such as stone or brick.
- Culvert design must be compatible with the overall aesthetics and materiality of the entrance and the primary residence.
- Culverts must be sized appropriately for each lot and comply with the project engineer's specifications.

## SEWER CLEAN-OUTS

- All sewer clean-outs are to be located and screened with the shrub bed and painted black or dark brown.
- All clean-outs shall extend 3-4 inches above grade.

## TRASH RECEPTACLES

- Trash receptacles may not be visible from the street, except after 5:00 PM on the day prior to and on the day designated for removal of garbage, rubbish, and recycling.
- A concrete pad may be provided for two (2) trash receptacles located adjacent to the garage doors, behind a fence or screened with landscaping, and must not be visible from the street.

## ALL SITE MOUNTED EQUIPMENT

- All utility meters, equipment, air-conditioning compressors, evaporative coolers, and similar items must be noted on the plans and screened from view. Final location changes during construction will need an amended plan and screening submitted to the Town Architect.

## OUTDOOR LIGHTING

- All outdoor lighting will be either gas or warm white electric light, with illumination not to exceed property lines. No commercial lighting or bright white light will be allowed. All outdoor lighting must be pre-approved by the Town Architect.
- All lanterns on the front of the home shall be gas or electric.
- Shields will be required on any cave light and on uplights.
- Sport courts will require box or down lights and will be reviewed on a case-by-case basis to evaluate the impact on neighboring lots.

## MISCELLANEOUS

### Outdoor Fireplace

All outdoor fireplaces must provide precautions to guard against wildfires. Design, location, and materials must be approved by the Town Architect.

### Rainwater Collection Devices / Solar Devices

Refer to the Declaration and/or Policies adopted by the Association.

### Satellite Dish / Antennas

Refer to the Declaration and/or Policies adopted by the Association.

### Display of Religious Items / Flag Display / Signs

Refer to the Declaration and/or Policies adopted by the Association.

# Secondary Structures

## SECONDARY STRUCTURES

- Secondary structures such as outbuildings, play structures, detached garages, shade structures, pools, cabanas, guest quarters, shall be compatible with the overall design, aesthetics, and materiality of the primary residence.
- No secondary structure shall exceed the residence in height, unless there is Town Architect approval.
- Placement of secondary structures will be subject to approval by the Town Architect, unless the placement is within the approved home site location.
- Placement of dog runs must be such that they are not visible from the street and screened from adjacent property owners.

## POOLS AND EQUIPMENT

No pool may be erected, constructed, or installed without the prior written approval of the Town Architect. Above-ground pools are expressly prohibited.

All pool, spa, and air-conditioning equipment shall be fenced or screened.

## PLAY EQUIPMENT

Playground or recreational equipment must be placed or installed in the rear of the lot, unless it is screened from view from the street and all adjoining lots.

## SPORTS OR TENNIS COURT

Sports or tennis courts will only be allowed on certain lots. The determination will be based on factors such as size, placement, and visibility from adjoining lots.

Any homeowner desiring to construct a sports court must submit plans and specifications to the Town Architect for approval.

Basketball goals, backboards, and nets that are visible from the street will only be permitted if they are of high quality and permanent in nature and if the placement has been approved by the Town Architect.

No sports court should be directly visible from any street or common property.

## BOAT DOCKS AND OTHER WATER FRONT STRUCTURES

Refer to the Tarrant Regional Water District Improvement Guidelines & Applications for Eagle Mountain Lake prior to design and construction of any water front structures.

Boat docks and other water front scope of work must be indicated on the documents submitted to the Town Architect for review. The Town Architect will review for placement and overall design in relationship to the main lot structures but not for compliance with Tarrant Regional Water District Improvement Guidelines. Such compliance and approval must be obtained from Tarrant Regional Water District.

# Landscaping Criteria

## OVERVIEW

The preservation of the natural landscape and the harmonious integration of homes with their surroundings are encouraged in Fleming Pointe. Landscapes must be planned to blend in with the surrounding environment. Therefore owners and builders should adopt a layered strategy where well-kept landscaping appears close to the home and gradually blends into the undeveloped perimeters. Significant trees, defined as any tree with a diameter of 12 inches or more above breast height, should be preserved. The next page lists suggested plant materials for the development.

## LANDSCAPING GUIDELINES

### Design Approach A

Keep the landscapes adjacent to boundaries as native as possible. In this approach, thick vegetation and trees will act as natural privacy walls. Manicure only the landscapes adjacent to the home.

### Design Approach B

Clear out underbrush, thorny plants, and insignificant trees (defined as trees with less than a 12-inch diameter at breast height). Manicure the landscape adjacent to the home and softly fade into lightly cleared native landscapes that illuminate significant, mature trees.

- Both design approaches are appropriate in Fleming Pointe.
- Owners must keep street-facing fences, walls, and masonry columns clear of overgrowth.
- Owners with street-facing fences or walls must keep the area adjacent to the street neat, well maintained, and reasonably free of weeds.
- All adjacent street rights-of-ways and drainage/utility easements must be kept neat, well maintained, and reasonably free of weeds.
- Any improved turfs, yards or lawns must be kept neat, well maintained, and reasonably free of weeds.
- Any landscape that was graded or disturbed during construction, including street right-of-ways and drainage/utility easements adjacent to the owner's lot, must be re-vegetated as soon as possible with planting appropriate to the site.
- Landscaping at entrances must be kept neat, well maintained, and reasonably free of weeds.

## PROHIBITED PLANTS

Non-native, invasive plants are prohibited. Following is a partial list of prohibited plants:

- Giant reed
- Chinaberry tree
- Chinese tallow tree
- Johnson grass
- Japanese honeysuckle
- Chinese privet
- Glossy privet
- Japanese privet
- Giant salvinia
- Heavenly Bamboo
- Bradford Pears
- Blackthorn
- Mesquite

## TURFS

Appropriate native grasses are encouraged wherever possible. Non-native grasses, such as Bermuda, are often invasive and discouraged (but not prohibited in contained lawns or courtyards).

Artificial turf may be allowed in a contained/limited backyard applications, subject to approval on a case-by-case basis.

## BOULDERS

When using rocks and boulders, the setting must appear natural. The use of boulders should be consistent with the natural geology of the area.

- Preferably use native stone.
- Lay the stone in patterns that appear naturally occurring.
- Bury at least 35% of the rock or boulder mass below grade.

# Suggested Plant Materials

## OVERVIEW

The palette of plant materials should consist primarily of native plants that reflects the rich character of Texas. Along with their appropriate and attractive aesthetic character, native, and adapted species require less irrigation. Following is a partial list of plant materials that are permitted in Fleming Pointe.

## SHADE TREES - LARGE

- Bur Oak
- Live Oak
- Pecan
- Texas Red Oak
- Shumard Oak
- Cedar Elm
- October Glory
- Chinquapin Oak
- Durand Oak
- Autumn Blaze
- American Elm
- Black Hickory

## ORNAMENTAL TREES

- Woollybuckler Bumelia
- Texas Redbud
- Mexican Redbud
- Downy Hawthorn
- Green Hawthorn
- Possumhaw Holly
- Grape Myrtle
- Mexican Plum
- Eve's Necklace
- Mexican Buckeye
- Rusty Blackhaw Viburnum
- Roughleaf Dogwood

## SHRUBS

- American Beautyberry
- Yellow Bells / Esperanza
- Hardy Hibiscus
- Red Yucca
- Plumbago
- Spanish dagger
- Upright Rosemary
- Little John' Bortlebrush
- Flowering Quince
- Texas Sage
- Anthony' Waterer Spirea
- Leatherleaf mahonia
- Yaupon
- Crimson Pigmy Barberrry
- Dwarf Pomegranate
- Dwarf Pittosporum
- Bicolor or Butterfly Iris
- Pittosporum

## GROUNDCOVERS

- Elliott's bluestem
- Silver beardgrass
- Splitbeard bluestem
- Broom sedge
- Sideoats grama
- Cherokee sedge
- Partridge pea
- Northern sea oats
- Drummond's rain lily
- Golden tickseed
- Claspinglead coneflower
- Slender spikerush
- Flatstem spikerush
- Canada wild rye
- Virginia wild rye
- Leavenworth's Eryngo
- Flowering spurge
- Snowy prairie gentian
- Maximillian sunflower
- Globeberry
- Standing cypress
- Horsemint
- Muhly
- Scratchgrass
- Drawf' muhly
- Deergrass
- Switchgrass
- Virginia creeper
- Passionflower
- Drummond's phlox
- Black-eyed Susan
- Violet rudlia
- Scarlet Sage
- Swordleaf blue-eyed grass
- Indiangrass
- Big cordgrass
- Prairie corders
- Droopced
- Seaton grass
- Eastern gannagrass
- Prairie verbena
- Common blue violet
- Mustang grape

## PERENNIALS

- Blackfoot Daisy
- Bulbine
- Butterfly Weed Coneflower
- Copper Canyon Daisy Coral
- Berry
- Corcopsis
- Cuphea
- Flame acanthus
- Gaura
- Lantana
- Mexican heather Shrimp plant
- Society garlic
- Turk's cap
- Verbena
- Zinnia
- Yarrow
- Blackeyed Susan Artemesia
- Asparagus Fern
- Cast Iron Plant
- Yellow Bells
- New Gold Lantana plumbago
- Cherry Sage
- Indigo spires salvia Verbena

# Drainage and Irrigation Systems

## GRADING AND DRAINAGE

Disturbed slopes shall not exceed 4:1 unless it can be determined that a steeper slope will not erode. All slopes are to be re-vegetated as soon as possible with planting appropriate to the site.

A drainage plan for the entire lot upon which the residence is constructed shall be prepared by a professional engineer or licensed landscape architect and submitted to the Town Architect before implementation of the plan.

All grading and construction of any kind, including but not limited to buildings, fences, and plants shall ensure that all drainage coming on to and off of the lot should maintain the existing pattern and direction of drainage flow as shown on the City of Fort Worth's Approved Drainage Plan.

Drainage design is the responsibility of the owner and is required to reduce erosion and water run-off to adjacent property.

No grading of any kind is to be started until all plans for the lot, including plans for drainage have been approved by the Town Architect.

## IRRIGATION SYSTEMS

- All Irrigation Plans must be sealed by a Texas Licensed Irrigator.
- All turf and improved or manicured landscape must be irrigated.
- All valve boxes (& controllers, etc.) should be screened from view.
- Storage tanks are allowed and must be buried or screened.
- No water irrigation system may be designed to be sprayed directly onto adjoining lots, roadways, paved surfaces, Fleming Pointe mailboxes, or entrance monuments.

# Fencing and Walls

## OVERVIEW

All fence design and plans are subject to Town Architect approval.

### Preferred and Acceptable

No fencing or minimal fencing is preferred. Residents may choose to create a fenced in backyard, while others may choose to fence their entire property. Both approaches are acceptable in Fleming Pointe.

## FENCE GUIDELINES

### Design Requirements for Non-street Adjacent Elevations/Boundaries

- Fences must be wrought-iron and painted black.
- In lieu of wrought-iron fencing, boundary walls made of stone, brick, or stucco may be allowed with Town Architect approval if the wall design complements the design of the primary residence **and** the wall design aesthetically blends in the neighborhood and landscape.
- Alternative fencing materials may be allowed with Town Architect approval for fencing along the rear boundary, or any fencing that cannot be seen from the road or adjoining lots.
- Alternative fencing materials and design that are less disturbing to the native landscape should be considered along heavily wooded property lines.
- Pig wire, chicken wire, chain link, and similar materials are prohibited without request and approval from the Town Architect.
- Fences may be no taller than 5 feet and no shorter than 3 feet.
- Fencing location, height, and material should take into consideration the preservation of lake views.
- Sharp or dangerous points that could harm deer or other natural wildlife are prohibited.
- Fencing within the platted variable drainage easement is strictly prohibited.

### Design Requirements for Street Adjacent Elevations/Boundaries

- Fences must be wrought-iron and painted black.
- Other materials such as natural stone may be used with the approval of the Town Architect if they are compatible with the natural landscape and overall design of the development and primary residence.
- Masonry stone walls or columns may be incorporated with the approval of the Town Architect if they are compatible with the entrance monuments of the development and blend in with the natural landscape.
- Masonry column and wall designs are subject to the approval of the Town Architect.
- Entrance masonry columns are mandatory for properties who wish to have their front-facing boundary fenced.
- Refer to Lot Elements for guidelines on entrances and driveways.
- Fences may be no taller than 5 feet and no shorter than 3 feet.
- Fences must be placed behind the dedicated utility easement. Fencing within dedicated right of ways or dedicated utility easements is prohibited.
- Sharp or dangerous points that could harm deer or other natural wildlife are prohibited.
- Fencing within the platted variable drainage easement is strictly prohibited.

## RETAINING WALLS

Retaining walls should be built and designed to blend with the existing topography.

Where grade changes exceed 4', terraced wall structures with planting terraces (4' minimum width) are preferred.

Walls shall be designed with a 2:12 batter if the wall height exceeds 2'. Higher walls may be necessary due to topography and may be approved when such solution would significantly reduce impact to the site and landscape.

- All retaining walls must use stone or a natural stone veneer that matches Fleming Pointe's stone guidelines.
- Retaining walls may not exceed 4'-0" in height unless requested and approved by the Town Architect and must be designed by a licensed structural engineer.
- All retaining walls must be compatible with the overall aesthetics and materiality of the primary residence, the landscape, and the character of Fleming Pointe.



# Construction Standards

## SECTION SIX

### 6.1 Construction Standards

- Overview
- Governing Authority
- Construction Deposit
- Insurance
- Pre-Construction Conference
- Construction Trailers, Offices, etc.
- Storage of Construction Materials
- Portable Toilets and Dumpsters
- Work Schedule

### 6.2 Construction Standards

- Personnel
- Builder Signage
- Utility Use
- Construction Traffic
- Use of Access
- Land Clearing and Grading
- Preservation Areas
- Protection of Trees

### 6.3 Construction Standards

- Erosion Control
- Drainage
- Construction Fencing
- Blasting
- Excavation Materials
- Construction Damage
- Damage to Utility Lines
- Fires

### 6.4 Construction Standards

- Noise Levels
- Trash and Clean-Up
- Miscellaneous and General Practices



# Construction Standards

## OVERVIEW

The following construction standards shall be applicable to all construction activity in Fleming Pointe. In the agreement an approved professional must execute in order to be an approved contractor in Fleming Pointe, local ordinances, codes, regulations and other laws. Owners of property are responsible for the actions of their hired approved professionals and their subcontractors in Fleming Pointe. Builders are responsible for the actions or omissions of their subcontractors or employees.

## GOVERNING AUTHORITY

All Applicants and builders shall comply with the Declaration, these Design Guidelines, the regulations of any governing authority, as well as all applicable Occupational Safety and Health Act (OSHA) regulations and guidelines.

## CONSTRUCTION DEPOSIT

To guarantee that the construction standards are adhered to, each Applicant, before beginning any construction, shall post a cash deposit in the amount of \$10,000. Should it become necessary for the Declarant or the Association to remedy any violation of these construction standards, the costs of such remedy will be charged against the deposit. Should the deposit ever fall below \$2,000 due to Declarant or the Association drawing upon such deposit to remedy any violation of these construction standards, Applicant shall make an additional deposit to replenish the deposit amount to \$10,000. The obligation of the Applicant to repair, correct, complete or otherwise comply with these construction standards shall not be limited to the amount of such deposit. Upon completion of construction (including, but not limited to, installation of all landscaping in accordance with the approved plans and receipt by the Town Architect of the required certifications by the architect, landscape architect and surveyor or engineer, the deposit, less any expenses to cure any violations, shall be returned to the Applicant. Any additional expense over and above the deposit incurred by the Town Architect in enforcing compliance with the Design Guidelines will be recorded against the lot and secured by a lien until paid.

## INSURANCE

Each approved builder shall maintain comprehensive general liability insurance, including coverage for contractual liability, operations liability, explosion, collapse and underground damage liability, with a combined single limit of not less than ONE MILLION DOLLARS (\$1,000,000.00) per occurrence or such lesser amount as may be acceptable to the Association, covering all losses, damages and claims arising out of such professional's occupation, use of, activities on and ownership of property within Fleming Pointe, including property damage, bodily injury and death. The policy shall name the professional, Declarant, the Association and Owner as insured parties. Each approved professional shall also maintain (a) workers compensation insurance, if and to the extent required by law; (b) automobile liability insurance covering all motor vehicles owned, hired or used in connection with Applicant's or Builder's construction activities within Fleming Pointe; and (c) for building contractors, builder's risk insurance covering the building contractor's activities within Fleming Pointe, all in such amounts as are reasonably acceptable to the Association.

## PRE-CONSTRUCTION CONFERENCE

Prior to commencing construction, the Applicant or Builder shall meet with the developer to review construction procedures and to coordinate construction activities. All the aforementioned shall stop and register at the construction gate upon each visit to the site.

## CONSTRUCTION TRAILERS, PORTABLE FIELD OFFICES, ETC.

Any Applicant and Builder who desires to bring a construction trailer, field office or like to Fleming Pointe shall first apply for and obtain written approval from the Declarant. To obtain such approval, Applicant or Builder shall submit a copy of the architect's site plan with proposed locations of the construction trailer or field office, and the trash receptacle noted thereon. Such temporary structures shall be removed upon completion of construction. The trash receptacle shall be of an approved size and material.

## STORAGE OF CONSTRUCTION MATERIAL

The storage of all construction materials, to the extent permitted, must be in designated areas only.

## PORTABLE TOILETS AND CONSTRUCTION DUMPSTERS

Prior to commencing construction work, a portable toilet must be placed on the Lot where the construction is to take place with the door facing away from the street. The portable toilet and any construction dumpster must be placed in a manner so as to least disturb other portions of the development and must be removed from the property as soon as practicable after construction activity on the Lot no longer requires their presence. Dumpsters and portable toilets shall not be placed in the street.

## WORK SCHEDULE

Daily work hours shall not start before 7:00 AM, Monday through Friday and not before 8:00 AM, on Saturday and Sunday. All work shall cease by 6:00 PM. The Declarant may approve additional hours for good cause shown. All construction crews should enter/exit from construction entrance on the north side of the development.

# Construction Standards

## PERSONNEL

Only bona fide workers involved in construction are allowed in Fleming Pointe as part of a construction operation. Such workers are required to exit Fleming Pointe upon completion of their work. Spouses of workers may drive their spouse to and from the construction site, but must not remain on the property unless they are actual employees of a builder or a subcontractor. No minor children are permitted to be at Fleming Pointe related to construction operations unless they are bona fide workers. Construction workers shall not bring pets onto Fleming Pointe property. Contractors shall never have or drink alcoholic beverages while at Fleming Pointe.

## BUILDER SIGNAGE

Only a Town Architect approved sign, showing the Owner, architect or the Builder will be allowed on each Lot during construction. No other signs will be allowed. A copy of all applicable Town Architect approval letters for all work approved must be on site during construction. The Town Architect will provide information on how to order an approved sign.

## UTILITY USE

Builder and subcontractors will use only the utilities provided on the immediate site on which they are working.

## CONSTRUCTION TRAFFIC

All construction traffic shall access Fleming Pointe through the designated construction entrance as designated by the Declarant. For security purposes, all approved professionals doing work within Fleming Pointe must furnish a complete list of their contractors, subcontractors, and employees who are permitted entry into Fleming Pointe. Such construction passes must be visible within the vehicles of contractors, subcontractors or their employees at all times while in Fleming Pointe. The speed limit within Fleming Pointe is 15 miles per hour. Workers who are caught speeding or reported or identified to be speeding after an initial first time warning shall be prohibited from driving in Fleming Pointe. Construction crews should enter/exit from the construction entrance on the north side of the development.

## USE OF OR ACCESS THROUGH ADJACENT LOTS OR COMMON AREAS

The use of access through adjacent Lots for construction activities is strictly prohibited without written permission from the adjacent owner. The use of or access through common areas for construction activities is strictly prohibited without express permission of the Association.

## LAND CLEARING, GRADING, AND START OF CONSTRUCTION

No land clearing, construction work, or placement of construction material will be permitted until all required governmental permits are obtained and formal written approval of the Town Architect has been granted. The construction layout review must also have taken place satisfactorily before such work can be done. Fill shall not be deposited at any location without prior Town Architect approval. No clay fill will be permitted. Cuts and fills shall be designed to complement the natural topography of the site. No grading, cutting or filling shall be commenced until erosion and sedimentation control devices, identification marking and protection fencing have been installed between the disturbed area and water bodies, watercourses, wetlands and storm drain inlets. No construction or clearing is allowed on any conservation easement. Construction shall be completed within 3 years from date of construction commencement for new construction, and 1 year for remodels and additions.

## PRESERVATION AREAS

Due to the large amount of natural landscape throughout Fleming Pointe, preservation of these areas are highly encouraged. Areas on lots that are not within the approved scope of construction are to be preserved and protected from damage through the use of the following:

- All edges of any identified preservation area adjacent to or within a site must be field staked and guarded with a line of continuous silt fencing. All such fencing must be maintained in good working order throughout the entire construction schedule. Preserve areas must be clearly marked and identified to workers on site.
- Trees, under story and shrubs in preserve areas are to remain untouched and unharmed and must have complete perimeter tree protection fencing (orange) erected at the canopy drip line.
- The dumping of anything in these areas are strictly prohibited.
- No vehicles shall be driven in this area.
- Silt fencing to be placed along boundary of all undeveloped natural areas.

## PROTECTION OF TREES

Grading, unless otherwise approved by the Town Architect, shall not disturb existing trees and vegetation. During construction, building contractors and their subcontractors shall be responsible for protection of all trees to be retained on the site, including root zones, trunks, limbs, and canopies. A penalty may be imposed for damage to trees to remain in place.

# Construction Standards

## EROSION CONTROL

Erosion control measures (silt fencing) are required on all sites. All reasonable methods to prevent erosion must be included in plan submittals. Erosion control measures must be maintained until the site has been landscaped. Silt fencing must be in place on three sides of buildings at all times. The Town Architect reserves the right to require silt fencing to be placed on all property lines to retard debris blowing from construction to waterways, common areas and/or streets. The width of the buffer shall be sufficient to prevent erosion, trap the sediment in overland runoff, provide access to the water body and allow for periodic flooding without damage to structures.

## DRAINAGE

Effects on existing drainage structures shall be minimized. Fleming Pointe is subject to an approved drainage plan and all Lot drainage must coordinate and comply with this drainage plan. The flow of water shall be directed to existing drainage structures in such a manner as to minimize run-off onto adjacent property. All reasonable methods to prevent erosion must be included in plan submittals. Paved areas shall be designated so that surface water is collected in a manner that will not create puddles or ponding.

## CONSTRUCTION FENCING

To protect the area outside the construction site from damage due to construction operations, a temporary fence, approved by the Town Architect, shall be installed to completely enclose such area as such is depicted on the Final Plans. Such fence shall have a single entrance located at the driveway entrance and shall remain until completion of construction and then promptly removed. Security lights, audible alarms, and guard animals are not be permitted. The construction trailer, sanitary facilities, construction material storage and trash receptacle must be contained within such fence. Under special circumstances and with the prior approval of the Declarant and/or any affected Lot Owner, construction materials may be stored outside such fence. In the event it is necessary to conduct construction activities outside the fence, Applicant or Builder shall submit to the Town Architect a boundary description of the proposed encroachment. Such encroachment shall be returned to its original condition upon completion of construction.

## BLASTING

If any blasting is to occur, the appropriate governmental entity and the Declarant must be informed in advance in writing. Each owner who desires to perform blasting must obtain the advice of expert consultants and, if requested, provide Declarant and Town Architect with an expert report confirming that blasting may be accomplished safely. No blasting or impact digging causing seismic vibrations may be undertaken without the approval of the Association and the Declarant, which shall be based upon such advice from a qualified consultant. Applicable governmental regulations concerning blasting must be observed. Neither the Association nor the Declarant shall have any liability or responsibility for any such blasting, all of which is undertaken at the risk of Owner and its contractor.

## EXCAVATION MATERIALS

Excess excavation materials must be hauled away from Fleming Pointe and properly landfilled. Failure to do so may result in the Declarant or the Association or the Association removing the material and charging the expense against the construction deposit.

## CONSTRUCTION DAMAGE

Any damage to streets, drainage inlets and swales, sidewalks, street lights, street markers, signage, mailboxes, landscaping, etc., by an Owner, building contractor, landscape contractor, or sub-contractor will be repaired immediately by the Owner, builder, landscape contractor or sub-contractor as applicable. If this is not done, the Declarant, the Association or the Town Architect may cause repairs to be done and such costs billed to the responsible party plus a 10% assessment for administrative costs. Such costs shall be deducted from the applicable construction deposit. An operator of a vehicle is responsible for immediate clean-up of any load spillage from the vehicle, including fill dirt, wet concrete, trash or debris. Nothing herein is intended to limit the Declarant's or the Association's rights and/or remedies under the Declaration.

## DAMAGE TO UTILITY LINES

If any telephone, cable television, electrical, water, etc., line is cut by Owner, Builder, Builder's landscape contractor or sub-contractor, it is such person's responsibility to report the accident to the Town Architect, Association and Declarant within 30 minutes of the damage. The responsible party must repair damage immediately or arrange for the appropriate installer to repair damage immediately at the expense of the party responsible. If the Declarant of the Association must do such work, the expense plus a 10% assessment for administrative costs will be assessed to the appropriate party and shall be deducted from the construction deposit if appropriate. Nothing herein is intended to limit the Declarant's or the Association's rights and/or remedies under the Declaration.

## FIRES

No open fires or burning of trash or debris is allowed on any construction site.

# Construction Standards

## NOISE LEVELS

Absolutely no radios or other music is to be played outside during construction. Radios or other music played inside must be kept to a level that cannot be heard outside of a structure.

## TRASH AND CLEAN-UP

All construction sites in Fleming Pointe must be maintained in a neat and orderly fashion and clean-up of construction sites shall occur on a daily basis. All trash must be located on the construction site which shall be removed and cleaned out everyday. The Applicant or Builder on an active construction site is responsible for trash that blows off the site and shall retrieve such trash immediately. There will be no stockpiling or dumping of trash or materials on adjacent Lots or on streets, driveways, easements or common areas. Any trash not timely removed from the construction site may be removed by the Declarant or the Association, and the cost for such removal shall be billed to the responsible party, plus a 10% administrative assessment. Workers who throw their trash out of cars or trucks shall be prohibited from working on job sites in the project.

## MISCELLANEOUS AND GENERAL PRACTICES

All Applicants and Builders will be absolutely responsible for the conduct and behavior of their agents, representatives, contractors and subcontractors while in Fleming Pointe. The following practices are prohibited:

- Changing oil on any vehicle or equipment on the Lot itself or at any other location within Fleming Pointe other than at a location, if any, designated for that purpose by the Town Architect.
- Allowing concrete suppliers, plasterers, painters, or any other subcontractors to clean their equipment anywhere but the location specifically designated for that purpose by the Town Architect. Such cleaning outside the designated area anywhere on the Lot is strictly prohibited. Violation of this provision will result in a fine in the amount of \$2,000.00 per occurrence or the repayment of the cost of repairing the damage, whichever is greater.
- Removing any rocks, plant material, topsoil, or similar items from any property of others within Fleming Pointe, including other construction sites.
- Using disposal methods or equipment other than those approved by the Town Architect.
- Careless disposition of cigarettes and other flammable material. At least three 10-pound ABC-rated dry chemical fire extinguishers shall be present and available in a conspicuous place on the construction site at all times.
- Smoking by construction workers outside the area designated for smoking. Such areas will be contained within the construction site and Applicants and Builder shall provide ash cans.
- Destruction or removal of protected plant materials or plants not previously approved by the Town Architect.
- Radios and other audio equipment which can be heard outside the construction site. Electronic equipment is recommended to have headphones.
- The use of horns by any catering trucks. Trash generated by the purchase of items shall be contained and disposed of properly. Repeated problems with these requirements will result in the catering trucks being denied admittance to Fleming Pointe.



FLEMING POINTE

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