



ARCHITECTURAL REVIEW BOARD

And

DESIGN GUIDELINES



These Architectural Review Board (“ARB”) and Design Guidelines are made to provide the residents and property owners of Charles Pointe and any other Sub-Association of the Charles Pointe community created hereafter with specific guidance as to Architectural Review Board and Design Guidelines (“the Guidelines”) and design standards to be implemented in the retail, office, commercial, mixed-use, and residential areas at Charles Pointe. These Guidelines are as designated by Article VIII, Use Restrictions, of the Master Declaration of the Common Interest Community Known as Charles Pointe (the “Declaration”), of record among the Land Books of Harrison County, West Virginia, at Deed Book No. 1382, at page 636, and the West Virginia Uniform Common Interest Ownership Act, West Virginia Code § 36B-1-101et seq., as amended (the “Act”).



CHARLES POINTE ARCHITECTURAL REVIEW BOARD AND DESIGN  
GUIDELINES

TABLE OF CONTENTS

	<u>Page</u>
Table of Contents	3
Article I Charles Pointe Project Overview	4
Article II Architectural Design Guidelines	6
Article III Design Standards of the Commerce District At Charles Pointe	18
Article IV Design Standards of the Multi-Family Homes At Charles Pointe	23
Article V Design Standards of the Single Family Homes At Charles Pointe	24
Article VI Project Identity	29
Article VII Application Process Before the ARB	31

---



## ARTICLE I – CHARLES POINTE PROJECT OVERVIEW

Section 1. Development Concept. Charles Pointe is poised to be West Virginia's premier master-planned development: a vision of what West Virginia's future can be. A place for families to live, work and play – with unparalleled beauty, and a quality of life that few states can match. Charles Pointe is designed for “smart” homes, golf amenities, and a mixed-use town center that will provide residents and visitors with an abundance of retail shopping and entertainment centers. Charles Pointe is designed to be the home to hotels and conference centers that will draw businesses and organizations from around the region and the world to become the centerpiece of research, education and job development in West Virginia. The first phase of this planned growth is supported on land area north of the Route 279 connector, with the goal of establishing the future character and mix of uses envisioned for the entire community.

Section 2. Charles Pointe Town Center. An area of approximately 156 acres has been planned as a mixed-use employment, shopping and residential district for the first phase of development at Charles Pointe. This site area has been sized and planned for hotels, a conference center, restaurants, shops, entertainment, recreational, single and multi-family residential units, which will serve as a destination use and encourage the continued marketing and development of professional office, business service and other employment uses. The development of this core area will have an important role in setting the character of the overall community and other destination activities. The architectural and mixed use character along the main street is critical and will take on some of the principles of traditional architecture and town planning that



will be incorporated into later phases of development. These Guidelines represent the criteria that will be used to approve proposed site and building plans. The Association and/or Sub-Associations will have responsibility for maintenance of common elements, and will encourage and protect high property values.

Section 3. Legal Description. Charles Pointe is located in the City of Bridgeport, Harrison County, West Virginia and is described in the most current Declaration Plat of record in the office of the Clerk of the County Commission of Harrison County, West Virginia, as amended from time to time in accordance with the Act.

Section 4. Limitation of Enforcement. The terms and conditions of the Architectural Review Board and Design Standards may be enforced only by the Declarant, as stated in the Declaration, Association or by any Owner or Lessee in good standing with the Association with a property interest in Charles Pointe.



## ARTICLE II - ARCHITECTURAL DESIGN GUIDELINES.

Section 1. Building Type/Use. All permitted uses and physical improvements shall be in conformance with the applicable City of Bridgeport Code, unless modified by any Agreement, among Genesis Partners, Limited Partners (the “Developer”) and the City of Bridgeport, subject to the use limitations herein. These guidelines shall apply to any proposed change in use. The Architectural Review Board (“ARB”) shall review any proposed use or change in use and may approve, provided said proposed use conforms to these guidelines, and is complementary to the surrounding uses.

Section 2. Design. The layout and design of individual uses of the property should establish a pattern that will complement the adjacent built or planned areas. Pedestrian orientated design should encourage the inter-connection of uses so that visitors will be able to walk to restaurants and other commercial uses. Interparcel connection for cross parking use and vehicle circulation is also anticipated. Parking areas should not be located in a single parking field, but should be broken into smaller “courtyards” surrounding the structures, and/or separated by landscape/pedestrian corridors.

Siting and design shall be subject to review and approval by the ARB. Such review and approval shall take into consideration the goal to create a human scale of design elements at the ground level. Particularly since some uses approach the size and character of “big box” retail, there should be an increased emphasis placed on the architectural detail of all building faces, the screening of rooftop mechanical equipment, control of the view from residential uses, and the building entry. Larger structures



should be designed to have the appearance of smaller components that have developed over time.

Finer materials, superior details, and more skillful craftsmanship shall be used on facades facing public areas, especially any portions of the building oriented to the commercial street and the project main street. All facades facing public areas shall be of uniform design so as to present an integrated appearance of all facades from any viewpoint. The front building elevation should be designed to serve as a landmark that terminates the view down the commercial street and provides an inviting visual cue to assist in locating the key uses or landmark structures.

Section 3. Siting/Height/Landmark Site Coverage. Landmark sites within the mixed use areas should promote the concept of aligning proposed buildings with defined street edges and in relationship with surrounding structures (or anticipated structures). It is anticipated that the main entry to a building would face the street and would connect to a pedestrian walkway system for the overall Charles Pointe development.

Buildings and structures, as well as on-site travelways and offstreet parking areas, shall be subject to the setback requirements and site planning criteria of the City of Bridgeport ordinances (or as approved by the City Planning Commission), and shall be offset from the right-of-way or property line an adequate distance of not less than five (5) feet to provide for safety measures and perimeter landscaping.

Subject to approval of a site plan by the ARB, required buffers and perimeter landscaping may be provided by the ARB on the surrounding slope areas that would be located off-site within common landscape areas. Replacement and maintenance of this



landscaping would be subject to a cost sharing agreement with the commercial owners association. Site grading and drainage design will be reviewed and approved by the ARB to insure design intent, access to utilities, and stability of off-site slopes.

Building height will be controlled by the B-1 or B-2 zoning regulations of the City of Bridgeport and the applicable Federal Aviation Administration controls regarding height of structures within the vicinity of Harrison-Marion Regional Airport. In order to promote a mixed use Town Center scale of development for the property, building heights will be generally limited to three (3) stories or 38 feet for mixed use and retail development areas. Landmark sites will be deemed appropriate for a greater building height for key features, when the site and building design establish a high standard for construction and materials within future development areas, and when the building is specifically designed to serve as an architectural landmark key use at an important project location.

Lot coverage is proposed as a means of encouraging the incorporation of landscape areas in the development of any one individual site plan area. The lot coverage criteria will apply to the site area net of public street right-of-way and steep graded slopes associated with the property. A minimum of five percent (5%) of the net site area shall be landscaped open space and shall generally be located as foundation planting area, and parking lot landscaping areas.

Section 4. Architectural Style. Design and architecture of buildings and structures within the property; including siting and materials, shall be subject to the ARB's review and approval, with the intent being that building and structures within





Charles Pointe complement each other in design, style and materials, without necessarily being identical, and all contributing to a mixed use Town Center character.

The design and siting of buildings shall complement the modified terrain and location of open space and public use areas. All architectural plans will be evaluated in terms of integration, form, texture (materials and color), scale and facade with the particular character of each site, as well as with adjacent buildings.

Plans and specifications submitted by an applicant shall show the proposed design, including materials, of the proposed building or structure and indicate how it may relate to existing or proposed commercial buildings or residential structures on adjoining lots or sites or across public or private streets within the property.

Section 5. Walls/Façade Composition. The exterior face of all buildings should be designed to implement project goals of human scale, pedestrian oriented architectural features. Each structure should be designed with a pattern for the building with a base, middle and top. The building façade, and the majority of openings should have relief and depth that produces shadows. Windows should have lintels and sills to establish a character of traditional building methods. For each structure, a single building material should be used as a dominant theme in the façade, with secondary materials used to highlight and accent the design. Contrast and accent colors must be approved by the ARB.

All exterior building walls and structures shall be constructed with attractive, durable materials, such as textured concrete, masonry, stone, brick, finishing wood, stucco, smooth metal panels or glass. Finer materials, superior details, and more



skillful craftsmanship shall be used on facades facing public areas, especially any portions of a building visible from the Route 279 frontage and onsite roadways.

Less expensive materials, simpler details, and more expedited means of construction may be used on other, less prominent elevations, but shall be harmonious with and complement the design and construction of more visible elevations.

Unless otherwise approved by the ARB, and properly maintained, colors to be used on building exteriors must not be applied, but must be intrinsic to the material use. Exposed concrete foundation walls shall be clad in brick or stone.

Retaining walls shall be brick or stone or acceptable precast units. Screening walls shall be stone, brick or stucco and may include pierced brick. Gates shall be wood. Arches and piers shall be brick, stone or stucco. Wood screening fence, where permitted, must have two (2) finished sides and masonry piers/posts.

Movement joints (expansion, contraction, etc.) shall not be easily identifiable.

Trim is required where there is a change in materials, and shall be an appropriate size and material for the location. Trim color shall be selected from the list approved by the ARB and should match or compliment the color of the wall on which the trim is located. Trim may be permitted wall materials or precast concrete.

Fences, railings, and guardrails shall be subject to the ARB's approval in terms of materials and location. Approval by the ARB does not guarantee the safety of anyone utilizing such railings, fences or guardrails.

Section 6. Roof Form. Roof lines shall reflect traditional building types for an individual lot and structure (sloping or gable roof). Building roofs are to be uncluttered, and when flat roof surfaces would be visible from roads and adjacent areas, pitched,



sloped roofs or parapets should be utilized to assist in screening roof top equipment and to break up the scale of a large single surface.

Roofs, when sloped, shall be of standing seam metal, slate, artificial slate or fiberglass shingles. Roof treatment shall be consistent for all building elevations.

Colors for roof materials, if other than a natural material left to age naturally, shall be black, gray, silver, dark red or dark green. In considering the color of roof materials, the ARB shall consider the visibility of such materials and the color of buildings/roofs on adjacent sites.

Principal roofs that are sloped shall have a symmetrical gable or hip. Principal roofs that are flat shall have a horizontal parapet wall no less than two (2) feet high. Principal roofs may be a combination of mansard and flat roofs. If the mansard is utilized it shall be continuous over a constant slope, and used to lower the effective scale/height of a tall structure by incorporating the upper story of windows.

Mechanical equipment placed on the roof must be hidden by an enclosure designed to be compatible with the roof, which enclosure shall be a parapet wall or similar enclosure, which is consistent with the color and materials of the building. Roof equipment shall not be visible from public rights-of-way or the ground level of surrounding properties.

Vertical projections beyond the roof or parapet wall, such as towers, dish antennas, vents, etc. should be avoided. However, should such projections be necessary, they must be appropriately designed and/or screened, and approved by the ARB in its discretion, and conform with Federal Aviation Administration limitations near the Harrison-Marion Regional Airport.



Section 7.Lighting. Site lighting is intended to be both attractive and functional and sited to provide efficient illumination, enhance its setting aesthetically, and provide for safety and security.

A hierarchy of fixture types, depending upon their intended use, different sizes or types of fixtures shall be employed for streetlights, parking area lights, building illumination and trail lights. The ARB will approve lighting types appropriate to the use being served, the surrounding uses, and overall visibility of the location to be illuminated. Light from on-site sources/fixtures should not be directed toward, and the visibility of fixtures/poles should be minimized from residential areas and Interstate 79.

To this end, each applicant shall submit a detailed lighting plan for the ARB's review and approval, which will, among other things, provide the type (including the color spectrum), wattage, siting and material of each exterior light/light fixture/pole. Heights of light poles and heights above grade for building-mounted fixtures shall be provided. Fixture schematics, including sketch of area of light spillage at ground plane, shall be provided for each type of fixture proposed.

The type, height and location of streetlights shall be approved by the ARB. The design should enhance the community image of the property overall. the ARB may adopt a standard street light fixture, including pole, which shall then be required throughout the property. Installation, service and utility fees are the responsibility of the property owner.

Section 8.Utilities. All utilities, including but not limited to, electric power lines, telephone lines, gas lines, cable television lines, water and sewer lines and drainage pipes, shall be underground or enclosed within a main building.



Common Shared Easements shall be used to the maximum extent possible to minimize the area encumbered by utility easements. Landscaping will be permitted in the utility easements where the placement of plant material does not directly interfere with the purpose of the easement.

Related facilities to such utilities shall be underground or enclosed within a building approved by the ARB, or where that is impossible because of the nature of such facility, it may be located above ground in an unobtrusive location and screened by landscaping, as approved by the ARB. Where possible, utilities should be installed within already-cleared areas, such as road rights-of-way and driveways serving the property so as to avoid the disruption of existing vegetation and pavement when installing or repairing utility lines.

Consistent with any requirements of federal or local law, antennas and receiving or transmitting dishes shall be located in an unobtrusive location and screened from view, or incorporated in the building design. Such location shall be shown on a plan submitted for the ARB's review and approval, taking into consideration the technical requirements and need for such antenna/dish and location.

Section 9. Signs. All signs will be subject to City of Bridgeport zoning ordinance requirements, in addition to meeting the guidelines contained herein.

All signs, whether temporary or permanent, shall be designed, fabricated, sited, altered and maintained in accordance with the plan or plans approved by the ARB.

An Owner shall submit, to the ARB for review and approval, an application and plan or plans, indicating type, size, location, height, colors, materials, and text of each proposed sign, as well as any proposed lighting and landscaping for such sign. All



signage shall demonstrably complement the architectural style and color scheme of structures on the property. The application shall indicate whether the proposed sign is to be temporary or permanent.

Signs may be illuminated, but shall not be moving, flashing, blinking or fluctuating. General advertising, locational advertising and billboards are not permitted. Free-standing signage for the key uses or landmark buildings that would be visible from the Route 279, or located along the main streets shall be incorporated into overall project identity signage for Charles Pointe.

Primary signage for individual buildings or uses should be incorporated into the building façade design. Signs may, with the ARB's approval, be placed on the wall of a building, in or behind a window of a building or on a pole if otherwise permitted, or on the ground. Window signs shall be professionally designed and applied lettering inside the streetfront windows. No roof signs shall be permitted.

All freestanding business, informational and directional signs shall be monument-style or consistent with a comprehensive sign plan that provides for a standardized base and color scheme.

Section 10. Landscaping. The primary design objective for new landscaping is to visually combine new development with its surroundings, compliment the design of buildings and structures, screen service areas and utilitarian elements of the use from view, enhance the attractiveness of trails and courtyards, and, improve the appearance of parking lots, public and private streets. Site design should also plan for outdoor use areas as public space associated with the pedestrian access system.



Landscape plans are subject to the ARB's review and approval. Landscape plans shall be prepared by registered landscape architects. The landscape design should emphasize large-scale formal motifs; utilize plant material that is sympathetic in color, form and texture to the building materials; be simple, incorporating only a few plant types in any given area to avoid "visual chaos;" concentrate selected species in masses to maximize their visual effect; use specimen trees and shrubs in key locations; and emphasize seasonal interest. The ARB may designate a list of acceptable plantings, or unacceptable plantings or both, which list(s) shall be utilized in preparing and submitting a landscape plan.

A landscaping plan for any parcel of the property is to be submitted to and approved by the ARB prior to any development of the parcel. Such plans shall include information regarding type of sodding, seeding, trees, hedges and shrubs, and other proposed treatment of site such as irrigation, walls, sign locations, special paving etc. Landscaping of the parcel must be in accordance with the approved landscaping plan for the proposed site and any subsequent overall landscape plans for the property.

Parking areas shall be visually screened from adjacent roads. Open, off-street parking areas shall have interior landscape areas comprising at least five percent (5%) of the total parking area. Landscape treatment may occur on site or within surrounding common open space areas.

Plant species located in parking areas should be selected with consideration of the area needed for roots to allow maturation of the species, as well as the need to be drought, glare, and salt damage resistant to ensure a quality landscape planting. The property has unique conditions based on significant regrading of the site that may



require imported soil for all planting areas, installation of sub-surface drainage for planting beds and careful selection of plant material that can withstand exposed weather conditions. All plant material installation shall have a one-year warranty as well as an ongoing maintenance contract that requires replacement of material within thirty (30) days of notice by the Developer.

Sufficient landscape plantings or outdoor use areas will be encouraged around all proposed buildings to soften and harmoniously integrate all structures with the surrounding site context.

Section 11. Service/Loading/Dumpster Areas. Outside storage of material, supplies, or equipment, including trucks or other motor vehicles, shall be permitted only if approved by the ARB, in its discretion, and the area containing such storage is fully screened on sides with architectural walls and/or landscape screening.

Dumpsters shall be inside the building or located in service areas, away from public view and screened with a solid wall or fence, architecturally harmonious with the building it serves and/or landscape screens which are at least twelve (12) inches taller than the dumpster walls.

Section 12. Sidewalks/Trails. An overall trails and sidewalk system for the Property will be established by the ARB. Sidewalks and/or trails shall be provided for non-motorized traffic, including pedestrian and bicycle connections from parking areas to buildings, between buildings, to adjacent parcels, along public and private streets, and to recreation facilities. Sidewalks and trails shown on the master plan shall be constructed by the Owner of a parcel of the property when sidewalks and trails are on such parcel.





Section 13. Stormwater Management. Adequate on-site stormwater collection systems must be designed in accordance with the requirements of City of Bridgeport and State of West Virginia standards.

Section 14. Maintenance. To preserve the high quality image for the property, each Owner shall be held to a consistently high standard of maintenance for both land and improvements. As required in the Declaration, each Owner must keep the land and improvements, including appurtenances and parking areas, in a safe, clean and neat condition.



## ARTICLE III - DESIGN STANDARDS OF THE COMMERCE DISTRICT AT CHARLES POINTE

### Section 1. Purpose.

1.01 The purpose of these Design Standards is to create supplemental standards for the development of the Commerce District At Charles Pointe (the "Commerce District") that will promote development that is attractive in appearance, functionally integrated, and will promote pedestrian and recreational activities.

1.02 These Design Standards are intended to be more specific and may be amended by the Architectural Review Board (the "ARB"), as established in the Declaration, to clarify or address uses and conditions that were not anticipated with the preparation of the generalized master plan. In the event of any conflict between these Architectural Review Board and Design Guidelines ("Design Standards") and Declaration, these Design Standards shall control. A checklist of the Design Standards and Guidelines that will be reviewed by the ARB for any site plan, building permit, or change of use will be set forth in Section VI hereof.

### Section 2. Intent.

2.01 The Commerce District is intended to provide areas of mixed commercial, retail, office and limited residential use with sufficient structure and density to promote high levels of economic and pedestrian activity. These areas will provide a destination center, as well as local service to Charles Pointe.

2.02 The Commerce District shall consist of two sub-areas as follows:



(a) Mixed Use Retail Area. The design concept features a pedestrian oriented, open-air destination center that repeats traditional town patterns of main street shops. Primary design features for the Mixed Use Retail area include storefronts along roadways, curbside parking, pedestrian plazas, and sidewalk designs that integrate into building architecture. Street level/first floor leasable space shall be commercial, retail or office use. Upper level/second or third floor space may be commercial, office or limited multi-family residential use.

(b) Corporate Office Area. The design concept features multilevel office buildings and an urban gateway adjacent to Route 279 connector that includes a Hotel and Conference Center. Building height, location, and architectural character is intended to create a strong point of site identity and location and an anchor for the pedestrian connections between north and south site development areas.

2.03 Density and building mass are increased in the Commerce District at key points within the district to encourage development of class A office structures and a landmark hotel/conference center of larger scale and size and nearest the Route 279 project entry and the Route 279/Interstate 79 interchange Building massing shall achieve a minimum of three (3) stories (four (4) encouraged). Structured parking is encouraged as heights increase over four stories to reduce the impact of on-site parking and allow greater open space at the ground level. Retail uses are also encouraged at ground floor levels to further encourage pedestrian activity.

2.04 Building massing along Genesis Boulevard shall achieve a minimum of 2 stories of leasable space arranged to frame and front the street and screen off street



parking from view. Street level/first floor leasable space shall be commercial, retail and office use. Upper level second or third floor may be commercial, office or multifamily residential use.

2.05 Retail/Commercial structures and uses in the Commerce District, zoned B-1 (west of Genesis Boulevard and north of Conference Center Way) shall achieve a minimum two (2) story front elevation building mass as viewed from the public or private street frontage. Retail/Commercial structures located in the Commerce District, zoned B-2 (east of Genesis Boulevard and south of Conference Center Way) should achieve a mix of one (1) and two (2) story building elevations.

2.06 Heights and density may be moderated in peripheral areas of the Commerce District to promote a more suburban setting adjacent to residential and open space uses.

### Section 3. Design Standards.

#### 3.01 Building Orientation and Access.

(a) When ground-floor commercial spaces abut mid-block pedestrian connections, entrances to the commercial spaces should be oriented toward the mid block connections as well as toward the streets. The area alongside the proposed pedestrian connections should be developed as a usable plaza with a combination of hardscapes, planters and seating areas. These areas may be eligible for common area ownership and maintenance.

#### 3.02 Building and Site Design.



(a) Site development shall occur generally in conformance with the master plan and as subsequently updated by the Association to reflect approved site plans.

### 3.03 Building Height

#### Mixed Use Retail:

Fronting Genesis Boulevard - minimum 2 stories  
- maximum

Other Retail/Commercial - minimum 2 story front elevation  
- maximum

#### Corporate Office/Hotel:

- minimum 3 stories  
- maximum

3.04 Mixed Use. The Developer/ARB retains the right to approve all uses and change of use within the project. The concept of “complementary use” as it relates to the described mixed use character of the Commerce Center shall be the main principle used in approving land uses. This principle shall not be interpreted to limit competition between similar uses that would add to the economic vitality and destination character of the district.

### 3.05 Common Elements

(a) Common Elements shall include private streets, sidewalks, trails, pedestrian plazas, public and private street landscaping, project signage, parks, greens and courtyards that are accessible to the Charles Pointe community and are maintained by the Association.



(b) Each property owner shall include common elements in site design or provide connections to common elements as part of Site Plan approval by the ARB.

(c) Public art should be encouraged in common areas .

Section 4. Architectural Guidelines.

(a) National Chain/Franchise Requirements. Commercial architecture that represents a national or regional standard for an individual use shall be required to present to the ARB the base standard, and a minimum of two current building prototypes or local modifications with options for materials and colors that would meet the stated intent of providing an overall character and quality that is consistent within the district.

Section 5. Transportation Guidelines.

(a) Vehicular. Site areas planned for access and parking that serves single uses, such as an office parcel, may control or limit vehicular access for other uses within the district if requested by the property owner and approved by the ARB. Otherwise, shared access and parking easements will be required between adjacent development areas in the mixed use areas of the site.



ARTICLE IV - DESIGN STANDARDS OF THE MULTI-FAMILY HOMES AT  
CHARLES POINTE

Section 1. Purpose.

1.01 The purpose of these Design Standards is to create supplemental standards for the development of the Multi-Family Homes At Charles Pointe (the “Multi-Family Homes”) that will promote development that is attractive in appearance, functionally integrated, and will promote a sense of community, home, pedestrian and recreational activities.

The Design Standards of the Multi-Family Homes At Charles Pointe shall be amended from time to time as necessary to reflect the growth of Multi-Family Homes.



ARTICLE V - DESIGN STANDARDS OF THE SINGLE FAMILY HOMES AT  
CHARLES POINTE

Section 1. Purpose.

1.01 The purpose of these Design Standards is to create supplemental standards for the development of the Single Family Homes at Charles Pointe (the "Single Family Homes") that will promote a development that is attractive in appearance, functionally integrated, and will promote a sense of community, home, pedestrian and recreational activities.

Section 2. Fence Guidelines:

1. All fences must be located in the rear yard area of the home. No fences are permitted in the front or side yard unless they are approved as a non-continuous decorative fence.
2. All fences are to be wood, vinyl, masonry, or aluminum only. No stockade or chain link fences of any kind will be permitted. All fence material must be approved.
3. All wood must be pressured treated and protected with a sealer or protective stain.
4. The Maximum height for a fence is 4 feet. If you have been approved for a pool, the fence surrounding the pool must conform to the height specifications set forth by the governing municipality.
5. All fences must be a minimum of 2 feet from all property lines.
6. The specific design of the fence must also be reviewed and approved.
7. A copy of the lot plan or sketch of the yard with the Fence location clearly marked must be included with the request for approval.
8. Fences may not be placed in any easement.

Section 3. Playsets and/or Play Equipment Guidelines.

These guidelines are for the intended use by the residents for individual yard





applications and in no way shall apply to community park facilities. These guidelines are subject to change from time to time, without notice.

These guidelines are only being provided to the Unit Owners of The Single Family Homes At Charles Pointe Association, Inc. as a means to look after the best interest of the Unit Owners by maintaining and retaining the aesthetic appearance and appeal of the community, in the efforts to ensure the best possible property values for the community, now and in the future.

Genesis Partners, Limited Partnership (Declarant), the Executive Board for the Association and the Architectural Review Board (ARB) for the Declarant, by providing these guidelines, in no way support any particular type of playset and/or equipment, nor do they claim any responsibility or liability regarding installation of any playsets and/or play equipment.

These guidelines have been established with resident safety in mind. We recommend that all children using the playsets and/or play equipment use them while under direct adult supervision. All residents must consult their individual insurance company regarding proper liability insurance coverage.

All residents installing playsets and/or play equipment shall be held responsible for any liability claims with regards to injuries due to direct or indirect usage of such playset and/or play equipment.

To ensure that the appearance of all homes in Charles Pointe are of the highest quality and shall remain so in the future, we have created the following playset and/or play equipment guidelines for our residents to follow. For those residents that wish to install a play set, please submit a formal written request, following the attached Request



for Approval guidelines. The submittal must conform to the playset and/or play equipment guidelines provided below.

1. Playsets and/or play equipment must be placed in the Back Yard areas only. Front and Side yard installations shall not be permitted. Exact location of the playset is to be approved by the ARB (subject to municipal zoning and building regulations).
2. Playsets and/or play equipment may not take up more than ten percent (10%) of the total Back Yard space.
3. Playsets and/or play equipment may not exceed two (2) levels in height.
4. No (100 %) metal playsets and/or play equipment will be permitted.
5. Playsets and/or play equipment must be constructed of a combination of wood, metal, vinyl or heavy grade plastic, with the wood being the primary material in the playset and/or play equipment. The metal, vinyl and/or heavy grade plastic may not take up more than twenty-five (25%) percent of the entire playset and/or play equipment. The metal must be rust resistant.
6. Slides on the playsets and/or play equipment may not exceed two (2) levels in height. No metal slides will be permitted.
7. Playsets and/or play equipment must be level and must be securely anchored into the ground.
8. Enclosures on playsets and/or play equipment shall provide for proper air ventilation. No enclosures or apparatus that promotes, or has the potential to promote, periods of standing water will be permitted.
9. Playsets and/or play equipment, which include tent-like coverings, must be open for air ventilation on at least two sides. All coverings must be maintained in a neat and clean condition. Playsets and/or play equipment, which give the appearance of playhouses or shed structures, shall not be permitted.
10. Sandboxes must have a cover. All sandboxes must be covered at night.
11. Trampolines shall NOT be permitted as part of the playset and/or play equipment.
12. Portable basketball hoops are allowed. Portable basketball hoops must be stored every night out of sight and may be used from 8:00 a.m. until dusk.



13. Ground covering or landscaping under the playsets and/or play equipment is optional. Choice of ground cover or landscaping must be chosen between the resident and a professional in the field of playsets and/or play equipment.
14. Ground covering or landscaping, if chosen, must also be shown on the details of the Request for Approval Submittal of the playsets and/or play equipment.
15. Location of the playsets and/or play equipment must be in compliance with the Zoning Ordinance Setback Regulations for the City of Bridgeport.
16. Should any Permits be required as part of the Building and Zoning Ordinances for the City of Bridgeport, now or in the future, they must be obtained following approval received from the ARB. The formal letter of approval must accompany the request for a permit.
17. No installation or erection is to begin until all required approvals have been obtained in writing.
18. The ARB will review all types of playsets and/or play equipment, which meet the guidelines established herein.

#### Section 4 Shed Guidelines.

1. All sheds must be located in the rear yard area of the house. No sheds are permitted in the front or side yard.
2. All sheds must be of the same siding material and color as the house. The roof shingles and pitch must also match the roof of the house.
3. The specific design of the shed must be reviewed and approved.
4. Size of the shed must be noted on the correspondence.
5. A copy of the lot plan or sketch of the yard with the shed location clearly marked must be included with the request for approval.
6. As per the Declaration of Restrictive Covenants, Reservations and Easements for this development:

No sheds shall be permitted unless approved by the Developer. The procedure for approval of the design and location of the shed shall be in accordance with the guidelines set forth in the Declaration.

All sheds need to be approved and reviewed by the Developer and the Association prior to installation.



All applications must be submitted for approval, in writing, and only after receiving approval, in writing, may the applicant install the shed. Zoning and Building Permits must be obtained from the Municipality prior to installation.”

7. All correspondence must have the residents Name, Lot Number, Street Address and Phone number.

Section 5. Swimming Pool Guidelines for In-Ground Pools.

1. Above-Ground Pools WILL NOT be permitted.
2. In-Ground Pools with surrounding regulation fencing shall be permitted, in the rear yard area of the Lot/Unit. Pools shall not be permitted in the front or side yard areas.
3. All Pools must be submitted as a “Request for Approval” to the Architectural Review Committee. (See instructions for “Submitting a Request for Approval).
4. All Requests for Approvals must clearly state the Unit Owners, Name, Address, Phone Contacts (Home, Work, and Cell), Email (if available), Development/Association Name, Unit/Lot Number and Phase Number.
5. Layout of the Lot/Unit clearing showing locations for the Pool, Fencing and Landscaping must be submitted with the Request for Approval.
6. Pool details as to size, width, depth and materials to be used in the pools construction, must be included. Brochures are helpful for this purpose.
7. The Name, Address, and Phone Contacts for the Authorized Pool Contractor performing the installation must be provided. Pool Contractor must provide Employer ID number, Workers’ Compensation and Proof of Insurance. Following installation, an Inspection by the CODE Officer must be done and a copy of the Passed Inspection Certification must be provided to the ARB.
8. All Pools must conform to all government regulations.
9. All Pools must conform to municipal building and zoning ordinances. Requests for Approvals must be accompanied by a letter of approval from the municipality as to compliance with ordinance requirements.
10. No Pools permitted in the setbacks or easements.
11. Specifications for the fence, surrounding the pool, must be provided. Location of the fence must be shown, brochure or drawing showing the type of fence and



height, which should conform to the height specifications of the governing municipality, including a locked entrance gate. If no specifications with the municipality, the fence shall be a minimum of 48 inches/4 Feet and maximum of 60 inches/5 Feet.

12. No 6 Foot Privacy, Stockade or Chain Link Type Fencing will be permitted.
13. Include details for Landscaping in the Lot/Unit Layout as to type and location.

Section 6. Miscellaneous.

1. Deer feeders should not be erected in yards and deer should not be fed in order to avoid encouraging the deer population to stay in the area, as the deer will feed on shrubs, trees and flowers.
2. Bird feeders and bird baths should be discrete and tastefully situated in yards. Bird feeders will be constructed and installed so as to prohibit access to food by other wildlife such as deer.

***All guidelines are subject to change without notice.***

The Design Standards of the Single Family Homes At Charles Pointe shall be amended from time to time as necessary to reflect the growth of Single Family Homes.



## ARTICLE VI – PROJECT IDENTITY

Section 1. Project Identity. Owners and lessees within Charles Pointe may be granted a limited license by Genesis Partners, Limited Partnership, (the “Developer”) for the use of the trade name “Charles Pointe” and the registered trademark or trademarks and service marks and copyrighted materials associated therewith in accordance with the corporate identity manual.

A. Examples of Permitted Use. The Charles Pointe trademarks and service marks may be used in conjunction with existing trade and franchise names such as “Wingate Inn at Charles Pointe.”

B. Prohibited Use of Names. Project identity is an important element of the Charles Pointe master plan. As a result thereof, other fictitious names are prohibited without the consent of the Developer.

C. Limitation on Commercial Use. Absent a separate licensing agreement, this limited license for the use of the aforementioned trademarks and service marks shall not apply to any entity manufacturing, distributing and selling goods. By way of example and not of limitation, the right to the limited use of trademarks and service marks may not be used as a logo on clothing, glassware or other souvenirs, absent a separate written licensing agreement with the Developer.



## ARTICLE VII - APPLICATION PROCESS BEFORE THE ARB

See Attached ARB Instructions and Submittal Forms.