

MONTECELLO COUNTRY ESTATE
A SECURE AND HEALTHY LIFESTYLE IN
A COUNTRY ESTATE
HOME OWNERS ASSOCIATION



Revision F: 13 June 2007
Association incorporated in terms of Section 21,
Registration number 2003/010145/08
84 Tambotie Road, Portion 84 of the Farm Witpoort 406 JR,
Midrand
ARCHITECTURAL AND AESTHETICAL RULES AND GUIDELINES
AND OTHER PROCEDURES

INTRODUCTION

The objective of Montecello Country Estate Home Owners Association (hereafter referred to as MHO) is to promote a secure and healthy lifestyle and to protect the communal and financial interest of its Members. Hereby the appropriate development of new residences and related facilities (e.g. swimming pools, outbuildings, boundary walls, extensions, shelters) are managed as well as communal facilities such as sport/recreation facilities, security walls, buildings and communal gardens. The owner is free to choose any architect/designer subject to all plans adhering to the guidelines included in this document. Diversity of individual residences within the restrictions of the guidelines is encouraged. The broad description of the architectural character to be adhered to is a reference to a universal country living type architecture. In view of the above the Developers have chosen an architectural style that reflects country living and have therefore laid down certain rules concerning design elements and codes, which must be strictly adhered to. The design criteria and rules set out in this document are in addition to the Local Authority requirements and the National Building Regulations. The Developers and subsequently the MHO reserve the right to alter or amend these rules and guidelines, if necessary, to retain the visual integrity of the residential estate or if regarded that such an amendment will be in the interest of its Members.

CONTROLLING ARCHITECTS:

To be appointed by the MHO.

CONTROLLING LANDSCAPE ARCHITECTS:

To be appointed by the MHO.

GENERAL PRINCIPLES

The purchase agreement states that homeowners must comply with the following general rules:

All home designs must comply with environmental and architectural controls as compiled in this document.

Architects and designers are encouraged to rather use the existence of trees on the stand as design opportunities, as opposed to seeing the trees as design inhibitors.

Some stands feature existing trees that have been specifically surveyed and these must be incorporated into the design.

Construction of houses within the residential estate must commence within 3 (three) years of the date of proclamation of the township to be known as Summerset Extension 20.

All building work must be completed within 1 (one) year after construction commenced.

The controlling architects will ensure that the guidelines are complied with during the design and construction phases.

The approval does not exempt the applicant from any other applicable legislation by-laws or regulations that may be applicable.

PLANNING CODES

All planning codes are in addition to the conditions imposed by the Local Authority. It is the homeowner's responsibility to, in addition to this document, obtain the Conditions of Establishment from the Local Authority and to ensure that these conditions are adhered to. It is also the responsibility of the Architect

to ensure that he/she is in possession of the surveyor's general plan, and to familiarise themselves with additional building lines imposed by the Department of Public Transport.

Residential 1: Erven 694-724, 768-770, 790-794, 798-838

Residential 2: Erven 725-767, 840-851, 771-789, 795-797

DENSITY, HEIGHT AND COVERAGE OF BUILDINGS AND POSITION ON SITE

Density:

Residential 1 & 2: Only one dwelling per stand is permitted.

Height:

Residential 1: Double storey

Residential 2: Double storey, not exceeding 10 meter above natural ground level.

It is the intention to be considerate towards the neighbouring property in terms of possible views and sun inclination. In view of the above, building heights will be approved according to the discretion of the controlling architects.

Coverage:

Residential 1:

The initial building shall not be smaller than 200m² including garages, and covered patios.

The coverage may not exceed 50% of the stand size.

The first storey (covered)* is limited to a maximum of 80% of the covered ground floor footprint, excluding garage area.

Total F.A.R. may never exceed 0.8 of the stand size.

Residential 2:

The coverage may not exceed 40% of the stand size.

Total F.A.R. may never exceed 0.6 of the stand size.

* The covered area is calculated without subtracting staircases and double volumes. This rule is in place to ensure that the building is not a solid mass, but has more definition.

BUILDING LINES

Street Boundary for residential 1 & 2:

Five meters from the stand boundary. This excludes pergolas and non-enclosed elements. A non-enclosed element is regarded as a structure that does not have a roof.

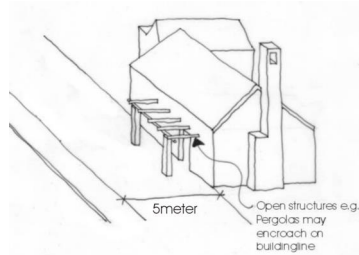


Figure 2: Pergolas and open structures may encroach upon the building line.

Side Space

Residential 1: Aggregate of 6 meters, to both sides subject to a minimum of 2.25 meters on each side.

Residential 2: 2.25 meters (provided that all building lines may be relaxed by the relevant authority).

Approval of building line relaxation applications is to the discretion of the controlling architects and the MHO as well as written approval from the owners of the adjacent properties. If there is an encroachment on any of these building lines, the owner has to obtain written permission from the neighbours concerned with a signed siteplan for submission to the Aesthetics' Committee. Any such relaxation will still be subject to final City Council approval. The onus is on the architect or designer to ensure that the proposed design is in accordance with the City Council's regulations with regards to building line restrictions (Conditions of Establishment).

Back space:

Residential 1 & 2: 2.25 meters. Additional building lines enforced by the Department of Public Transport are applicable to sites on Garden road and Tambotie road.

DRIVEWAYS & PARKING

Base for paving to be compacted to 93% MODAASHTO density.

Parking : As per Conditions of Establishment. Materials to be used to be approved by the MHO. No driveway may be painted.

BOUNDARY WALLS

Drawings for all boundary walls to be submitted to the MHO for approval together with the building plan application.

All boundary walls to be constructed either from red face brick with flush mortar joints or plastered and painted. Bag wash finished walls are permitted but may not have any paint effects painted thereon or any form of artificial rock, such a 'rock art'. Overly decorated boundary walls are not permitted. In the case where the boundary walls are finished with plaster and paint, the top of the wall must be finished of with a waterproof membrane, which must be painted the same colour as the wall, unless the wall is finished of with a waterproof coping tile or face brick roller/soldier course.

No other material will be permitted such as any pre fabricated concrete fences, Vibacrete, prefabricated artificial face brick walls, fibre cement or corrugated sheet metal.

No gates shall be higher than the adjoining wall.

Walls between properties shall not exceed 2m in height.

No security measures, other than provided by the Developer or MHO, may be attached to any boundary walls (e.g. metal spikes or electrical fencing).

Screen Walls

Screen walls to be provided to screen laundry yards and refuse areas. The height is restricted to 1.8m. Except in the instance where the yard wall constitutes the

boundary wall where the height of the wall must be 2m. The structure and finishes of screen walls are the same as for boundary walls. All screen walls and additions to boundary walls have to be approved by the controlling architect.

APPROVED ARCHITECTURAL ELEMENTS AND PROHIBITED MATERIALS

ROOFS

Pitched roofs:

Marley Modern, Monarch or Double Roman- or equivalent profile through-colour concrete tile. Approved colours are Terracota, Slate, Standard slate or Antique slate (Marley colour range). If tiles other than Marley are used, the colour sample must be approved by the controlling architects.

Natural slate – black or shades of black - the colour must be specified and samples provided for any proposed blend.

Compulsory roof pitch of between 26 to 35 degrees must be adhered to.

No mono pitch roofs will be permitted.

The predominant part of the house must have a pitched roof and flat roofs may only be used on secondary portions of the house or garages.

Flat roofs:

Flat roofs are allowed, but must be completely concealed behind a parapet wall or freestanding wall (see visual document).

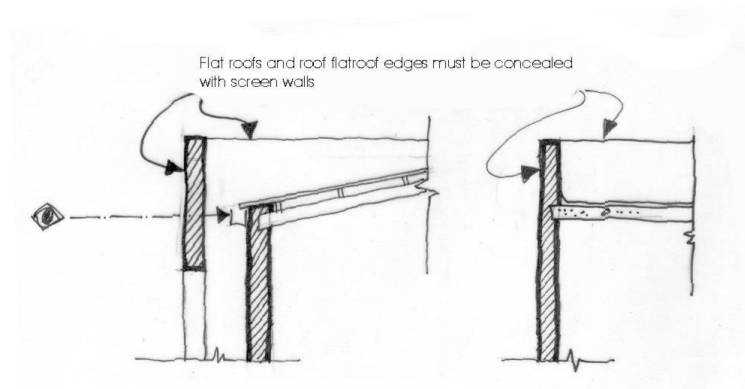


Figure 6: flat roofs must be concealed.

Flat roofs must be the same colour as the pitched roof (for visibility from neighbouring double storey buildings). If there are neighbouring properties overlooking a ground floor flat roof the owner of the flat roof must conceal shiny metallic paint with gravel.

The following roof finishes are specifically prohibited:

- Thatch
- Metal roof tiles
- Metal roof sheeting (except on flat roofs not visible)

The following rainwater goods are specifically prohibited:

- Natural finish galvanised metal.
- Natural finish PVC.
- Natural finish fibre cement.

WALLS

The following wall finishes are permitted.

- Smooth plaster and paint.
- Textured or roughcast plaster and paint.

Red face brick with flush mortar joints in combination with plaster joints.
Natural stone (preferred above artificial stone)
All plumbing pipes and exposed pipes are to be suitably concealed within walls or ducts and may not be exposed to the exterior.
Bagged walls finished with paint.
Face brick must be plastered if it is to be painted.

COLUMNS

Columns are not allowed to have paint effects painted thereon and must adhere to the colour palate. (White is not on the palate).

WINDOWS, SHUTTERS AND DOORS

Steel windows, doors and sliding doors are not permitted. All windows are to be rectilinear and window types and finishes are to be indicated on submitted drawings for approval by the MHO. The MHO reserves the right to comment on opening types and window proportions.

Aluminium windows are permitted in the following colours: Natural wood grain look, Bronze anodised, Black or Dark Brown

In the event that burglar bars are fitted these must be internal and aligned with the window's mullions and transoms and must be of a simple rectangular design.

CHIMNEYS

Chimneys should be simple in design and rectilinear in shape. Overly decorated chimneys will not be permitted.

Prescribed Colour palette:

Note: The following colours are from the Plascon Colour sheet. Should any other manufacturer/supplier's colours be used samples must be submitted together with the working drawings. These samples must match the prescribed colour palette.

Exterior walls: Plascon has renamed all the colours in their palette, the name in grey is a colour on the new palette.

C14-2	Oatcake/ Gold Cadalac Y3-B1-1
C14-3	Blond Wood/ Ocean Salt /Dry Gold Y2-C2-1
C14-4	Weed Germ/ Summer weat Y1-C1-4
C14-5	Oak Beige/ Hayseed Y1-D1-3
D14-2	Bleached Sand/ Bleached Boabab Y2-C2-2
D14-3	Golden Pop/ Pale Blossom Y1-C2-2
D14-4	Camel Hair/ Brocade silk Y1-D2
D14-5	Stuffing/ Modonna City Y1-E1-3
D 14-6	Havana

Doors / windows / shutters:

Paint Colours:

D32-4	Steel Blue
D32-5	Ash Blue
D32-6	Storm Grey
D33-3	Coronado Sky
D33-4	Dove Tail
D33-5	Huron Foam

Aluminum (Sliding doors only see guideline limitations)

Black-, dark-grey epoxy coated

Varnish / Wood Preservative:

Natural or stained

GENERAL DESIGN GUIDELINES AND RESTRICTIONS

PLANS

All drawings for new residences, alterations and additions to existing residences must be prepared by a registered Architect or an approved designer and submitted to the MHO for approval by the controlling architects. Only after this

approval has been obtained in writing, can the plans be submitted to the local authority. It is the owner's responsibility to ensure that all plans are submitted and approved by both authorities prior to construction

STAFF ACCOMMODATION

Staff accommodation must be integrated into the overall design.

KITCHEN AREAS

Staff accommodation and kitchen areas should open onto screened yards or patios in the absence of a boundary wall.

OUTBUILDINGS AND ADDITIONS

Outbuildings and additions should match the original building design in style, elevation and material usage. All plans must indicate at least one enclosed garage and this must be built in conjunction with the original dwelling. No additions to boundary walls will be allowed without approval from the controlling architects.

YARD AND SCREEN WALLS

Yard and screen walls should be similar to the basic materials and colours as referred to for boundary walls.

GARDEN SHEDS AND BRAAI AREAS

No dog kennels and covered facilities for caravans, boats or trailers are to be visible from the road or green areas and may not be placed in the side space (building lines). No Wendy houses or any other temporarily constructed garden sheds are allowed.

SHADE NETTING

No shade netting and structures will be permitted

SOLAR HEATING PANELS

Solar heating panels, if used, should be incorporated into the building and form part of the basic structure and should be clearly shown on the approval

drawings. (No solar heating panels may be visible from the street). All pipes should be painted the same colour as the roof.

AIR CONDITIONING

Air-conditioning compressors shall be screened or fenced so that they are not visible from the street, or adjacent property. The sound transmission should be within acceptable standards

PLUMBING

All exposed plumbing must be concealed and washing lines should be fully screened and not be visible from the street elevations and other elevations onto adjoining properties including green areas. All service ducting must be covered and maintained in a way that it has a neat appearance.

JUNGLE-GYMS

All jungles-gyms are to be constructed of timber and sealed with a clear varnish.

DEVIATIONS

No deviations from the approved drawings will be permitted unless the deviation is re-submitted and approved in writing. There are submission fees required for additions to buildings, and no charge for minor alterations such as boundary wall additions.

SOIL CONDITIONS

It is the homeowners responsibility to ensure that his architect / designer ensures that he is fully aware of the soil conditions of the particular stand and to accommodate the need for any special foundations should this be required.

MECHANICAL EQUIPMENT

Mechanical equipment and plant such as air-conditioners (and grilles), ducts, pool pumps, etc. must be designed into the buildings and / or adequately enclosed or screened off from view.

As the building within the residential estate will be constructed over a lengthy time period, the following guidelines have been formulated for the benefit of residents

- 7.15 Balustrades are not to be excessively decorative/ ornate and should reflect the country feel of the estate and should be in the same style as the house. Balustrades are allowed to be constructed of timber, steel, stainless steel, steel and wrought iron. They are to be painted black or a colour from the colour palate. Any other colour must be submitted for approval at the Controlling Architects. Any deviation of these guidelines must be submitted to the Controlling Architect's approval.

BUILDING PLAN SUBMISSION AND BUILDING INSPECTION

The following must be adhered to before building plans are approved and building operations will be considered for inspection:

PLAN APPROVAL PROCEDURES AND FEES

All building plans should be submitted Controlling Architects and the MHO. A "Plan Scrutiny Fee" of R1,400.00 will be payable by the owner to the MHO. Please allow a two week period for scrutiny, after which the plan application with attached comments can be collected. If the plans are approved the Controlling Architects will pass the plans on to the MHO, where the final plans can be collected. The scrutiny fee does not include any fees payable to the City Council for building plans submission.

The estate manager will only approve the building plans after the tree protection plan and the position of the driveway have been addressed. A plan indicating all protected trees is available from him. These may be removed with the Landscape Architect's approval. The Landscape Architect must approve all other tree removals.

As soon as the plans are approved, the homeowner's architect/designer may proceed with the drawings as required for City Council submission. The City Council drawings, together with an extra set, which will be kept on record by the MHO, must also be submitted to the controlling architects to receive a final

stamp of approval (this is to ensure that the City Council drawings do not deviate from the original approved sketch plans.

On approval by the City Council you can approach the estate manager for the payment of the builder's deposit, a building performance deposit of R 5000 will be deposited and held in trust (free of interest) by the MHO. The deposit amount will be used in the event where there is a breach of non performance to remove rubble or make good any damage caused by the Contractor or his sub-contractors or suppliers, including kerbing, landscaping, community services, roads, irrigation etc, and for any outstanding spot fines and the signing of the builders contract by MHO, the owner and his contractor. No contractor may enter the site and commence construction until such time as the performance deposit has been paid. The use of the performance deposit will be used at the sole discretion of the MHO in terms of these guidelines.

A builder's board must be erected when construction commences. The cost for the builders board is for the account of the homeowner and the layout will be provided by the estate manager. The maximum size for the builders board is 900 x 1350 and is to clearly show the stand number, the foreman's name and contact number and the contractor's name and number.

Approximately two weeks before completion the estate manager must be approached for arrangement of the final inspection and the issue of the builders certificate (by controlling architect).

THE FOLLOWING ITEMS MUST BE CLEARLY SHOWN ON THE PLANS:

Plans can be submitted at Sketch plan phase for feedback and then resubmitted for final approval to the Controlling Architects. The final plans need to be submitted in a set of two. These are the same drawings that will be submitted to council.

A site plan indication the position of the house and outbuildings on the stand as well as contours.

Stand boundaries, area of dwelling, including patios and outbuildings

Coverage (%), FAR and height above original natural ground level
Building lines (estate building lines as well as other applicable building lines), specific trees or clumps of trees that need to be retained as specified in the guidelines
All external finishes, including a colour specification
Boundary wall details, including elevations
Drainage and how it is concealed (position of the duct), as well as the sewer connection
Layout of driveway
Additional approval letters from neighbours concerned when encroaching upon a building line, as well as a signed site plan.
A copy of the checklist for design guidelines is to be signed by the owner and submitted with the drawings.
The controlling architect reserves the right to request any further information which he may deem necessary from the applicant.

GENERAL ARRANGEMENTS REGARDING UPDATED VERSION OF THE GUIDELINES.

All queries with regards to the guidelines and fines can be directed to Gems Estate Management. The Controlling Architects will then be consulted about the matter. It is up to the discretion of the Controlling Architects to advise the MHO on how to deal with the matter. The updated version of the guidelines will be enforced without any dispute about other owners that have deviated from them in the past.

It is the responsibility of the owner to maintain the house in a manner that is acceptable to the rest of the estate. This includes maintenance to the paintwork, service ducts, drainage, uneven painted roof finishes etc. Fines may be applicable if this is not adhered to.

GENERAL LANDSCAPE GUIDELINES

All homeowners of Montecello Country Estate will be required to adhere to the general landscape guidelines as stipulated in clause 7.1.

GENERAL LANDSCAPE GUIDELINES

Intent

The purpose of the general landscape guidelines is to create an integrated and responsive landscape with emphasis on nature, open space and style that will be unique to Montecello Country Estate. It will also create sensitivity and harmony between the development and the surrounding nature. The guidelines furthermore aim to preserve and enhance the existing environmental attributes, minimise possible negative impacts whilst at the same time establish a new, dynamic and elegant character to the Estate.

In order to control the general landscape development on private property to be a continuation of the landscape design of public spaces as will be established by the developer, the following set of guidelines will apply to every stand:

Guidelines

Preservation of Existing Trees:

The development will at all cost, preserve as many as possible of the existing trees. This will minimize visual impacts and preserve the value and character of the Estate.

A maximum area consisting of the construction footprint plus an additional "buffer" of maximum 4.5m wide beyond the footprint can be cleared for construction. Any tree outside this area must be preserved unless it can be proven that a tree might be unstable and can cause a potential danger by falling over. This 4.5m wide "buffer" is not permitted to encroach onto the stand's building lines. Any tree within the building line area will automatically be preserved, except those trees that need to be removed for building the boundary walls and for security purposes. In such instances, written approval is required from the Home Owners Association prior to any tree/s being removed or pruned.

In order to control and minimize the area of tree clearing on individual stands the following guidelines will apply:

The principle will be that a maximum area consisting of the house footprint area plus an additional area of maximum 3m wide beyond the footprint, may be cleared for construction

Any tree outside this area must be preserved at all costs unless it can be proven that a tree might be unstable and is cause to a potential danger of falling over.

The 3m wide zone is not permitted to encroach into the building line area.

Apart from trees that need to be cleared for purposes of the boundary walls, any other trees within the building line area must be preserved.

Trees within driveway, patio and pool areas can only be cleared within an area equal to the minimum dimensions of the structure plus maximum 1m on either side (2m in the case of a pool).

Plant Species:

The establishment of an indigenous plant community is encouraged throughout Montecello Country Estate.

No exotic invader species as promulgated by law are to be introduced.

The use of *Pennisetum clandestinum* (Kikuyu lawn) is permitted in the private garden areas. The use of *Cynodon Dactylon* (Kweek) or Buffalo lawn is encouraged.

The planting of Palm trees will not be preferred.

The sidewalk landscaping in the Estate shall conform to the Landscape Master Plan. However, should an owner wish to establish any detailed planting on a sidewalk immediately adjacent to his stand and other than that which may have been provided by the Developer, the owner will submit detailed plans to the MHO for written approval where after the planting may be installed in terms of the approval. The owner will be responsible for the establishment and maintenance of such an installation to a standard, which will not detract from the general standards of the maintenance of the parks and surrounding areas. Such an installation will be irrigated by the owner utilizing his own water.

Under no circumstances will owners be permitted to alter the street tree regime as installed by the developer.

No detailed landscaping of sidewalks will be permitted in the instance where stands or sections of stands abut the parks or open spaces, which have been landscaped by the Developer.

Stand owners will not be permitted to sink boreholes on their stand.

It is intended that the initial landscape installation in the Estate by the Developer will focus on the Main Entrance, the Central Boulevard, the recreation area and the internal parks which link to the recreation area.

All sidewalks will be treated less intensively by the Developer on the basis that the landscaping in these areas will be extended and intensified by the Stand owners, subject to conditions as set out herein, as part of the landscape establishment and enhancement of their private gardens.