

APPLICATION FOR REVIEW TO THE MODIFICATIONS COMMITTEE FOR "AVENEL" FOR APPROVAL
OF CONSTRUCTION AND SITE PLANS FOR LOT_____, BLOCK_____

Name of owner of lot: _____

If owner is a builder, indicate if dwelling is to be:

Spec.: _____ or Custom: _____

Square feet of interior floor space (excluding garage, basements, porches, attics and other nonliving areas):

First Floor: _____ square feet

Second Floor: _____ square feet

Roofing Materials: _____ Color: _____

Manufacturer: _____ Style Name or # _____

Brick manufacturer: _____ Style name or # _____ Color _____

Attach a copy of house plans having a scale of not less than ¼ inch for each foot and showing detailed drawings of interior and exterior. All exterior elevations to be marked with type and color of construction and finish materials.

Attach copy of full detailed color landscape plan for site at a scale of not less than 1 inch for each 30 feet. Include sizes of all plant material and pictures of each proposed plant material. Any landscape lighting should be included in the plan. All planned exterior improvements (i.e. home, fences, pools, etc.), must be included in the landscape plan. Include location of standard Avenel mailbox. Mailbox specifications may be obtained from the Association office.

Be sure that attached plans show the following information:

- Distances of:
 - Setback from lot line;
 - Left side yard, building to lot lines;
 - Right side yard, building to lot lines;
 - Rear yard, building to rear lot line.
- Exterior lighting scheme over entire lot and on each exterior building elevation.
- Garage and parking areas.

- Swimming pool.
- Patios, Decks, porches, outdoor improvements.
- Tennis Courts.
- Fencing, if applicable (which is only permitted in special circumstances).
- Walls.
- Walkways, driveway, and any other improvements to site, location and type of material.
- Siding material – type and color. Siding is only considered in unique situations and on a limited basis.
- Shutters – type and color.
- Trim – type and color.

Estimated current value of dwelling, including land: \$ _____

Additional comments, if any, important to the New Construction Committee’s review and understanding of the construction, site, and landscape plans:

This submission made by: _____

Signature

Date

NOTE: AN APPLICATION FEE AS PROVIDED FOR IN THE SCHEDULE OF FEES MUST ACCOMPANY THIS APPLICATION.

Following final plan approval an additional fee as provided for in the Schedule of Fees is required to be held by the Association until such time as all landscaping, mailbox, construction obligations are fulfilled or to obtain compliance with the Governing Documents and Guidelines, as further described in Addendum “A” of this Application. The purpose of the fee is to offset costs that may be incurred by the Association

associated with the review of the application and construction and other costs associated with the implementation of the modification including, without limitation, costs incurred by the Association for the review and oversight of the project, repair of damages caused to Association common area property and facilities and payment of any unpaid fines or other penalties that may be imposed, after notice and hearing, due to noncompliance with Avenel covenants, guidelines and rules.

Checks should be made payable to: Avenel Community Association

ADDENDUM "A"

**TO THE APPLICATION FOR REVIEW TO THE
MODIFICATION COMMITTEE FOR "AVENEL" FOR
APPROVAL OF CONSTRUCTION**

AND SITE PLANS FOR LOT _____ BLOCK _____

We, the undersigned, hereby acknowledge that we have read and understand the following which pertain to new construction at Avenel:

The Avenel Community Association homeowner's manual, with particular emphasis on the following sections:

- a. Introduction to the Avenel Community Association.
- b. Declaration of Covenants, Conditions and Restrictions for Avenel Community Association and the Declaration of Protective Land Use Standards.
- c. Architectural Guidelines.

As evidenced by the signatures below, we acknowledge that we have become familiar with the above requirements and that the Application hereby submitted is in compliance therewith. Furthermore, we understand that should any construction be undertaken before approval by the Modifications Committee and/or should any construction be undertaken at variance with what has been approved by the Modifications Committee, corrections will have to be made by the owner/builder at the owner's/builder's expense. We also agree not to commence any clearing of trees or construction on the above-referenced lot until we have submitted and have received approval in writing from the Modifications Committee based upon an explicit plan showing the limits of disturbances of any natural vegetation on the lot. This plan will clearly delineate which existing trees are to be removed and which existing trees are to remain.

As stated in the Declaration of Protective Land Use Standards, Use Restriction C.5, no tree larger than eight (8) inches in diameter (measured two feet above the ground) or more than twenty (20) feet in height shall be removed from such land or destroyed without the written approval of the Modifications Committee, said permission not being required for removal of dead trees or deadfalls. Accordingly, we hereby agree to identify any such trees to be removed on site with brightly colored tape so that such trees may be easily identified by the Modifications Committee. Furthermore, we understand that the Application Fee that shall be paid to and held by the Avenel Community Association for this project is for the purpose of assuring the implementation of requisite landscaping, the construction of the required mailbox, as well as payment to the Association for 1) costs incurred for both the review of the plan and the review and oversight of the project, 2) costs incurred for the repair of damages that may be caused to Association common property and facilities, and 3) the payment for fines and other penalties that may be imposed, after notice and hearing, in the event of any noncompliance with Avenel covenants guidelines and rules. We the undersigned further understand that if a partial approval is granted in the future in order to accommodate the undersigned (i.e., your approval to start construction is granted but other items such as, but not limited to, landscape plans, brick type, colors, etc., are still outstanding) it will be

given conditioned upon the receipt of all remaining information to be provided for the site and the house as required by the covenants and guidelines of the Architectural Modifications Committee. The undersigned agree and understand that the commencement of construction shall be at their risk with respect to not having complete approval of the entire home and site landscape plan. It is further understood that the Modifications Committee may issue a cease and desist to stop construction at any time should the construction reach a stage at which the Modifications Committee, in its sole discretion, finds that there is missing information and/or the submissions are insufficient to support an approval of the full construction and site plan. In furtherance of the objective to accommodate the undersigned with partial approval but to not compromise the Modifications Committee in the complete fulfillment of the fiduciary duties, the undersigned hereby recognize, understand and consent to cease and desist from further construction until all necessary information is provided and the Modifications Committee issues an approval. The Association may seek court injunction should the undersigned not comply with the cease and desist issued by the Association and this signed Application and Addendum "A" shall be conclusive evidence that the undersigned has agreed to an issuance of an injunction order regarding such actions.

Signature of Owner/ Date

Signature of Builder/ Date

Signature of Architect/ Date