

# **Community Wide Minimum Standards**

The information contained within this appendices is made from Attachment "A", Exhibit "C" of the Windstone Community Minimum Standards & Architectural Control referenced in the Covenants Document. Please note there are two sections of minimum standards; "Windstone Community Minimum Standards which were created for the properties located within "Windstone" and Windstone Community Association II, Inc. Architectural Requirements for the Black Walnut Trails Units 6, 7 & 8. Please be sure to reference the correct standards for your property to avoid delays with any improvements applications you submit.

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## **ATTACHMENT "A"**

### **EXHIBIT "C"**

#### **Windstone Community Minimum Standards & Architectural Control**

##### **Section 1**

The Design Modification Review Committee ("DMRC") shall evaluate architectural and modification submissions by the Unit Owner and/or the Unit Owner's contractor based on:

Architectural integrity and consistency. The various elements of the home should be compatible and have significant appeal.

The proposed improvement shall be harmonious with existing and previously approved improvements in the vicinity of the Unit.

The proposed improvement shall not be a duplicate of an existing home or a previously approved home in Windstone Subdivision. Home styles and elevations may be repeated with changes in architectural elements, materials and/or colors (the satisfaction of this requirement to be determined by the DMRC).

The architectural style, the detailing of the exterior trim and appointments, and the building materials shall combine to create a distinctive character to the improvement. The overall appearance of the improvement shall be one of professional quality.

##### **Section 2**

The purpose of architectural controls is to secure an attractive, harmonious residential development having continuing appeal. No building or other improvement shall be commenced or maintained, including any addition or alteration (except interior changes), until the construction plans and specifications and the site plan have been submitted to and approved in writing by the DMRC.

The construction plans and specifications shall include detailing of the exterior building materials and the exterior color scheme.

In the event that the DMRC rejects construction plans, specifications and/or the site plan due to the fact that the DMRC determines that said plans and or specifications are inadequate, not suitable or not desirable for aesthetic or other reasons, the DMRC shall reply to the Unit Owner and/or contractor with the following:

- a. A request for more complete plans or more detailed specifications,
- b. An acceptable change(s) to the plans and specifications, and/or
- c. A request for alternative plans for one or more specific elements of the plan.

### **Section 3**

The DMRC shall reply to the Unit Owner and/or contractor within 10 business days of receipt of submission. The lack of a reply shall be followed up with a registered or certified letter to the DMRC from the Unit Owner requesting a reply. In the event the Unit Owner does not receive a reply within 10 business days of the delivery of the registered or certified letter, the Unit Owner may commence construction of the improvement in accordance with the plans, specifications and site plan submitted to the DMRC.

### **Section 4**

The building plans, specifications and site plan shall be submitted to the DMRC and their approval received by the Unit Owner prior to application for, building permit and prior to the clearing of the Unit.

### **Section 5**

A decision of the DMRC can be reversed by a Unit Owner through the Unit Owner's compliance with the following procedure:

1. The Unit Owner shall petition the other Unit Owners in the Association and shall obtain the affirmative signature of the Owners of fifty one percent (51%) of the Units in Windstone to reverse a decision of the DMRC. Said petition shall clearly state the Unit Owner's request and the DMRC's objection(s).
2. The plans, specifications, site plan, all correspondence and all other pertinent documents shall be attached to the petition, referenced therein and made a part thereof.
3. The Unit Owner shall then record the petition and all exhibits with the Kane County Recorder and may commence construction of the improvement in accordance with the plans, specifications and site plan contained in the recorded document.

### **Section 6**

Any approval or procedure adopted by the DMRC for one Unit shall not restrict the DMRC's right to grant a different approval or procedure for another Unit.

### **Section 7**

The following Windstone Community Minimum Standards are hereby established and published by the DMRC as a guideline for the individual unit owners and builders to use in the preparation of architectural plans. The DMRC reserves the right to amend these criteria from time-to-time and retains the right to grant specific approval of building plans and specifications upon the formal submission of the same to the Committee by the unit owner.

## Windstone Community Minimum Standards

Minimum Square Footage of Living Area:	<ul style="list-style-type: none"><li>• 2200 Square feet for two-story homes</li><li>• 1800 Square feet for ranch homes</li></ul>
Exterior Materials:	<ul style="list-style-type: none"><li>• Brick, stone, cedar, or Dryvit/Stucco exteriors are the standard. Also, fiber cement Board aka Hardie Board and LP SmartSide siding.</li><li>• For individuals who want a low maintenance exterior, high quality aluminum or vinyl siding with 6" corner boards are permitted on a maximum of 70% of the exterior surface.</li></ul>
Roof Pitch:	<ul style="list-style-type: none"><li>• 7/12 Minimum</li></ul>
Roofing Material:	<ul style="list-style-type: none"><li>• Dimensional (Architectural) shingles or wood shakes are recommended</li><li>• Standard fiberglass or asphalt roofing is acceptable</li></ul>
Windows:	<ul style="list-style-type: none"><li>• Minimum height for front elevation:<ul style="list-style-type: none"><li>– First Floor: 60"</li><li>– Second Floor: 48"</li></ul></li></ul>
Chimneys:	<ul style="list-style-type: none"><li>• Masonry, stone or Dryvit is required for chimneys on <b>exterior walls</b></li></ul>
Skylights and Roof Windows:	<ul style="list-style-type: none"><li>• Not permitted on front elevations of traditional homes</li></ul>
Garage Doors:	<ul style="list-style-type: none"><li>• Raised or recessed panels – wood, steel, or aluminum</li></ul>
Antennas:	<ul style="list-style-type: none"><li>• Roof antennas are not permitted</li><li>• Satellite dishes require screening and the specific approval of the DMRC</li></ul>
Fencing:	<ul style="list-style-type: none"><li>• Privacy fencing (i.e., stockade style fencing) is not permitted</li><li>• Chain link fencing is not permitted</li><li>• Dog-runs are to be attached to the home and improved with landscape screening. The design, location and materials are to be approved by the DMRC.</li><li>• Decorative fencing (i.e., split rail or picket) are permitted with the design, location and materials to be approved by the DMRC.</li></ul>
Swimming Pools and Spas:	<ul style="list-style-type: none"><li>• Swimming pools require proper decking, screening, landscaping and protective fencing. The design and location are to be approved by the DMRC.</li><li>• With the exception of kiddie pools, free standing, above ground pools are not permitted.</li></ul>
Driveways:	<ul style="list-style-type: none"><li>• Concrete, asphalt or brick paving are permitted.</li></ul>
Public Sidewalks	<ul style="list-style-type: none"><li>• Tinted sidewalks are not permitted</li></ul>
Storage Sheds and stand-alone buildings:	<ul style="list-style-type: none"><li>• Storage sheds are not permitted. No stand-alone buildings; (i.e., green houses, saunas, etc.)</li></ul>
Playhouses and Recreation Equipment:	<ul style="list-style-type: none"><li>• The equipment and location are to be approved by the DMRC.</li></ul>
Mailbox Posts:	<ul style="list-style-type: none"><li>• The DMRC may establish design standards.</li></ul>

**Windstone Community Association II, Inc.**  
**(aka "Windstone II")**  
**Architectural Requirements for Black Walnut Trails Units 6, 7 & 8**

*(Retyped- removing references to Oliver-Hoffmann Corporation replacing them with "Windstone II")*

- A. Two-story and split-level dwelling units shall:
  - a. Contain not less than **2,600** square feet of livable space not including walkout or lookout basements, patio or garage; and
  - b. Have an all masonry front.
- B. One-story dwelling units shall:
  - a. Contain not less than **2,000** square feet of livable space not including walkout or lookout basements, patio or garage and
  - b. Have an all masonry front.
- C. At the sole discretion of the DMRC all cedar-sided (cement board, Hardie siding or LP SmartSide siding) dwelling units and all dwelling units using an exterior insulating system (i.e., Dryvit) may be permitted notwithstanding anything contained herein to the contrary. No aluminum or Masonite siding will be permitted.
- D. All fireplace chimneys on **exterior walls shall be constructed of masonry.**
- E. All dwelling units must have:
  - a. Attached garages for no less than two (2) automobiles.
  - b. At least front and side yard sodded with grass including the parkway. Said sod shall be laid within two (2) weeks of the homes being occupied, subject to adverse weather conditions and the Village of Sugar Grove regulations.
  - c. We recommend roofing material of three dimensional architectural style asphalt or fiberglass shingles with a minimum weight of 250 pounds per 100 square feet.
  - d. All transmitting and receiving antennae shall be installed within the structures. However, television satellite dishes not larger than 18" in diameter may be installed in the rear yard if properly screened by landscaping or attached to the home if not visible from the street side. In all cases Windstone II retains sole discretion with regard to approvals.

\*Attachment "A" Exhibit "C" attached hereto contains specific information about the approval process used by the DMRC that applies to the Association as a whole. It also includes the minimum standards for the section of Windstone II known as Windstone. At the sole discretion of the DMRC, applicable standards from one or both of the architectural and minimum standards may be applied when approving new construction or modifications to a unit as long as the standards are harmonious with the existing and previously approved improvements in the vicinity of the Unit.

Contact Windstone II Design Modification Review Committee at [dmrc@windstonehoa.com](mailto:dmrc@windstonehoa.com) for further restrictions, questions and information.

**Building Setback**

- All lots shall have a building setback of a minimum of 27 feet from the front lot line.
- All corner lots shall also have a building setback of a minimum of 27 feet from the side yard which faces the street.

**Building Setback side yard**

The side yard setback for lots shall be a minimum of 10 feet. Except corner lots, which shall also have a minimum Side yard setback of 27 feet from the side yard which faces the street.

**Building Setback Rear Yard**

The rear yard setback for lots shall be a minimum of 30 feet.

**Easement description and location**

10 foot wide drainage and utility easements (D. & U. E.) are hereby granted on the side of the lot lines and rear lot lines of every lot, unless otherwise noted. 15 foot wide drainage and utility easements (D. & U. E.) are hereby granted on the front lot line of every lot, unless otherwise noted. All corner lots shall have a 15 foot wide drainage and utility easement (D. & U. E.) on the front lot line and a 15 foot wide Drainage and utility easement (D. & U. E.) on the side lot line which faces the street, unless otherwise noted.

Prepared By, Record & Return To:  
Peregrine, Stime, Newman,  
Ritaman & Bruckner, LTD  
221 East Illinois Street  
P.O. Box 564  
Wheaton, IL 60189

### **ASSIGNMENT**

This Assignment is made effective this 23<sup>rd</sup> day of April 2012, by and between the Oliver-Hoffmann Corporation, an Illinois Corporation, (Assignor") having an address of 7S251 Olsen Lane Naperville Illinois 60540 and Windstone Community Association II, Inc. ("Assignee"), with an address of P.O. Box 860 Sugar Grove Illinois, 60554.

Whereas, on June 29, 1999. St Paul Federal Development Corporation assigned to Assignor whatever assignable rights it had, if any, to exercise architectural approval for the Property in Black Walnut Trails and Windstone Subdivisions, Sugar Grove Illinois, as more specifically set out in Exhibit "A", limited by the various Declarations of Covenants, Conditions and Restrictions for Windstone Community Association, recorded September 22, 1989 as Document No. 19988326, the First Amendment to the Declaration, recorded October 20, 1994, as Document No. 94K0078827, and the Second Amendment to the Declaration, recorded August 14, 1996, as Document No. 96K058152.

Whereas, Assignor has sold and transferred title to all lots identified in Exhibit "A", but has not assigned, granted to transfer architectural approval to exclusive design review authority for said lots.

Now, Therefore, for and in consideration of ten and no/100 dollars and other good and valuable consideration granted by Assignee to Assignor, receipt of which is hereby acknowledged, Assignor hereby assigns to Assignee whatever assignable rights it has, if any, to exercise architectural approval and exclusive design review authority for the lots identified in Exhibit "A", subject to the Declarations of Covenants, Conditions and Restrictions for Windstone Community Association, recorded September 22, 1989 as Document No. 19988326, the First Amendment to the Declaration, recorded October, 20, 1994, as Document No. 94K0078827, and the Second Amendment to the Declaration, recorded August 14, 1996, as Document No. 96K058152.

This Assignment shall insure to the benefit of the successors and assigns of the Assignor and Assignee, and be binding upon the successors and assigns of Assignor and Assignee.

In Witness Whereof, Assignor has executed this Assignment to Assignee as of March 23, 2012.

**OLIVER-HOFFMANN CORPORATION**

By: Camille O. Hoffman  
Camille O. Hoffman, President

**WINDSTONE COMMUNITY  
ASSOCIATION II, INC.**

By: Vivian E. Porretto  
Vivian E. Porretto, President

## **Exhibit "A"**

### **LEGAL DESCRIPTION:**

#### **Parcel<sup>3</sup> 1:**

Lots 95, 100, 102, 119, 120, 161 and 163 in Black Walnut Trails Unit No. 2, Being a subdivision of part of the southeast ¼ of section 3 and part of the northeast ¼ of section 10, township 38 North Range 7, East of the third principal meridian, in the village of Sugar Grove, In Kane County, Illinois.

#### **Parcel<sup>4</sup> 2:**

Lots 123, 140, 141, 146, 148, 149, and 153 in Black Walnut Trails Unit No. 3, Being a subdivision of part of the southeast ¼ of section 3 and part of the northeast ¼ of section 10, township 38 North Range 7, East of the third principal meridian, in the village of Sugar Grove, In Kane County, Illinois.

#### **Parcel 3:**

Lots 191, 193, 205, 206, 207, 208, 210, 211 and 212 in Black Walnut Trails Unit No. 6, a resubdivision of part of part of Windstone Subdivision unit 1, in the village of Sugar Grove, In Kane County, Illinois.

#### **Parcel 4:**

Lots 95, 96, 97, 99, 132, 156, 157, 158, 168, 169, 177, 179, 182, 185, 188, 189, 194 and 206 in Windstone Subdivision Unit No. 1, Being a subdivision of part of sections 3 and 10, township 38 North Range 7, East of the third principal meridian, in the village of Sugar Grove, In Kane County, Illinois.

#### **Parcel 5:**

Lots 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335 and a unnumbered outlot in Black Walnut Trails Unit No. 7, a resubdivision of Lot 171 of Black Walnut Trails Unit No. 6, part of Section 3, Township 38 North, Range 7, East of the Third principal meridian, in the village of Sugar Grove, in Kane County, Illinois.

#### **Parcel 6:**

Lots 334, 335, 336, and 337, in Black Walnut Trails Unit No. 8, being a subdivision of part of section 10 and a resubdivision of part of Black Walnut Trails Unit No. 7, in Township 38 North, Range 7, East of the Third principal meridian, in the village of Sugar Grove, in Kane County, Illinois.

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<sup>3</sup> Parcel 1 is not part of Windstone II.

<sup>4</sup> Parcel 2 is not part of Windstone II.