

Avonddans II

Home Owners Association

ANNEXURE B

(to the constitution of
Avonddans II Home Owners Association)

CODE OF ARCHITECTURAL STYLE AND DESIGN (hereinafter referred to as the AESTHETIC RULES (AR))

A. Introduction:

1. The purpose of these aesthetic rules is to encourage individual creativity with the design of houses on the estate, whilst fostering a unity of building materials and finishes to ensure that the overall development harmonizes to achieve the collective goal of an attractive and exclusive piece of real estate in Great Brak River which will enhance and protect home owners' investment and future value growth.
2. Avonddans II Home Owners Association does not have a specific architectural theme, for example Tuscan or Cape Dutch or Vermont or American Colonial. The idea is to utilise the unique topography of the estate, to avoid the typical South African suburb style and look with burglar bars in front of windows and doors, high electrified walls surrounding houses, whilst maintaining a harmonious environment and streetscape of good architectural build, neatness and paint quality. Owners accept that this freedom comes with personal and social responsibilities towards all residents and special care and consideration must be applied when making changes to existing structures, the maintenance of existing structures or adding new structures to the current environment. These rules are supplementary to the specific requirements of the Mossel Bay Municipality, and the National Building Regulations.


CHAIRMAN


TRUSTEE

Approved 5 September 2020

3. The Aesthetic Rules (AR) are subject to periodical revisions by the Committee of Trustees, with final approval by the General Meeting of members.

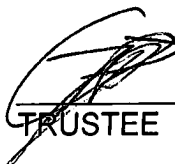
B. Planning a new house, alterations to existing houses and maintenance:

4. All new constructions and alterations to existing structures must be approved by the Committee of Trustees (CT). The applicant must ensure that all proposals are compliant with the AR. Applications, samples, details, specifications, etc. must be submitted to the CT during office hours that will be considered during the CT's meetings. The AR must be read in conjunction with the constitution of Avonddans II Home Owners Association of which it forms an integral part.

C. General:

5. All work has to comply with the latest official edition of SANS 10400/1990 "National Building Regulations" and all municipal by-laws. Illegal construction will be reported to the Municipality of Mossel Bay (MM) by the Committee of Trustees (CT) and may be so reported by any owner. Owners must be aware that MM may refuse to issue an Occupancy Certificate which in turn will result in the CT refusing to refund the building deposit.
6. All cadastral maps, zoning and sewer connection data must be as certified by a land surveyor and/or the MM. The CT may request a copy of any or all documents at the applicant's expense. No construction activities in contravention with the conditions stipulated in the title deed will be allowed.
7. All external paint work to comply with the section "Paint" (see below: D5). No plans are required for repainting of existing structures,
8. All new applications for the building of houses, or where alterations or modifications are to be done to existing houses and where the Mossel Bay Municipality in terms of their By-Laws require building plans to be submitted, are subject to the payment of plan approval fees to the Association's appointed Architect as approved by the general meeting of members of the Avonddans II Home Owners Association from time to time.


CHAIRMAN


TRUSTEE

Approved 5 September 2020

9. When submitting any application for approval:

- 9.1 it is deemed that the owner, his agents, the builder and his sub-contractors, and the architect and his agents are well informed about these aesthetic rules.
- 9.2 all drawings must be prepared by a qualified and competent person registered with the South African Council for the Architectural Profession;
- 9.3 the owner may not appoint any members of the CT as advisor and/or agent, as this would constitute a conflict of interest;
- 9.4 it is in the owner's best interest to ensure that any agent or architect appointed and authorized by him, consult with the CT prior to the drafting of any costly plans and also after the first sketch drawings have been made to gauge the viability thereof. It is stressed that no historical precedent will be considered as the sole reason to relax any of these rules and no claims will be considered based on any assumption that may arise therefrom;
- 9.5 one set of construction drawings must be prepared and submitted to the CT in the format as prescribed by the MM for approval at the applicant's expense and will be kept for record purposes by the CT after approval by the MM. The MM may not receive any applications for approval without the CT's stamp of approval for compliance with the Association's AR. As many sets of construction drawings as may be required by the MM may be submitted to be stamped. No construction may commence unless plans are approved by the CT and the MM. Failure in this regard will immediately be reported to the MM by the CT;
- 9.6 any variation from the approved construction drawings must be submitted for re-approval by the MM (if required) and the CT, prior to any changes being made on site;
- 9.7 approval of the application by the CT will be communicated in writing to the applicant no later than 14 calendar days after it has been approved.


CHAIRMAN


TRUSTEE

Approved 5 September 2020

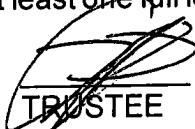
10. These rules are intended to protect and enhance the aesthetic value and appearance of the estate, reduce the number of complaints and will serve as a framework for decision making with as little as possible intervention by the CT. The CT reserves the right not to approve any building plan or part thereof should the committee in its sole discretion deem the building plan not to be in the best interest of the Estate's aesthetic appearance. The decision of the CT will be in writing with reasons. Should the owner not be satisfied with the outcome of the decision by the CT, then he may resolve the dispute in accordance with the provisions of the constitution of Avonddans II Home Owners Association.

D. Design Requirements:

D1. Stand/Erf

11. All site boundaries, contours, servitudes, right of way together with the street address, stand size, stand number and adjacent stand numbers should be indicated by a diagram and/or drawing by the office of the Surveyor General and/or surveyor, as the case may be.
12. No stand may be used contrary to the particular zoning thereof and the conditions set out in the title deed.
13. No amendments or changes to the zoning of the property, surveyor general's diagrams or conditions in the title deed in respect of any property may take place without the prior written approval of the CT.
14. No more than one dwelling per stand is allowed. The maximum coverage must be 50%.
15. No building may exceed two levels in height. On very steep sites, garages and outbuildings may be "tucked" under the building, but open columns or pillars are not allowed. When columns are used, the outer perimeter must be walled, plastered and painted. Mezzanine levels are allowed.
16. The surface of a dwelling may not be smaller than 200m² (garages included, outbuildings excluded) on stands larger than 600sqm, and on smaller stands the surface may not be less than 150m².
17. Outbuildings are acceptable, provided that they are an integral part of the main dwelling with at least one full length wall, not less than 2.5 meter


CHAIRMAN


TRUSTEE

Approved 5 September 2020

in length, in common with the main building and do not exceed 35% of the size of the main dwelling.

18. All building lines and height restrictions, as per municipal by-laws and these rules, should be clearly indicated on all plans for all levels. The following building lines must be adhered to:

- Front and rear boundary of stand 5m;
- Side boundaries 3m.

19. The garage must be an integral part of the main dwelling with at least one full length wall in common with the main dwelling.

20. No staff accommodation should be nearer to the street than the main dwelling and must be integrated into the overall design under the same roof. No garages may be utilized for staff accommodation. Staff's accommodation doors, storeroom doors and the main dwelling kitchen doors should not open in view from the street.

21. Wendy houses and garden sheds may not exceed 2,5m in width x 2,5m in length x 2,5m in height and should not be visible from the street in front of the house.

22. No building restriction may be relaxed without the prior written approval of the CT. A fully motivated application for relaxation may be submitted, No consent for relaxation will be given, if it interferes with the drainage of surface water.

23. Excessive cutting and filling of terraces are strictly prohibited. No retaining terrace work to exceed 715mm (7 bricks courses finished with brick on edge roller course) from natural ground level or next terrace level. Staggered retaining wall blocks of at angle of 60 degree would be preferred. Where this can't be met engineering drawings must be submitted.

24. The following must be clearly indicated on all drawings submitted for approval:

- 24.1 the area of the existing ground and first floor of all structures;
- 24.2 the area of all proposed new ground and first floor areas of all structures;
- 24.3 the location of the stand according to the surveyor general diagram;


CHAIRMAN


TRUSTEE

Approved 5 September 2020

24.4 the coverage of new and proposed structures;

D2. Site Boundaries & Yard Walls

25. No boundary wall may be erected so that it prevents the natural flow of storm water from one stand to the next and provision for drainage openings must be provided for in all boundary designs by installing openings, no smaller at regular and evenly spaced intervals, as are required by the National Building Regulations.
26. No storm water flow may, contrary to the natural flow, be concentrated on any single point and passed from stand to stand without the written approval and agreement of the owners of both stands.
27. No part of any boundary, wall, or foundation may encroach over any site boundary without the consent of the neighbour and the CT. Only one boundary wall may be erected between stands in any position.
28. Street boundaries may be left without any walls. Where fencing is required by statutory laws and regulations or when staggered retaining blocks are used on the front and side boundaries, double walls or Betcrete Vertical Balustrades must be used.
29. Boundary and screen walls must be erected to screen off braai areas, wooden decks, washing lines, water tanks, gas installations (if not screened off by any other means) and all other private spaces. House owners with dogs shall have a fenced off area to prevent their pets leaving the stand unattended. Clearview fencing, in a colour harmonizing with the house colour scheme, may be used away from the boundaries. Rear boundary walls may not exceed 2000mm in height from the natural ground level, and all boundary walls must be at least 230mm wide and designed to integrate with the natural landscaping. Walls facing any part or section of a street may not exceed 1400mm in height from the natural ground level, must be at least 230mm wide and side boundary walls may not exceed 1800mm in height from the natural ground level. Boundary walls may extend up to the boundary of green areas. Boundary walls may however not rest or lean against any security perimeter fence and should not be erected to replace or hide a security perimeter fence.


CHAIRMAN


TRUSTEE

Approved 5 September 2020

30. Instances where a stand has a portion of the estate perimeter fence on its boundaries, the owner of such stand will provide access to the CT, its agents and contractors for the purpose of inspection, security checks and maintenance. Owners must refrain from planting trees or shrubs within 1500mm from the estate perimeter fence.

31. All garden walls and balustrades shall have the same colours as the main buildings. Should an owner's house border vacant stands, the owner is also responsible for the painting and the maintenance of the paint on the outside of the garden walls facing the vacant stands. Gates must be constructed from steel or nutec. No wooden or palisade gates are allowed.

32. No electric fencing, razor wire, security spikes, etc. will be allowed on any private property. This is not applicable in respect of the security fence around the Estate.

D3. Driveways and Paving

33. All driveways must be fully paved with cement cobbles, cement pavers or clay bricks in colours with shades of red, terracotta, grey or cement colour pavers.

34. Driveways must be clearly shown on all drawings and site plans.

D4. Structural Walls

35. Only the following wall finishes are allowed:

3.35.1 smooth plaster and painted surfaces;


3.35.2 textured plaster and painted surfaces;

3.35.3 roughcast plaster and painted surfaces;

3.35.4 any of the above plaster finishes and sandstone cladding. Sandstone cladding should, however, not cover more than roughly 10% of the surface area of the front of the house facing the street;

36. All utility piping, ducting, cabling, such as plumbing, conduits, air conditioner pipes, etc. must be hidden from the street view in front of the house in service ducts, recessed and plastered into walls or hidden behind external screen work. Rainwater downpipes from first floor balconies and concrete roofs are to be recessed into walls, plastered and painted over.


CHAIRMAN


TRUSTEE

Approved 5 September 2020

37. No unpainted plaster, unplastered brick, concrete block or concrete precast slab walls, whether structural or boundary or garden, will be allowed.
38. All precast concrete elements, including fountains and sculptures integrated into the design should not be higher than 2,5m.
39. Reveals around the windows and door openings are optional.

D5. Paint

40. The general framework for paint colours in the estate is light shaded earthy colours. The onus is on owners to verify their paint scheme with the CT prior to commencement of any exterior painting of walls, to prevent a situation where they will have to redo the paint work.
41. The CT will notify an owner in writing, where the paintwork of structures (including structural and garden walls) are deemed to have deteriorated to the detriment of the aesthetic environment. Such owners will be obliged to repaint their structures diligently and uninterrupted within 180 (one hundred and eighty) calendar days of receipt of such notice and in compliance with the conditions set out under this section to avoid incurring any penalties.

D6. Windows, Shutters & Doors

42. Only bronze and charcoal coloured aluminium windows will be allowed. Where aluminium doors are used only bronze and charcoal colour will be allowed, subject to clause 47.
43. A plaster band or reveal of minimum 100mm and maximum 200mm wide is optional around all windows and doors and painted as prescribed under paintwork. The use of these fenestrations is encouraged as it contributes greatly to the built cultural environment.
44. All burglar bars and security doors must be fitted internally and be of simple rectangular design. As far as possible bars must line up with window mullions or made to be as least visible as possible, in the case of full pane windows.


CHAIRMAN

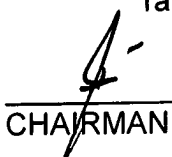

TRUSTEE

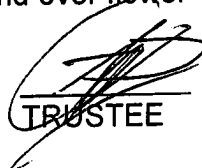
Approved 5 September 2020

45. Single or double timber or chromadek garage doors will be allowed. These must be either slatted timber or chromadek tip-up, fielded panel or timber sectional overhead. No standard type painted steel garage doors are allowed.
46. Bathroom and/or toilet doors in external walls must be screened off with screen walls.
47. Front doors:
- 47.1 must be:
 - 47.1.1 timber or aluminium; or
 - 47.1.2 a combination of timber and glass; or
 - 47.1.3 a combination of aluminium and glass;
 - 47.2 may not be:
 - 47.2.1 doors consisting entirely of glass;
 - 47.2.2 doors consisting entirely of aluminium;
 - 47.2.3 aluminium sliding doors;
 - 47.2.4 timber sliding doors.

D7. Balconies, Patios, Pergolas, Car Ports and Louvre awnings

48. Balconies, patios, pergolas and louvre awnings are allowed, provided that they have simple, clean, and straight edged lines. Louvre awnings must be the aluminium type. Verandas and sun rooms are allowed. Pergolas must be constructed of hard wood, well maintained and cannot be covered by any form of building material.
49. All columns to be kept simple and designed to be perceived as aesthetically light and made up of steel or brick. Heavy brick or concrete support columns should be avoided. No timber balconies or staircases are allowed, unless they are screened by walls and the timber is not visible from the street in front of the house.
50. All balustrades should be not less than 1m in height, and no part thereof may have horizontal or vertical openings larger than 10cm in any direction. No wooden balustrades or handrails will be allowed
51. All components to be finished as specified per the paintwork section.
52. All balconies to be properly waterproofed and drained with wall recessed rainwater down pipes and over flows.


CHAIRMAN


TRUSTEE

Approved 5 September 2020

53. No canvas may be used to cover any structure of whatever nature. Shade netting will only be allowed if erected to professional standards. Shade netting shall always be kept in a neat condition and replaced every 10 years with new netting. Colours shall harmonise with surrounding buildings. All applications for shade netting must be provided to the CT for approval, prior to erection.
54. Car ports are allowed, provided they do not exceed 40 square meters in size and that they are constructed with a pitched cement tile roof matching the roof shape of the main house or a flat concrete roof or shade netting. The concrete roofs must have a minimum 170 mm high parapet walls. The floor must either be smooth finished concrete or clay tiles or paving matching the other paving on the stand.

D8. Roofing

55. Only double pitched cement tile roofs between 25 and 30 degrees are acceptable.
56. Only Cupola or double roman profile concrete roof tiles will be allowed, in red, terracotta and the farmhouse variant of these colours. Colour mixes will not be allowed. Roof tiles must be fitted in strict accordance with the manufacturer's specifications. All roofs must have under tile damp proof course.
57. No thatch, sheet metal, chromadek or fiber cement roofing will be allowed.
58. All exposed parts to be factory coloured or painted as specified under paintwork. Roof tiles may be painted, in red or terracotta colours
59. Solar panels are allowed, but not geysers on roofs.
60. Roof overhangs at eaves not to be less than 400mm from exterior walls.
61. No elaborate gables will be allowed and designs are to be kept simple and clean.
62. Roof designs are to be kept continuous, simple and symmetrical to express as honestly possible the underlying plan form of the structure. Properly waterproofed, drained and overflowed flat concrete roofs will


CHAIRMAN


TRUSTEE

Approved 5 September 2020

be allowed over carports and walkways but must be kept to a minimum and not exceed 10% of the total roof structure but if a double story or open veranda is constructed on top, a double carport is allowed. Flat roofs to have a minimum of 170mm high parapet walls and no reflective waterproofing systems will be allowed.

63. The maximum roof top height is 8.0m, measured from the middle of the natural footprint of the house. The habitable rooms of the dwelling must have a minimum floor to ceiling height of 2.4m

D9. Rainwater gutters and chimneys

64. House designs can either have no gutters and downpipes or gutters and downpipes. Rain water harvesting is not possible without gutters and down pipes. Should the design calls for gutters and downpipes, these must be of the OGEE double bent curve profile type and the gutters and downpipes must be seamless. The gutters and downpipes can be either chromadek or of the aluminium powder coated type of material. The colours must be either brown, light brown, grey, kalahari sand, beige or white. Plastic, PVC, and galvanized steel gutters and downpipes are not allowed.
65. All chimneys to be constructed from plastered brick wall with a variety of corbel-detail on top.
66. All chimneys heights to be at least 1m from roof tile level, but not more than 2.0m.
67. Water tanks are allowed if hided by a screening wall from the street if visible from the street in front of the house. They must fit in with the colour scheme of the dwelling.

D10. Entrances

68. Only one entrance, with a maximum of 6 meters on the street will be allowed.
69. House entrances shall not cut into the road reserve.
70. It is recommended that the incline of house entrances shall be not more than 1:4 with no dangerously sharp bends.


CHAIRMAN



TRUSTEE

Approved 5 September 2020

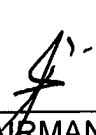
APPROVED BY THE ANNUAL GENERAL MEETING ON THIS 5th DAY OF SEPTEMBER 2020, AND SIGNED ON BEHALF OF THE AVONDDANS II HOME OWNERS ASSOCIATION.



CHAIRMAN



TRUSTEE



CHAIRMAN



TRUSTEE

Approved 5 September 2020