

**DESIGN AND CONSTRUCTION GUIDELINES  
AND PROCEDURES**

**FOR**

**SEGNETTE ESTATES**

## **SEGNETTE ESTATES**

### **DESIGN AND CONSTRUCTION GUIDELINES AND PROCEDURES**

Throughout the planning and development of Segnette Estates, great care and emphasis has been given to the quality and consistency of design and construction of the residential dwellings to be built in the subdivision. It is Marrero Land's goal to make Segnette Estates one of the finer residential communities in the Greater Metropolitan New Orleans Area, and, in doing so, to protect and enhance property values and the quality of life within the residential community.

To achieve this goal, Marrero Land has crafted and placed of record a Declaration of Covenants, Conditions and Restrictions for Segnette Estates (the "Declaration"), which, among other things, calls for the establishment and implementation of architectural standards to govern the design and construction of residential dwellings and other structures within the subdivision through a committee known as the Segnette Estates New Construction Committee. This committee, working in concert with Marrero Land, has developed certain Design and Construction Guidelines and Procedures (the "Guidelines") and is charged with the responsibility of administering such Guidelines. These Guidelines were crafted to address site design issues, the special landscape potential of the area, excellence in architectural design, and quality in construction materials, and are intended to provide property owners, architects, and contractors, with a set of parameters for the preparation of their plans and specifications.

### **SEGNETTE ESTATES NEW CONSTRUCTION COMMITTEE**

The Segnette Estates New Construction Committee (the "SENCC"), which is composed of three (3) members initially appointed by the Declarant, shall address all aspects of new construction in Segnette Estates to assure conformance with its Guidelines, and to maintain the high standards for construction of residential dwellings and other structures within the subdivision. In this connection, the SENCC has established a process and procedure for reviewing all individual building and landscape plans for new homes. The SENCC shall review all plans and specifications, and, after its review, shall either approve such plans and specifications or disapprove, with recommended modifications as needed to meet its requirements. The purpose of this review process is to insure that the proposed residential dwellings and other structures shall reflect positively upon and shall benefit the site, adjacent areas, and the residential community as a whole.

## **PROCESS FOR REVIEW**

**Pre-Application Meeting** - It is MANDATORY that each applicant, especially first time builders, have a pre-application meeting with the SENCC to address any questions about Segnette Estates and the Guidelines. The pre-application meeting shall be by appointment only, and it is suggested that the owner have his architect or building designer present at this meeting.

This initial meeting is intended to acquaint all concerned with the Guidelines and the review process in an effort to avoid any misunderstandings, misinterpretations, delays or added expenses. Preliminary site layout and floor plan, as well as any tree removal request, should be presented at this meeting. Also, exterior finishes and color schemes should be furnished, if available.

Further, it is strongly recommended that during this time, each applicant consult with the Department of Code Enforcement of the City of Westwego to acquaint themselves with the process and requirements for obtaining a building permit, as the City of Westwego has certain regulatory authority over home construction and related matters in Segnette Estates. It must be remembered that the function of the SENCC is to review the proposed plans and specifications on the basis of aesthetic considerations, and not structural integrity or soundness of construction, nor compliance with building codes and other governmental regulations or requirements.

## **FORMAL APPLICATION**

Each applicant is required to complete and submit an "Application For Review" form to be furnished by the SENCC, which shall contain certain basic information required for the review process, together with two (2) complete sets of plans and specifications, and a check in the amount of \$35.00, payable to Segnette Estates Community Association, Inc., to defray the expenses of the SENCC in processing the application. Excessive resubmittals of the plans may result in an additional processing fee of \$20.00.

The application, with all attachments, shall be submitted to the offices of the Segnette Estates New Construction Committee, Attention: Chairman, at 5201 Westbank Expressway, Marrero, Louisiana, 70072, Fourth Floor, between the hours of 9:00 a.m. and 4:45 p.m., Monday through Friday.

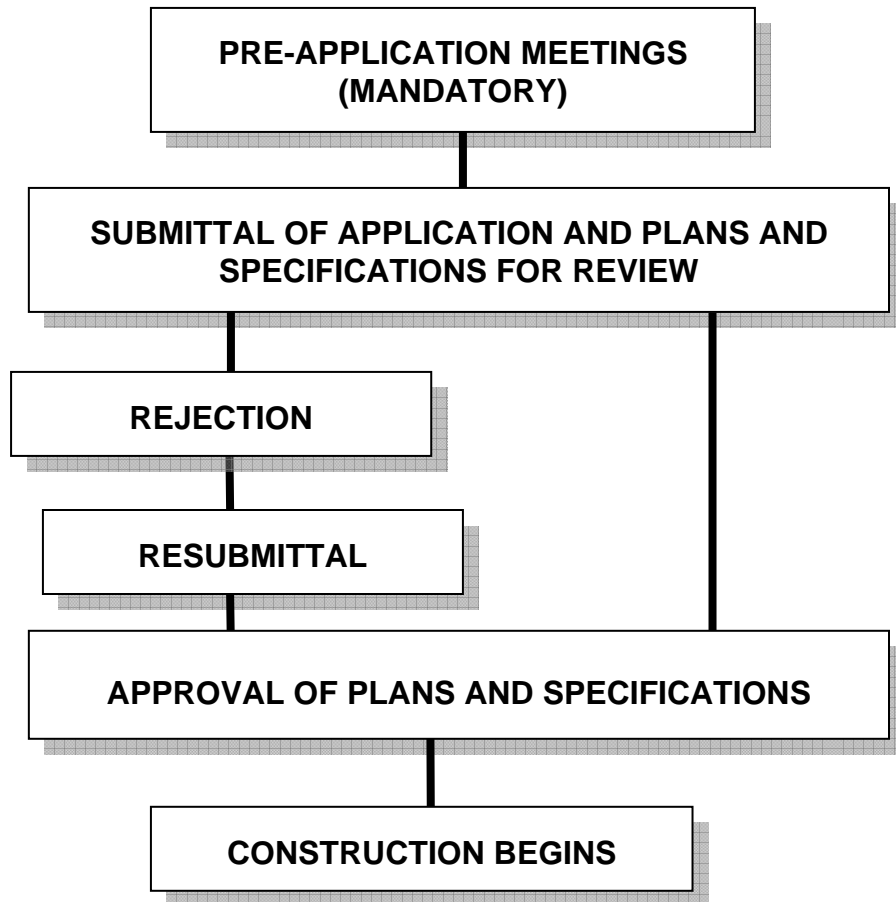
The plans and specifications to accompany the application shall show the nature, kind, shape, color (if available at that time), size, materials and location of all proposed structures and improvements. Additionally, information concerning irrigation systems, drainage, lighting, landscaping, and other features of the proposed construction shall be submitted.

Such plans and specifications shall include, without limitation, the following:

- 1) A Site Plan, with a minimum scale of 1"=20' 0", showing the location of all existing trees which the applicant proposes to remove; the location or "footprint" of the proposed residential dwelling and other structures, including, setback lines, retaining walls, driveways, curbcuts, walkways, fences, pools, patios, landscaping and other improvements.
- 2) The foundation plan and detail sheet, certified by a Licensed Engineer, and in accordance with all laws and regulatory requirements.
- 3) A Floor Plan(s), with a minimum scale of 1/4"=1' 0", including decks, patios, stoops, retaining walls related to the residential dwelling, trash enclosures, HVAC equipment and utilities, and the screening for same, interior spacing of rooms, and connections to driveways and walkways. In the case of a residential dwelling of more than one (1) floor, the Floor Plan should indicate those areas which are open to the second floor or interior roof line.
- 4) Front, rear and side exterior elevations showing building materials and finishes, and indicating the maximum height of the residential dwelling.
- 5) Roof Plan showing slopes, pitches and gables, unless reflected herein above in 1, 2, or 3.
- 6) Exterior color scheme, lighting scheme and other details affecting the exterior appearance of the proposed residential dwelling, and other structures. Furnishing of these details may temporarily be deferred, but must be furnished no later than completion of the framing of the residential dwelling, and other structures.

Each application shall be time recorded, and shall be approved or disapproved with a notice of required modifications within thirty (30) days from submission. Should the SENCC fail to approve or disapprove any application within the said thirty (30) days, such application shall be deemed approved. In the case of a disapproval and resubmittal, the SENCC shall have an additional ten (10) days from the date of each resubmittal within which to approve or disapprove. Should the SENCC fail to approve or disapprove any resubmittal within each ten (10) day period, such resubmittal shall be deemed approved.

The following flow chart reflects the steps required in processing an application for original construction of the residential dwelling and other structures in Segnette Estates:



In its review process, the SENCC may consider the quality of workmanship and design, harmony of external design with existing structures, and location in relation to surrounding structures, typography, and finish grade elevation, among other things. Decisions of the SENCC may be based on purely aesthetic considerations.

### **GENERAL REQUIREMENTS AND DESIGN GUIDELINES**

The following requirements and guidelines shall be used by the SENCC in its evaluation of the development of each lot and the construction of the residential dwelling and other structures. If each prospective owner or builder consciously and diligently adheres to the requirements and guidelines outlined below, the SENCC will make every reasonable effort to assist such owner or builder in accomplishing his desired goal. These requirements and design guidelines are as follows:

1. **SIZE:**

All residential construction shall be limited to thirty-eight (38') feet, in height, from finished slab to peak of roof, or two and one-half stories high. Minimum living area requirements for each residential dwelling are set forth on Exhibit "C" of the Declaration, copies of which are attached hereto for reference.

2. SITING:

- a. **Front Setbacks** - Typically a residential dwelling shall be sited no less than twenty-five (25') feet back from the front property line (see Lots A & B in Appendix "A" Diagram). For lots with frontage on both a street and a cul-de-sac, the minimum setback for a residence shall be twenty-five (25') feet at the straight portion of the street and twenty (20') feet at the curved portion of the cul-de-sac (see Lot C in Appendix "A" Diagram). For lots with all cul-de-sac frontage, only a twenty (20') foot minimum setback for a residence shall be required.
- b. **Side Yard Setbacks** - Typically no residence shall be sited on any lot(s) nearer than ten (10') feet to any side lot line adjoining a street (see Lot A in Appendix "A" Diagram), nor nearer than six (6') feet to any interior side lot line. No portion of any roof overhang or projection, including the gutter shall be within four (4') feet of any interior lot line. Any detached garage, or other outbuilding(s), located forty (40') feet or more from the front lot line, may be located partially in the required side area, but such building(s) shall not be located nearer than three (3') feet, nor shall portion of any roof, overhang or projection, including the gutter, be within two (2') feet, to any interior lot line and such detached outbuilding(s) located on corner lots, shall be sited on the street side yard no nearer than twenty (20') feet of the rear property line, unless it is setback no less than twenty (20') feet from the side street property line (see Lot A in Appendix "A" Diagram). No porch or patio may be constructed within five (5') feet of the interior side lot line adjacent to the residential structure.
- c. **Rear Yard Setbacks** - Typically minimum rear setback for residences (living area) shall be twenty-four (24') feet or as required by the applicable Comprehensive Zoning Ordinance of the City of Westwego.

3. DESIGN:

**General Design and Style:**

- (a) Traditional design is preferred. Design must be compatible with existing neighborhood or subdivision residences. Building Contractors shall not be allowed to construct home designs that have been used in tract home developments within forty (40) miles of Segnette Estates.
- (b) The entrance portion of front elevation should be emphasized. Double doors or a single door with side lights is recommended. The entrance should be covered. No screen or storm doors shall be permitted in the front portion of any residence.
- (c) The massing and proportion of building elements should be logical.
- (d) The roof plan shall be logical and reflect the design of the residence. The roof shall not be continuous from a one story area in the front to a two story area in the back. Two story portions of the residence should read as distinct elements from one story portions. Gutters and downspouts on all eaves are recommended.
- (e) The minimum pitch of the roof shall not be less than 8" vertical for each 12" horizontally. Hipped and gable roofs are preferred. Single slope roofs shall be

considered should they be shown to be compatible to other adjacent neighborhood or subdivision residences.

- (f) Skylights, flues, chimneys and solar collectors shall be located on the rear roof of the residence. All flues for fireplaces shall be enclosed with materials which relate to the primary exterior finishes used on the residence.
- (g) Window units for heating, ventilating or air conditioning are prohibited in the main residence.
- (h) Lot fill cannot exceed an elevation of 24" above the highest spot on the street curb at the front of the lot. First floor slabs can be placed at any height, but mounding of lot fill to accommodate higher slabs shall not be permitted.
- (i) The use of pre-fabricated trusses or wall panels shall not be permitted.
- (j) Ceiling height in major first floor spaces such as dining room, living room, den, master bedroom, etc., shall be 9'-0" high. A minimum of forty percent (40%) of the first floor living area shall have a minimum of 9'-0" ceiling height.
- (k) The height of the head of a window opening shall not be less than 6'-8" measured from the interior floor. Variances may be granted for decorative and/or bay windows.

#### **Colors and Finishes:**

- (a) Use of brick and stucco exterior finish is preferred. Siding may be permitted as accent element on brick homes provided color is compatible with brick selected. The use of siding as an exterior finish is discouraged, however, the use of siding on the entire structure may be considered provided that the color of the siding and the building design is sensitive to the general appearance of the neighborhood. Siding should be limited to less than twenty-five (25%) percent of the total exterior wall surface of the home.
- (b) Exterior color selections shall be compatible with the general appearance of the neighborhood and other colors on the residence. Earth tone colors compatible with brick construction is recommended. Bright contrasting colors shall not be permitted unless its compatibility with the neighborhood can be clearly demonstrated. Exterior finish materials shall begin and terminate at logical points. Arbitrary breaks in exterior finishes should be avoided. Exterior color and finish selections must be submitted to SENCC prior to the installation of same.
- (c) All gutters and downspouts shall have color finish compatible with adjacent exterior finishes. No contrasting accent colors shall be permitted.
- (d) Any use of metal roofing must be approved.
- (e) Medium or dark grays and earth tones are recommended for roof shingle colors.
- (f) The exterior of detached outbuildings should be of similar design and finish matching those of the residence and should have the same finish facing a street as the main residence.

### **Garages and Driveways:**

- (a) All residences shall be required to have an enclosed garage sufficient to accommodate a minimum of two (2) cars. Interior dimensions of the garage shall comply with AIA Graphic Standard Recommendations For Residential Garages - (Minimum 19'-10" wide by 20'-0" deep for two (2) car garage).
- (b)(1) It is recommended that garages be placed in the rear portion of the lot whenever practical. Garages designed as part of the front elevation of the residence shall be setback no less than four (4') feet from the primary front elevation of the residence. Garage doors facing the street shall be single bay doors (10' 0" wide maximum). A two (2) car attached garage on the front elevation (or within forty (40') feet of the front lot line) would require two separate doors. The color selected for garage doors shall blend into surrounding exterior finishes.
- (b)(2) Garages which extend in front of the primary front elevation of the house may be acceptable, provided, the garage extends not less than eight (8') feet forward of the main structure; the color of the garage doors compliment the predominate color of the front of the residence, white doors shall not be permitted unless the main structure color is very light; the front elevation of the garage forward design does not exceed forty (40%) percent of the total front elevation of the main structure, some allowance may be considered for odd shaped lots with a narrow front; and any front forward design shall address at least two (2) of the following:
  - (i) The front elevation design shall provide for another portion of the front of the main structure to extend out toward the street to balance the forward extension of the garage (U-shape front elevation).
  - (ii) The design of the main entrance portion of the front elevation shall be more monumental with a minimum one and one-half (1½) stories in height and of sufficient width to diminish the impact of the garage as determined and approved by the SENCC.
  - (iii) The garage has a side entrance facing in towards the interior of the lot and the finished side facing the street. Side entrances facing out towards the side lot line and away from the main structure are not recommended, and may be considered only if adequate room has been provided for vehicles to enter and exit the garage, and the entrance is screened from adjacent lot with a fence or adequate landscaping.
- (c) Circular drives with two (2) street entrances shall not be permitted on lots with less than seventy (70') feet street frontage and minimum front setback of thirty (30') feet.
- (d) Entrance driveways and garages shall be designed to accommodate all vehicles owned by the occupants of the residence. Permanent parking in the street is prohibited by the Declaration.
- (e) Driveways and other paved surfaces must be constructed a minimum of twelve

inches (12") from adjacent property lines. Any chain walls associated with paving or patios must be finished on exposed side(s).

**Screens and Fences:**

- (a) Air conditioner condenser units, utility meters and trash storage areas shall be screened from the street architecturally or by landscaping.
- (b) Fences shall not exceed six (6') feet in height. The erection of fences along side and rear property lines should be coordinated with the adjacent property owner(s). Double fences are discouraged and subject to SENCC approval.
- (c) When permitted, detached greenhouses, satellite dishes, dog runs, clotheslines, etc., shall be enclosed within a six (6') foot solid privacy fence. Satellite dishes under one (1) meter (39.37") in diameter may be permitted to be attached to the house in the rear yard.
- (d) Prefab wood, prefab brick, split rail, chain link or welded wire fencing shall not be permitted.
- (e) No fence shall be erected within fifteen (15') feet of the front of the residence unless it is an open (iron) fence (80% minimum open area).
- (f) At corner lots, rear yard fencing shall be set back fifteen (15') feet from side street property line. This fence may not be an unfinished wood fence. Fence boards must be placed on the outside facing the street hiding fence runners and posts.
- (g) An area enclosed with a solid privacy fence must be provided for any exterior storage of boats, recreational equipment, etc.
- (h) No fence, wall, hedge or shrub planting which obstructs sight lines at elevations between two (2') feet and six (6') feet above the roadways shall be placed or permitted to remain on any corner lot within the triangular area formed by the street property lines and a line connecting them at points twenty-five (25') feet from the intersection of the street lines; or, in the case of a rounded property corner, from the intersection of the street property lines extended. The same sight line limitations shall apply on any lot within ten (10') feet from the intersection of a street property line with the edge of a driveway. Further, the foliage line of all trees within such distance(s) of such intersection shall be maintained at a sufficient height to prevent the obstruction of such sight lines.
- (i) No fence shall be erected in connection with the construction of any site improvements, including, in particular, the main dwelling, and out buildings, without the prior written approval of the Segnette Estates New Construction Committee ("SENCC") or the Segnette Estates Modifications Committee ("SEMC"), as appropriate. Drawings showing the design, construction and location of any proposed fence must be submitted for review to the SENCC or SEMC, as appropriate.
- (j) No fence on a corner lot shall be permitted within the side yard facing a street, however, side yard fencing to enclose rear yards may be permitted in

accordance with item (f) above.

- (k) Color for vinyl fences shall be an earth tone compatible with wood fences.
- (l) Any fence that is not approved and erected in accordance with the foregoing provisions may be subject to removal by action of the Segnette Estates Community Association.

**Trees, Landscape, Grading, Pools and Patios:**

- (a) No lot clearing, or tree removal shall be permitted without prior written approval of the SENCC. If the lot must be completely cleared due to filling or is presently without trees, the owner shall be responsible for planting and maintaining a minimum of three (3) trees, all of which shall be submitted in writing and approved in writing.
- (b) Lots shall be graded up from front (street side) to back at a 1% grade one (1') foot vertical rise in one hundred (100') feet horizontally. Lots shall not drain onto adjacent lots. Lot owner shall be responsible to assure all runoff for his lot stays on his lot and is drained off to the street or existing rear lot drainage swale.
- (c) No above ground swimming pools shall be permitted. Swimming pools shall be permitted in rear or side yards only; provided, however, that each such pool shall be entirely surrounded by a fence or structure of not less than six (6') feet in height and otherwise in conformity with all other fence requirements contained herein. Further, no part of the completed installation, excluding decks, shall be constructed and/or sited nearer than five (5') feet to either side lot line; nearer than fifty (50') feet to the front lot line; or nearer than five (5') feet to the rear property line. For any pool more than five (5') feet deep, the pool shall be located one (1') additional foot from the interior side lot line and/or the rear property line for each additional foot in depth. The finished topside or surface deck shall not be constructed higher in elevation than the ground floor slab grade of the residential dwelling and all equipment, including, without limitation, pumps and piping shall not be placed or maintained higher than five (5') feet above site grade and shall be appropriately screened with landscaping or fencing.

**VARIANCE PROCEDURES**

Variances will be considered when circumstances such as topography, natural obstructions, hardship, aesthetic or any unique circumstance exist.

Request for variances must be in writing and state the reason for and the variance requested, along with owners name, address, Lot number and Square number. Requests must also show what steps have been considered to avoid the variance. No request shall be considered unless one meeting between SENCC's architect and owner/or his architect has taken place.

No request for a variance shall be considered at any pre-application meeting, but may be discussed in an attempt to reach a solution. All requests for a variance shall cause the thirty (30) day approval to run anew from the date of the variance request.

The SENCC shall have the sole authority to approve or reject any request for variance and the decision of the SENCC is final.

## **CONSTRUCTION RULES**

The Segnette Estates Community Association has adopted the attached construction rules which apply to all owners, builders, contractors and service personnel while in Segnette Estates. All owners, builders, contractors and service personnel must familiarize themselves and comply with such rules.

Segnette Estates Community Association seriously enforces these regulations. Notification of violation will be sent to the responsible party and property owner defining those items not in compliance with rules and regulations. Upon receipt of the notification, the involved parties have five (5) working days to correct the situation or the Segnette Estates Community Association will take the necessary action to correct the violation. Those actions could include charging the property owner for the correction done; by withholding architectural review until the violations are amended; or, in certain cases, denying entry to contractors or personnel thereby preventing work within the community.

**Any questions or concerns may be directed to the office of Segnette Estates Community Association, telephone (504) 341-1635.**

## **REFERENCE MATERIAL ATTACHED**

The reference materials listed below are an integral part of the Guidelines and must be reviewed before making design and construction decisions.

1. Exhibit "C" of the Declaration entitled, "Requirements For Minimum Living Area for Residences";
2. Exhibit "D" of the Declaration entitled, "Initial Use Restrictions and Rules";
3. Segnette Estates Construction Rules;
4. Appendix "A" Diagram used to illustrate setback requirements;
5. Rules, Procedures and Guidelines of the Segnette Estates Modifications Committee.

## EXHIBIT "C"

### Requirements for Minimum Living Area for Residences

The following requirements shall apply to those certain lots referred and contained in Exhibit "A" hereof until such time as the Declaration is amended, modified, repealed or limited pursuant to Article 15.2 hereof.

The minimum ground floor, upper floor and combined ground and upper floor area of the main residential dwelling, excluding open porches, garages, carports, terraces, driveways, and servants' quarters, for the lots hereinafter identified are as follows:

1. Not less than two thousand five hundred (2,500) square feet for a single floor residential dwelling nor less than one thousand five hundred (1,500) square feet for the ground floor of a residential dwelling of more than one (1) floor; provided, however, that in no event shall the combined square footage of a residential dwelling of more than one (1) floor be less than two thousand five hundred (2,500) square feet for the following lots:

SQUARE 1 - LOTS 1, 2, 3, 4, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 58, 59, 60, 61, 62 and 68.

SQUARE 2 - LOTS 8, 9, 10, 11, and 16.

SQUARE 3 - LOT 16.

SQUARE 4 - LOTS 1, 2, 3 and 4.

2. Not less than two thousand four hundred (2,400) square feet for a single floor residential dwelling nor less than one thousand four hundred (1,400) square feet for the ground floor of a residential dwelling of more than one (1) floor; provided, however, that in no event shall the combined square footage of a residential dwelling of more than one (1) floor be less than two thousand four hundred (2,400) square feet for the following lots:

SQUARE 1 - LOTS 5, 6, 7, 22, 23, 44, 45 and 57.

SQUARE 2 - LOTS 7, 12, 13, 14, 15 and 17.

SQUARE 3 - LOTS 1, 9, 10 and 11.

3. Not less than two thousand three hundred (2,300) square feet for a single floor residential dwelling nor less than one thousand three hundred fifty (1,350) square feet for the ground floor of a residential dwelling of more than one (1) floor; provided, however, that in no event shall the combined square footage of a residential dwelling of more than one (1) floor be less than two thousand three hundred (2,300) square feet for the following lots:

SQUARE 1 - LOTS 24, 25, 26, 27, 28, 29, 30, 31, 56, 63, 64, 65, 66 and 67.

SQUARE 2 - LOTS 1, 2, 3, 4, 5, 6, 18 and 19.

SQUARE 3 - LOTS 2, 12, 13, 14 and 15.

4. Not less than two thousand two hundred (2,200) square feet for a single floor residential dwelling nor less than one thousand three hundred twenty (1,320) square feet for the ground floor of a residential dwelling of more than one (1) floor; provided, however, that in no event shall the combined square footage of a residential dwelling of more than one (1) floor be less than two thousand two hundred (2,200) square feet for the following lots:

SQUARE 1 - LOTS 37, 38, 39, 40, 41, 42, 43, 46, 47, 48, 49, 50, 51 and 52.

SQUARE 2 - LOTS 20, 21, 22, 23 and 24.

SQUARE 3 - LOTS 3, 4, 5, 6, 7, and 8

5. Not less than two thousand one hundred (2,100) square feet for a single floor residential dwelling nor less than one thousand two hundred fifty (1,250) square feet for the ground floor of a residential dwelling of more than one (1) floor; provided, however, that in no event shall the combined square footage of a residential dwelling of more than one (1) floor be less than two thousand one hundred (2,100) square feet for the following lots:

SQUARE 1 - LOTS 32, 33, 34, 35, 36, 53, 54 and 55.

6. For all residential dwellings of more than one floor, fifty percent (50%) of second ( 2<sup>nd</sup>) floor space which is open to the ground floor space may be counted toward meeting the minimum upper floor requirements herein above set forth.

## EXHIBIT "D"

### Initial Use Restrictions and Rules

The following restrictions shall apply to all of the Properties until such time as they are amended, modified, repealed or limited by rules of the Association adopted pursuant to Article X of the Declaration.

#### RESIDENTIAL RESTRICTIONS

1. General. The Properties shall be used only for single family residential, recreational, and related purposes (which may include, without limitation, an information center and/or a sales office for the Declarant and/or any real estate broker retained by the Declarant to assist in the sale of property described on Exhibits "A" or "B", offices for any property manager retained by the Association or business offices for the Declarant or the Association) consistent with this Declaration and any Supplemental Declaration.

2. Restricted Activities. The following activities are PROHIBITED within the Properties unless expressly authorized by, and then subject to such conditions as may be imposed by, the Board of Directors:

- (a) Parking of any vehicles on public or private streets or thoroughfares, except temporary guest parking. Parking of commercial vehicles or equipment, mobile homes, vans, campers, motor homes, recreational vehicles, golf carts, boats and other watercraft, trailers, stored vehicles or inoperable vehicles, in places other than enclosed garages or enclosed yards; provided, construction, service and delivery vehicles shall be exempt from this provision during daylight hours for such period of time as is reasonably necessary to provide service or to make a delivery to a Lot or the Common Areas;
- (b) Raising, breeding or keeping of animals, livestock, or poultry of any kind, except that a reasonable number, as determined by the Board, of dogs, cats, or other usual and common household pets may be permitted on a Lot; however, those pets which are permitted to roam free, or, in the sole discretion of the Board, make objectionable noise, endanger the health or safety of, or constitute a nuisance or inconvenience to the occupants of other Lots, shall be removed upon request of the Board. If the pet owner fails to honor such request, the Board may remove the pet. Dogs shall be kept on a leash, or otherwise confined in a manner acceptable to the Board, whenever outside the dwelling. Pets shall be registered, licensed and inoculated as required by law;
- (c) Any activity which emits foul or obnoxious odors outside the Lot or creates noise or other conditions which tend to disturb the peace or threaten the safety of the occupants of other Lots;
- (d) Any activity which violates local, state or federal laws or regulations; however, the Board shall have no obligation to take enforcement action in the event of a violation;

- (e) Pursuit of hobbies or other activities which tend to cause an unclean, unhealthy or untidy condition to exist outside of enclosed structures on the Lot;
- (f) Any obnoxious or offensive activity which in the reasonable determination of the Board tends to cause annoyance, or nuisance to persons using the Common Area, or to the occupants of other Lots;
- (g) Outside burning of trash, leaves, debris or other materials;
- (h) Use and discharge of firecrackers and other fireworks;
- (i) Dumping or burying of grass clippings, leaves or other debris, including, in particular, construction debris, petroleum products, fertilizers, or other potentially hazardous or toxic substances in any drainage canal or elsewhere within the Properties, except that fertilizers may be applied to landscaping on Lots provided care is taken to minimize runoff;
- (j) Accumulation of rubbish, trash, or garbage except between regular garbage pick-ups, and then only in approved containers screened from view or kept indoors;
- (k) Obstruction or rechanneling of drainage flows after location and installation of drainage swales, storm sewers, or storm drains, except that the Declarant and the Association shall have such right; provided, the exercise of such right shall not materially diminish the value of or unreasonably interfere with the use of any Lot without the Owner's consent;
- (l) Subdivision of a Lot into two or more Lots, or changing the boundary lines of any Lot after a subdivision plat including such Lot has been approved and filed in the Public Records, except that the Declarant shall be permitted to subdivide or replat Lots which it owns as long as such is in conformance with the general plan development for Segnette Estates, and the Board may approve the resubdivision of three or four lots into two or three, respectively, provided each remaining lot is larger than the smallest of the subdivided lots;
- (m) Swimming, boating, use of personal flotation devices, or other active use of canals within or adjacent to the Properties. The Association shall not be responsible for any loss, damage, or injury to any person or property arising out of the authorized or unauthorized use of canals within or adjacent to the Properties;
- (n) Use of any Lot for operation of a timesharing, fraction-sharing, or similar program whereby the right to exclusive use of the Lot rotates among participants in the program on a fixed or floating time schedule over a period of years;
- (o) Discharge of firearms; provided, the Board shall have no obligation to take action to prevent or stop such discharge;
- (p) On-site storage of gasoline, heating, or other fuels, except that a reasonable amount of fuel may be stored on each Lot for emergency purposes, and for personal operation of lawn mowers and similar tools or equipment, recreational

vehicles, and watercraft, and the Association shall be permitted to store fuel for operation of maintenance vehicles, generators, and similar equipment;

- (q) Any business, trade, garage sale, moving sale, rummage sale, or similar activity, except that an Owner or occupant residing in a Lot may conduct business activities within the Lot so long as: (i) the existence or operation of the business activity is not apparent or detectable by sight, sound, or smell from outside the Lot; (ii) the business activity conforms to all zoning requirements for the Properties; (iii) the business activity does not involve regular visitation of the Lot by clients, customers, suppliers, or other business invitees or door-to-door solicitation of residents of the Properties; and (iv) the business activity is consistent with the residential character of the Properties and does not constitute a nuisance, or a hazardous or offensive use, or threaten the security or safety of other residents of the Properties, as may be determined in the sole discretion of the Board.

The terms "business" and "trade" as used in this provision, shall be construed to have their ordinary, generally accepted meanings and shall include, without limitation, any occupation, work, or activity undertaken on an ongoing basis which involves the provision of goods or services to persons other than the provider's family and for which the provider receives a fee, compensation, or other form of consideration, regardless of whether: (i) such activity is engaged in full or part-time, (ii) such activity is intended to or does generate a profit, or (iii) a license is required.

The leasing of a Lot shall not be considered a business or trade within the meaning of this subsection. This subsection shall not apply to any activity conducted by the Declarant or a Builder approved by the Declarant with respect to its development and sale of the Properties or its use of any Lots which it owns within the Properties, including the operation of a timeshare or similar program.

- (r) Capturing, trapping or killing of wildlife within the Properties, except in circumstances posing an imminent threat to the safety of persons using the Properties;
- (s) Any activities which materially disturb or destroy the vegetation, wildlife, or air quality within the Properties or which use excessive amounts of water or which result in unreasonable levels of sound or light pollution;
- (t) Conversion of any carport or garage to finished space for use as an apartment or other integral part of the living area on any Lot without the prior approval of the appropriate committee pursuant to Article IX;
- (u) Posting signs other than by Builders, or Owners who may post one "For Sale" sign, security signs, and signs from non-profit civic organizations, all subject to such limitations as the Board may prescribe;
- (v) Any construction, erection, or placement of any thing, permanently or temporarily, on the outside portions of the Lot, whether such portion is improved or unimproved, except in strict compliance with the provisions of Article IX of the Declaration. This shall include, without limitation, signs, basketball hoops, swing sets and similar sports and play equipment; clotheslines; garbage cans; woodpiles; above-ground swimming pools; antennas, satellite dishes, or other

apparatus for the transmission or reception of television, radio, satellite, or other signals of any kind; and hedges, walls, dog runs, animal pens, or fences of any kind;

- (w) No geophysical, exploration, drilling, refining, quarrying or mining operations for oil, gas or other minerals of any kind; nor the placement, erection or maintenance of any derrick or other structure or equipment designated for use in and used in the drilling and/or production and development of oil, gas or other minerals; and
- (x) No trees or other vegetation, or dirt and/or fill material shall be removed from any Lot without prior notice to and the written approval from the Segnette Estates New Construction Committee, or the Segnette Estates Modifications Committee, as appropriate.

3. Prohibited Conditions. The following shall be prohibited within the Properties:

- (a) Plants, animals, devices or other things of any sort whose activities or existence in any way is noxious, dangerous, unsightly, unpleasant, or of a nature as may diminish or destroy the enjoyment of the Properties;
- (b) Structures, equipment or other items on the exterior portions of a Lot which have become rusty, dilapidated or otherwise fallen into disrepair;
- (c) Sprinkler or irrigation systems or wells of any type which draw upon water from canals or other ground or surface waters within the Properties, except that Declarant and the Association shall have the right to draw water from such sources;

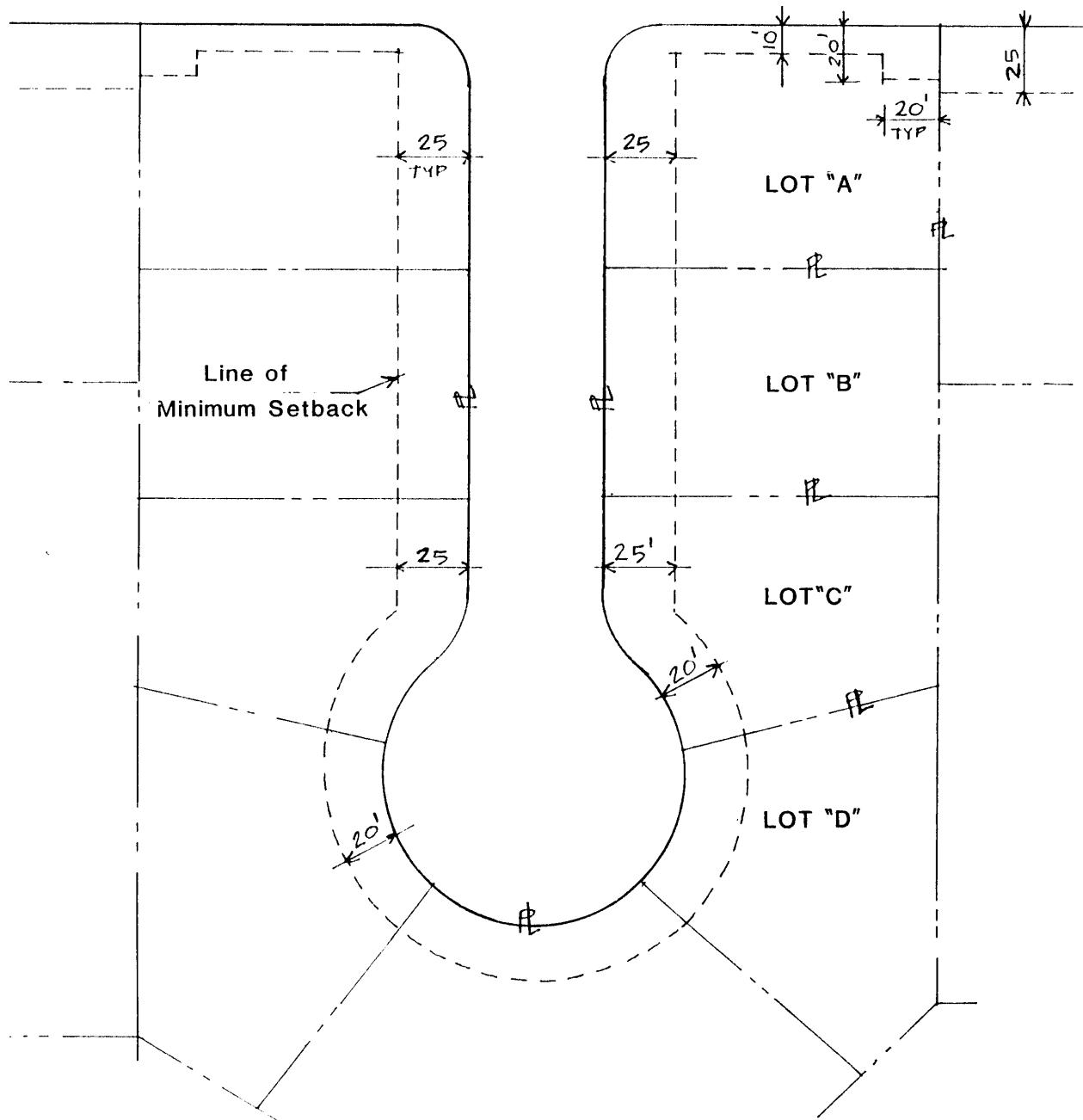
4. Leasing of Lots. "Leasing" for purposes of this Paragraph, is defined as regular, exclusive occupancy of a Lot by any person, other than the Owner for which the Owner receives any consideration or benefit, including, but not limited to, a fee, service, gratuity, or emolument. All leases shall be in writing. The Board shall require a minimum lease term. Notice of any lease, together with such additional information as may be required by the Board, shall be given to the Board by the Lot Owner within 10 days of execution of the lease. The Owner must make available to the lessee copies of the Declaration, By-Laws, and the Use Restrictions and Rules.

**SEGNETTE ESTATES COMMUNITY ASSOCIATION, INC.**  
**CONSTRUCTION RULES**

- (1) Construction activities that may disturb adjacent property owners shall be limited to the hours of 6:00 a.m. to 6:00 p.m., Monday through Friday, and 7:00 a.m. to 4:00 p.m. on Saturdays or Sundays. Sunday construction is discouraged. Driving of piles will not be allowed on Saturdays or Sundays.
- (2) Each contractor is required to provide a trash/refuse receptacle on each construction site and keep the job sites as neat and clean as possible. Trash and discarded materials such as lunch bags, cans and odd materials, must be removed daily. All debris stockpiled for removal should be located in the rear of the residence. Stockpiling of trash or any material on adjacent lots or streets is not permitted. The recommended trash receptacle will not create a nuisance to adjacent property owners. If trash and debris on the job site becomes a noticeable problem, notification to the responsible party will be given by the SENCC to clean up the site within three (3) working days. If after the 3-day period the site has not been cleaned, Segnette Estates Community Association will remove the debris and charge the property owner.
- (3) Mud/silt/debris-free street and proper erosion control are the responsibility of the contractor. Adequate silt fencing and matting at the entry drive must be properly installed and maintained to keep the streets free of mud, silt and debris. Elimination of vehicles tracking mud throughout the subdivision will be controlled by the contractor. This rule will be strictly enforced.
- (4) Contractors will use only the utilities provided on the immediate site on which they are working.
- (5) Portable toilets are the responsibility of the contractors. They should be located out of the right of way, and sanitized weekly. Contractors should provide adequate facilities for workers on each individual construction site.
- (6) Builders and subcontractors shall make every attempt to limit parking to the street front of the construction site or on the site itself. Builders, subcontractors or suppliers shall avoid blockage of the street and limit the duration of any necessary blockage to a minimum. No vehicles (cars, trucks, vans, etc.) may be left in the subdivision overnight. Construction equipment may be left on the site while in use but must be kept off the street.
- (7) Washing any truck or vehicle on the street is not permitted. Concrete delivery trucks may be washed only on immediate construction site.

- (8) Operators of vehicles are required to see that they do not spill any damaging materials while within the Community. If spillage does occur, it is the responsibility of the operator for clean-up. Clean-ups done by Segnette Estates Community Association personnel will be charged to the responsible party. Report any spills as soon as possible.
- (9) The established speed limit within the Community is twenty (20) miles per hour for all vehicles. This must be obeyed.
- (10) Business signs or other forms of advertisement are only permitted during construction, but limited to a 4' x 6' maximum area posting board during the construction period. Building permits are to be attached to a post or the posting board in a manner protected from the elements. Trees are to be kept free of all permits and signage.
- (11) Any damage to streets and curbs, drainage inlets, street lights, street markers, mailboxes, walls, fences, etc. will be paid by the responsible contractor.
- (12) If any telephone, cable TV, electrical, water, or other utility lines are cut, it is the responsible party's obligation to report such an accident within thirty (30) minutes to the utility company or the City of Westwego and applicable utility.
- (13) Loud radios or noise will not be allowed within the community. This is distracting to property owners. Normal radio levels are acceptable. Do not mount speakers on vehicles or outside of homes under construction.

# APPENDIX "A" – SETBACK DIAGRAM



## **SEGNETTE ESTATES MODIFICATIONS COMMITTEE** **RULES, PROCEDURES AND GUIDELINES**

The Segnette Estates Modifications Committee (the "SEMC"), which is composed of three (3) members initially appointed by the Declarant, will address all proposed changes and additions to the existing structure or other improvements as shown on the original plans and specifications approved by the SENCC to assure conformance with its Guidelines, and to maintain the high standards for construction of all modifications made to the original dwellings and associated improvements in the subdivision.

To achieve this end, the SEMC has established a process and procedure for reviewing all proposed modifications to existing dwellings and other improvements. The SEMC will review all plans and specifications, and, after its review, will either approve or disapprove, with recommended changes as needed to meet its requirements. The purpose of this review process is to insure that all proposed modifications to existing dwellings or related improvements will reflect positively upon, and will benefit the dwelling, site, adjacent areas, and the community as a whole. The SEMC shall handle all requests for tree removal, except in conjunction with plans approved for new construction by the SENCC.

### **PROCESS FOR REVIEW**

Prior to the development of, and plans and specifications for proposed modifications, the owner of the lot (the "applicant") shall contact the Chairman of the SEMC to determine what documentation will be required. At this time, the Chairman will make the applicant aware of applicable requirements of the Design and Construction Guidelines and Procedures which must be addressed in the application submittal.

### **FORMAL APPLICATION**

Each applicant is required to complete and submit an "Application For Review" form to be furnished by the SEMC, which will contain certain basic information required for the review process, together with two (2) sets of plans and specifications, as directed by the Chairman of the committee.

The Plan application, with all attachments, shall be submitted to the offices of the Segnette Estates Modifications Committee, Attention: Chairman, at 5201 Westbank Expressway, Marrero, Louisiana, 70072, Fourth Floor, between the hours of 9:00 a.m. and 4:45 p.m., Monday through Friday.

The plans and specifications to accompany the application shall show the nature, kind, shape, color (if available at that time), size, exterior finish materials and location of all proposed structures and improvements. Additionally, information concerning irrigation systems, drainage, lighting, landscaping, and other features of the proposed construction shall be submitted.

Such plans and specifications shall include all documents required to clearly illustrate proposed modifications. The applicant shall submit one or more of the following as required and

directed by the Chairman of the SEMC:

- (1) A Site Plan, with a minimum scale of 1"=20' 0", showing the location of all existing trees which the applicant proposes to remove; the location or "footprint" of any proposed modification to the residential dwelling, setback lines, servitudes and other structures, including, retaining walls, driveways, curbcuts, walkways, fences, pools, patios, landscaping and other modified improvements. All existing improvement must also be shown.
- (2) The foundation plan and detail sheet, certified by a Licensed Structural Engineer, and in accordance with all laws and regulatory requirements.
- (3) A Floor Plan(s), with a minimum scale of 1/4"=1' 0", including decks, patios, stoops, retaining walls related to the residential dwelling, trash enclosures, HVAC equipment and utilities, and the screening for same, interior spacing of rooms, and connections to driveways and walkways. In the case of a residential dwelling of more than one (1) floor, the Floor Plan should indicate those areas which are open to the second floor or interior roof line.
- (4) Front, rear and side exterior elevations showing building materials and finishes, and indicating the maximum height of the residential dwelling.
- (5) Roof Plan showing slopes, pitches and gables, unless reflected herein above in 1, 2, or 3.
- (6) Exterior color scheme, lighting scheme and other details affecting the exterior appearance of the proposed residential dwelling, and other structures. Furnishing of these details may temporarily be deferred, but must be furnished no later than completion of the framing of the residential dwelling, and other structures.

Each application will be time recorded, and will be approved or disapproved with a notice of required modifications within thirty (30) days from submission. Should the SEMC fail to approve or disapprove any application within the said thirty (30) days, such application shall be deemed approved. In the case of a disapproval and resubmittal, the SEMC shall have an additional ten (10) days from the date of each resubmittal within which to approve or disapprove. Should the SEMC fail to approve or disapprove any resubmittal within each ten (10) day period, such resubmittal will be deemed approved. The SEMC reserves the right to refuse to review repetitive submittals.

In its review process, the SEMC may consider the quality of workmanship and design, harmony of external design with existing structures, and location in relation to surrounding structures, typography, and finish grade elevation, among other things. Decisions of the SEMC may be based on purely aesthetic considerations.

All decisions of the SEMC shall be final ten (10) days after action by SEMC, unless vetoed within said ten (10) days by the SENCC due to being inconsistent with the Design and Construction Guidelines and Procedures for Segnette Estates. If vetoed, the SENCC shall retain jurisdiction of the application, and unless modified and resubmitted, the veto decision of the SENCC shall be final.

## **GENERAL REQUIREMENTS AND DESIGN GUIDELINES**

The section labeled "General Requirements and Design Guidelines" in the Design and Construction Guidelines and Procedures, as adopted and amended by the SENCC, shall be used by the SEMC to determine if proposed modifications conform to those requirements.

## **VARIANCE PROCEDURES**

Variances may be considered when circumstances such as topography, natural obstructions, hardship, aesthetic or any unique circumstance exist.

Request for variances must be in writing and state the reason for and the variance requested, along with owners name, address, Lot number and Square number. Requests must also show what steps have been considered to avoid the need for the variance. No request shall be considered until at least one meeting between SEMC's architect and owner/or his architect has taken place.

No request for a variance will be considered at any pre-application meeting, but may be discussed in an attempt to reach a solution. All requests for a variance shall cause the thirty (30) day plan review approval period to run anew from the date of any variance request.

All decisions on variances by the SEMC shall be final ten (10) days after action by SEMC, unless vetoed within said ten (10) days by the SENCC. If vetoed, the SENCC shall assume all jurisdiction of the application and unless modified and resubmitted by the applicant to the SENCC, the veto decision shall be final.

## **CONSTRUCTION RULES**

The "Construction Rules" outlined in the "Design and Construction Guidelines and Procedures" shall apply to all construction activities related to modifications approved by the SEMC.