

Sunset View Estates Homeowner's Association Architectural Rules and Regulations

Effective September 1, 2017

INTRODUCTION

General Description of the SVE Development and Architectural Rules & Regulations

Many community's identities are recognizable by their attributes. These attributes may be as complex as its people, infrastructure, age, and lot size. Mention NW Bend, NE Bend, Aubrey Butte, the West Side, and an image, an identity evolves. Sunset View Estates (SVE) is atypical to other communities with, or near a golf course. Because our identity is unique, we believe our Rules & Regulations should reflect us.

SVE was envisioned by Bill Bundy as an equestrian community. In phase 1, the common area alongside the street was intended to be a horse trail. Economic conditions altered the plan and the golf course was born. Thus, we are a community of large home sites, much open space and about 77 acres of common areas. Finding a community encircling a golf course, adjacent to a National Forest, with as much open space as we enjoy would be an arduous task. Thus, we are unique, not urban, nor suburban, nor rural, nor cookie cutter planed. The homeowners of SVE have established a unique community, which preserves the natural beauty and site integrity of individual home sites, while allowing diversity in individual residences.

These Rules & Regulations are especially important during design and new construction and they also apply to all existing homes and structures. All homes designed and constructed prior to the adoption of these rules are "grandfathered" however it should be noted that these rules and guidelines apply to any changes or additions to existing residences as well as new construction.

To ensure that SVE is developed and maintained to the highest practical aesthetic standards, the SVE homeowners have established an Architectural Review Committee (ARC) that has established the Architectural Rules & Regulations contained in this document.

SVE does not have a particular architectural theme, although most homes are influenced by the stands of mature ponderosa pines yet an open environment provided by the golf course and the large amount of common area. However, all of the buildings and landscapes within SVE are expected to employ high standards.

High standards for design and construction will ensure architecture and landscapes that are considerate to the site and to surrounding buildings. The Architectural Standards section specifically addresses design and architectural objectives.

The information in this document is intended to help you, your designer, architect, builder, contractor and/or landscape professional to understand these rules and guidelines regarding home design and landscaping, as well as acquaint you with the necessary approval process that each submittal entails. The ARC wants to ensure that the design review and approval process is administered fairly and effectively for the benefit of individual property owners and for all SVE residents.

We urge you to contact the Management Company prior to filing any application to be sure you have the most current application form and a current set of the SVE Regulations.

The Construction or Remodel Approval Process

The application of these Rules & Regulations shall be subject to the approval of the SVE Architectural Review Committee (ARC) which shall also approve the installation of all buildings, fences, landscaping (including water features, fire pits, hot tubs, and permanently-placed play equipment and furniture), exposed solar heating, air conditioning, mechanical equipment, antennas, satellite dishes, utility meters, and all other exposed site and building non-architectural components. This also includes painting and repainting (even the same color) of houses.

Exceptions to the Rules & Regulations shall be considered on an individual basis, and granted based on architectural merit. The ARC reserves the right to amend or alter these Rules & Regulations as needed.

All construction is subject to all codes and ordinances as adopted by the State of Oregon, Deschutes County, and all other pertinent regulations. The most stringent regulations shall apply in the event of a conflict.

All new and remodel construction shall be performed by a licensed and bonded contractor.

Application and Submittal Requirements

The Construction Submittal Form, Application and the Timetable & Checklist Outline for the ARC application process are available at the office of the Management Company.

Preliminary Review

Preliminary review is strongly encouraged. The preliminary review process tests the building and site concept. Concerns or objections are easier to address when they are identified at the beginning of the design process.

Please see the preparation for Preliminary Review portion of the Timetable and the Submittal Checklist for instructions and submittal requirements.

Responsibilities

It is the responsibility of each SVE land/home owner and/or his agent(s) to read and understand the Declaration of Covenants, Conditions and Restrictions and Bylaws for SVE; ARC Construction Submittal Form and Application; Timetable & Checklist Outline for the ARC application process; and these Rules & Regulations prior to making submittal to the ARC.

E N F O R C E M E N T

As provided by Section 7.1 and 7.2 of the SVE Covenants, Conditions & Restrictions (CC&Rs), the SVE Board and/or its authorized representatives (aka. the Management Company) may, at any time, inspect a home site or improvement and, upon discovering a violation of these Rules & Regulations, provide written notice of noncompliance to the owner, including a reasonable time limit within which to correct the violation. In the event that an owner or his agent(s) fails to comply within this time period, the Board and/or its authorized representatives (aka. the Management Company) may proceed with enforcement as provided for in Article 7.2 of the same CC&Rs.

N O N - C O N F O R M I N G U S E S

If the new construction is found to not comply with the ARC approved drawings, the owner may be required to make changes to correct non-compliance issues at the owner's expense.

Owners of existing homes in SVE that have features that do not comply with these Rules & Regulations are encouraged to bring their homes into compliance on a voluntary basis. Features on existing homes do not set a precedent. All new construction taking place after July 1, 2015 must conform to the ARC Rules & Regulations dated July 1, 2015.

N O N - W A I V E R

Consent by the ARC to any matter proposed to it or within its jurisdiction, or failure by the ARC to enforce any violation of the Rules & Regulations, shall not be deemed to constitute a precedent or waiver impairing the ARC's right to withhold approval as to any similar matter thereafter proposed or submitted to it for consent or to enforce any subsequent or similar violation of these Rules and Guidelines.

S E V E R A B I L I T Y

If any section, subsection, paragraph, sentence, clause, or phrase of these Rules & Regulations is for any reason held by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of these Rules & Regulations.

A R C H I T E C T U R A L R E V I E W C O M M I T T E E

General

The SVE Homeowners Association (SVE HOA) has established the SVE ARC to implement and administer these Rules & Regulations. The ARC shall exercise the functions for which it is given responsibility by the SVE HOA Board of Directors as provided in the Declaration of Covenants, Conditions & Restrictions (CC&Rs) for SVE and for the modifications, promulgation, and enforcement of its rules governing the use and maintenance of home sites and the improvements thereon.

Review and approval of any building application by the ARC is mainly based on aesthetic considerations. The ARC does not bear any responsibility for insuring the structural integrity or soundness of approved construction (to include remodels). In similar fashion, the ARC bears no responsibility for insuring that submitted drawings are in compliance with building codes and/or other governmental requirements. The ARC, Board, or any committee or member of any of the foregoing shall not be held liable for any injury, damages, or loss arising out of the manner or quality of approved construction or modifications of any structure.

Committee Membership

The ARC shall consist of at least three persons who shall be appointed by the SVE HOA Board of Directors. The Vice-Chairman of the Board of Directors will chair the ARC and will constitute one of the ARC members. If the Board of Directors fails to make such appointment within 30 days of the start of the fiscal year, the Board of Directors itself shall serve as the Architectural Review Committee. Members of the ARC may be removed and replaced at any time by the SVE HOA Board of Directors.

Except as otherwise provided herein, a majority (at least two) of the voting members of the ARC shall have the power to act on behalf of the ARC without the necessity of a meeting and without the necessity of consulting the remaining member or members of the ARC, if they are unavailable. The ARC meets on an "as needed" basis.

To aid the prospective homeowner, or the homeowner in the case of a remodel, the Chairperson of the ARC can answer questions and give approvals on plans previously approved by the committee. Generally the Chairperson will follow up

with an informal written approval note to the homeowner or contractor and will communicate internally with the committee members.

Architectural Standards

The ARC exists for the purpose of maintaining the high standards in design development and overseeing appropriate building and property use in SVE. Prefabricated or manufactured housing is not allowed in SVE.

T I M E T A B L E

Preparation for Preliminary and Final Review Submittals

Preliminary and Final review are similar processes and require the same amount of time for the review process. The Timetable for both Preliminary and Final review have three related aspects. Alterations or additions to buildings require the same review process.

1. Preparation:

- The applicant must first prepare for the review. Check with the Management Company to see if the copy you have of the SVE ARC Rules & Regulations is the most recent edition (all copies are dated). Request a current copy of the SVE ARC Construction Submittal Form and Application.
- SVE land owner(s) and/or his agent(s) should read and understand the ARC Construction Submittal Form and Application; Timetable & Checklist Outline; and the Rules & Regulations prior to making a submittal to the ARC.
- SVE land owner(s) and his/her agent(s) must understand that all construction is subject to all codes and ordinances as adopted by the State of Oregon, Deschutes County, and all other pertinent regulations. The most stringent regulations shall apply in the event of a conflict.

2. Proposal Development:

The second aspect is development and formation of your proposal. This normally includes formation of your building concept and synthesizing it within the constraints of the SVE Rules & Regulations.

3. ARC Review:

The third aspect is the ARC review. At least two weeks are required for the ARC review. The Management Company must receive your completed submittal and will then notify the ARC. If you have any questions, contact the Management Company.

4. Building Permit:

It is strongly suggested that the owner or contractor not apply for a building permit prior to ARC approval. A Deschutes county building permit is required for all work in SVE.

Notification of Neighboring Property Owners

At the time a completed and accurate application for New Construction or a remodel is received, the Management Company will notify contiguous property owners and owners whose property may be impacted by the construction of your home regarding your intent to build. These owners will receive a reduced copy of the site plan and exterior elevations. They are given one week to respond with any questions or concerns. Any comments from owners are addressed during the review of the submittal at the next ARC meeting. If you intend to build any portion of your home within the prescribed setbacks, a preliminary application for review and approval is strongly recommended. Additionally, the ARC may have an independent architect consultant review submittals, checking for Design Guideline compliance, drawing accuracy, and if necessary to write a report of their findings.

Preliminary Review Advantage

The fee schedule is described on your application. Amounts due at any preliminary review will be applied as a credit to the total fee which is due when you apply for Final Review.

The Preliminary Review process is strongly encouraged. The Preliminary Review process tests the building and site concept. The purpose of the preliminary review is to review designs at an early stage, to obtain ARC comment on designs that may not be in keeping with the SVE Rules & Regulations, and to get contiguous owners comments on any concerns they may have. Preliminary review also may identify designs that could be duplications of others in close proximity to the requested improvement. The preliminary review allows the owner to obtain ARC advice regarding conceptual designs before final construction drawings are prepared.

Concerns or objections are easier to address when they are identified at the beginning of the design process. Should the ARC require changes that affect the building's structure, it is much easier to deal with them prior to completing final construction drawings and/or applying for building permits.

Preliminary review shall not be deemed to be a final approval for the construction of the improvement(s).

The ARC Review

ARC meetings are open to all property owners in SVE and their representatives however, ARC meetings are held only as needed and notice of meetings is not

posted. Contact the Management Company if you are interested in a particular application. Property owners will be allowed to provide information at ARC meetings. The ARC committee decisions will be made in a closed meeting.

After the ARC Review

After the ARC meeting and the one-week contiguous-owner response period have expired or all contiguous owners have responded, a review letter is prepared, listing any ARC comments, requirements, concerns or conditions of approval. A copy of this letter will be provided for your design and construction agent(s). If there are specific areas of concern or a requirement for more information, the owner or his agent(s) may be required to deliver revised drawings or provide the supplemental information before the ARC will issue a final approval allowing construction to begin.

A construction approval letter from the ARC must be issued before construction may begin.

Trees marked for removal, outside of the home footprint but within the view corridors, must remain on the site until the home is framed. The request for removal of these trees will be addressed once the home is framed and ARC members make an onsite visit. Unauthorized tree removal will result in immediate forfeiture of the deposit and suspension of all construction activity on the property until a remediation plan and a new deposit are received and approved by the ARC.

Items which are missing from the original submittal, (color boards, landscape plans, etc.) must be provided for review and approval at a later ARC meeting. It is prudent to plan color schemes and material choices well in advance of scheduling painters, masons and other specialty subcontractors.

Landscaping shall be completed within six months of the completion of the exterior of the building(s), extensions for weather are allowed with ARC approval. Please consult the Landscaping section of this guideline for more specific information about the landscape requirements.

If construction approval has been granted and construction has not begun within one year of receiving approval (or six months for additions or remodels), the application and approval expire and the refundable portion of the application fee will be refunded. A new application, a current fee, and a new ARC review and approval will be required if construction is scheduled to proceed after this time. All exterior construction on your home must be completed within **15 months** from the date construction begins, extensions are allowed with ARC approval.

Appeals

Appeals relating to ARC decisions will be scheduled with the Management Company for a meeting with the SVE Board of Directors as needed.

Deposit Refund and Inspection

The deposit portion of the application fee will be refunded if the building and landscaping are completed and meet all ARC standards, requirements, CC&Rs and Regulations. Owners should call to request a final inspection when the improvements are complete.

Note that sometimes inspections are not feasible due to weather conditions. A request for an inspection may require a lead-time of up to two to three weeks.

SUBMITTAL CHECKLIST

Preliminary Review

Preliminary review is strongly encouraged as it tests the building and site concept. Preliminary reviews are informal and can be repeated as necessary. No additional application fees are required for multiple preliminary reviews.

Preliminary review allows the owner to obtain ARC advice and contiguous owner comments (if any) regarding conceptual designs before final construction drawings are prepared. The ARC recommends you provide as much information as possible to gain the most out of the review. Please provide one full size copy of the site plan, elevations and floor plan as well as a reduced copy (8 1/2" x 11") of the site plan and elevations.

Final Review

The following items and information are required for final review:

Site Plan (1 copy D size paper drawing and electronic PDF file) to include:

- licensed surveyor stamp and signature on plan
- drawing scale (recommended): 1" = 10'
- a grading plan, if grading is required (professional engineered encouraged, and may be required) showing existing contours of site slope and proposed contour changes, both at 2' intervals (retaining walls, if any, must be reflected accurately on the grading plan)
- property lines, setbacks, utility, and all other easements, see *Buildable Area* below (if any)
- building site stake location clearly identified if available

- ❑ building footprint location, roof plan including overhangs, and driveway clearly marked
- ❑ all tree and rock outcropping locations (trees which are proposed for removal must be clearly designated as such on the plan)
- ❑ all utility stub locations
- ❑ North arrow
- ❑ Location of the following clearly marked: walkways, decks, retaining wall(s), parking areas, proposed utility lines, septic tank and drain field, service yard/trash storage, spa/hot tub facilities, utility, etc.
- ❑ location of construction staging/access areas and temporary structures
- ❑ elevation of the first floor of home (in relation to existing grade) noted on plan
- ❑ highest ridge elevation of the home (in relation to existing grade) noted on plan
- ❑ existing grade elevations of the major corners of the foundation noted on plan

Exterior Elevations (1 copy D size paper drawing and electronic PDF file) to include:

- ❑ drawing scale: 1/4" = 1'
- ❑ All exterior building features clearly identified with all materials/finishes noted (exterior lighting, roof, siding, railings, trims, patios, porches, decks, foundation, stairways, storage enclosures, masonry, garage doors, meter housings, spa facilities, etc.)
- ❑ correct image orientation; stock plans reflecting mirror image will not be accepted
- ❑ proposed structure's main floor line drawn and elevation in relation to existing grade noted
- ❑ elevation of the highest point of the roof ridge in relation to the existing grade noted
- ❑ accurate finished and existing grades drawn and noted

Floor Plan(s) (1 copy D size paper drawing and electronic PDF file)

- ❑ drawing scale: 1/4" = 1'

Application Form (1 copy)

- ❑ owner(s) must sign and date signature page
- ❑ Cover sheet must be completed with pertinent addresses, phone numbers, legal description, street address, etc.
- ❑ all pages in application must be completed

ARC Application Fee

- ❑ A current fee schedule can be obtained from the Management Company to ensure you have the most recent fee structure. This fee schedule will include fees for:
 - ❑ New Construction.
 - ❑ Preliminary Review.
 - ❑ Remodels/additions/alterations.
 - ❑ Landscaping plan changes/updating.

Color/Material Sample Board and Color Submittal Form

- ❑ It is required to submit a sample board containing roof, siding, stone (if any) and paint and trim colors. These are best assembled at the time of the full construction submittal, but owners are permitted to submit them at a later date for review and written approval.
- ❑ completed color submittal form identifying materials and colors
- ❑ exterior window, siding, roofing colors and materials
- ❑ exterior light fixture catalog cuts or drawings
- ❑ masonry and paver samples

Other considerations at the time of submittal:

- ❑ A string layout of the footprint of the house, driveway and onsite parking locations shall be completed and available for review at the time of the application. All corners of the lot must also be accurately staked at the time the string layout is completed. The failure to complete this step may result in a delayed ARC review.

LANDSCAPE SUBMITTAL CHECKLIST

A landscape plan is not required during the initial review process. However, a complete landscape plan must be submitted for review and approval prior to the execution of any such work. Beginning landscaping construction prior to ARC review and written approval may result in a partial forfeiture of the deposit refund. No additional fees are required for landscape review. Landscaping shall be completed within six months of substantial completion of the home, extensions are allowed for weather with ARC approval. Please consult the *Landscaping* section for more specific information about landscape requirements.

Landscape plans shall be submitted to the Management Company.

Landscape Plan (1 D size paper drawing and electronic PDF file) to include:

- drawing scale: 1" = 10'
- retaining wall locations and material
- property lines, setbacks, and all other easements (if any)
- building footprint location, roof plan including overhangs, and driveway clearly marked
- all tree and rock outcropping locations (trees which are proposed for removal must be clearly designated as such on the plan)
- landscape lighting plan and samples, catalog cuts or drawings of all landscape and driveway lighting fixtures proposed
- North arrow
- Location of the following clearly marked: walkways, decks, retaining wall(s), parking areas, service yard/trash storage, spa/hot tub facilities, fire pits, etc.
- types, locations, quantities and sizes of all proposed plant material
- Water feature location (if any) and detail which should include overall dimensions, horizontal drop, noise in dB and pump size, if applicable. The noise generated by the water feature may be not greater than 50db as measured at the edge of the maintained portion of the golf course, at the next adjacent neighbor's property line, or the edge of the paving at the street.
- Note that any natural areas disturbed by landscape work or access to landscape work areas shall be restored to their natural condition including planting of native grasses and/or plants.

MISCELLANEOUS

Fees

The ARC review fee may be changed at any time.

On-Site Inspections

As provided by Section 7 of the SVE CC&Rs, the SVE ARC and/or its representative(s) shall be authorized, upon receipt of an application and submittal to build, to make onsite inspections of the home site and proposed construction at any time.

Violations

Violation(s) of these Rules & Regulations that are discovered during an inspection will be forwarded to the home site owner(s) and/or their agent(s). The ARC and/or its representative(s) shall provide written notice of noncompliance to the home site owner(s) and/or their agent(s), including a reasonable time limit within which to correct the violation(s). In the event that an owner or his agent(s) fails to comply within this time period, the ARC and/or its authorized representatives may proceed with enforcement as provided for in the CC&Rs.

ARCHITECTURAL STANDARDS

General

The ARC exists for the purpose of maintaining the high standards in design development and overseeing appropriate building and property use in SVE. Please contact the Management Company prior to making any changes to the exterior of your home.

Rules & Regulations

Accessory Buildings

Only buildings to be used as temporary construction shelter may be placed on a home site prior to construction of the main residence.

Structures such as separate garages, dog houses, tool sheds, wood storage, greenhouses, etc., which are not integrated as part of the main residence, will require written ARC approval.

Accessory Dwelling Units (ADU)

Sunset View Estates is comprised of single family residences. Current Deschutes County zoning does not allow ADUs. In addition, no ADUs are allowed by these rules and regulations.

Adjacent Private Property

Adjacent property may not be used for access to any construction site under any circumstances. Adjacent property may not be used as a parking area or staging area by any contractor or subcontractor working on the home site. In

the event of damage to adjacent property, the SVE property owner and/or his agent(s) will be held responsible for restoration of the adjoining affected property and/or may result in a partial forfeiture of the deposit refund.

It is imperative to keep adjoining property free of construction litter. Daily clean-up is required. Side property lines must be marked.

Aluminum Windows, Door Frames and Skylights

Aluminum windows, doorframes and skylights must be bronze anodized, unless other treatments are specifically authorized by the ARC.

Solar tubes/devices and skylights must be treated to eliminate reflective glare and flashing and/or frame painting must blend with surrounding area.

Animals

All SVE homeowners are responsible for their domestic animals and must adhere to SVE Homeowners' Association rules. If an animal is off its owner's home site, it must be on a leash or under strict control of the owner. Dogs running after balls, Frisbees, etc. are not considered under control. Animal menace ordinances are also in effect for defecating, barking and trash-strewing dogs. Additionally, contractors, subcontractors, and all other workers are prohibited from bringing pets to the job site during the course of construction.

Lost Tracks Golf Course is independently owned and not part of the SVE HOA. The golf course is not an animal exercise area and SVE owners should adhere to whatever policy the golf course has in effect at any given time. Pet owners are required to clean up after their pets. Please be considerate of others who use the public and common areas.

Animal Fencing

All animal runs and animal restraint areas must receive prior ARC review and written approval before they are built. These areas shall be situated on a home site so as to be completely concealed or screened from view of roadways and neighboring home sites. Invisible electrical fences are allowed without prior ARC approval. Flags may be visible for a maximum of three months. After which the fence line may be marked with naturally colored stakes not to exceed 6 in. in height.

Awnings

All proposed awnings must be submitted for ARC review and written approval. The awnings must be constructed of a material selected to blend with the body color of the home.

Bark and Decorative Stone

Bark and decorative stone may be used as ground cover. They must be of an earth tone color (no bright red, pink, white or blue colors are allowed). This stone or groundcover must be approved by the ARC Committee.

Buildable Area

Building Site Location

Each SVE Home site has/had an established building site location. This marker is missing on most unimproved lots as of this date. Owners shall strive to design their homes so that the footprint of the home is considerate of neighboring homes. SVE has two building setback requirements from all property lines. See below.

Building Setbacks

Building setbacks are measured from the property line(s) to the furthest extent of the building (including roof overhangs, footings, trash/recycling/HVAC enclosures, fireplace projections, window bays or any other portion of the building) on all four elevations unless otherwise approved by the ARC.

- a. Street Frontage All buildings in Phase I must be at least 50-feet from the front lot line to the structure as described above. Phase II and Phase III have a minimum 30-foot setback from the street frontage property line to the structure as described above.
- b. Side Property Lines Minimum 30-foot setback from each side property line (measured from the property line(s) to the furthest extent of the building, including roof overhangs, footings, trash/recycling/HVAC enclosures, fireplace projections, window bays or any other portion of the building).
- c. Rear Property Lines Minimum 30-foot setback from each rear yard property line (measured from the property line(s) to the furthest extent of the building, including roof overhangs, footing, trash/recycling/HVAC enclosures, fireplace projections, window bays or any other portion of the building).
- d. The building envelope for all lots is within the designated set-back dimensions.
- e. PLEASE NOTE: Property owners of lots in Phase II and Phase III desiring to build an accessory structure to house a Recreational Vehicle or Motor Coach, are strongly advised to include this structure as part of the home structure (as opposed to separate stand-alone structure). Most of the lots in Phase II and Phase III are just over one acre in size as compared to Phase I lots which are well over two acres.

Building Height

SVE Rules & Regulations enforce a 30-foot average height limitation.

Back-filling does not affect the SVE Rules & Regulations building height calculation. Application with the intent to circumvent the height restrictions or SVE Rules & Regulations height restrictions will not be approved.

The height of a home is determined by the SVE Rules & Regulations as an average of two specific measurements. The first measurement is that from the highest point on the roof to the lowest elevation of natural grade along the proposed building perimeter foundation. The second measurement is

that from the highest point on the roof to the lowest elevation of natural grade along the proposed building perimeter foundation (opposite elevation). No single elevation will be permitted to be higher than 39 feet, even if the average is below 30 feet.

“Natural Grade” is defined as the site topography which exists at the time a lot is sold to the first owner; fill material subsequently brought to a site does not modify this original grade reference. In instances where proposed building heights are close to the established limit, the ARC may, during the construction process require that the owner of a home site have specific site and building elevations confirmed by a licensed surveyor.

Burning

The open burning of construction or yard debris is not permitted at any time on any home site or common area in SVE.

Chimneys

All exterior chimney chases surrounding flues must be of wood or stone. The chase or shroud must be in proportion to the size of the home and must cover the cap completely making it not visible. A chimney chase and shroud must be large enough to completely cover the wood-burning metal fireplace flue, as shall be the spark arrestor. The chimney chase, flue and shroud shall be painted to match surrounding materials, eliminating the glare from the raw flue and sheet metal, as unfinished metal flues are not permitted. If a chimney chase and shroud are used on a gas fireplace vent, it too must be built and painted to the same standards as wood-burning fireplace chimney chases and shrouds.

Common Areas

No buildings, antennas, or walls shall be erected or maintained upon any area designated “common area” on actual subdivision plot maps.

There are many common areas in SVE. These areas are currently included in the SVE Firewise program and homeowners should be aware that the program requires mowing and maintenance from time to time which will be conducted by the association.

For the most part, common areas are not landscaped by the SVE Homeowners’ Association.

Construction Radios

Loud radio playing on site during construction is prohibited. Radios should not be audible from adjacent lots, homes or the street.

Construction Times

Regular construction in SVE is permitted between the hours of 8am to 7pm Monday- Saturday. Noisy activity should be curtailed on Sunday.

Decks, Porches and Deck/Porch Skirting

Elevated decks with living areas below shall have supports of not less than 6” X 6”. Built up wing walls or built-up columns (clad with siding material) or

peeled logs, both in conjunction with landscape screening are encouraged and in some cases, will be required.

Decks and/or porches, which are more than 24" above existing grade and have no living area below them, shall be skirted. The skirting below all decks and/or porches shall be recessed 18" to 24" to create shadows and alleviate the appearance of massive under deck /porch walls. Deck porch skirting should be made of the same material as the home and be applied in the same direction, unless otherwise approved by the ARC.

The deck areas of home sites are an integral part of living in SVE as well as an integral part of the view from neighboring properties. Long uninterrupted runs of deck will not be permitted. Projections, steps or other architectural features must be incorporated in the deck design.

All Painted Surfaces, i.e. railings, steps and decks including skirting must compliment the house.

Drainage

All site drainage must be retained and disposed of on the owner's property. Provisions for the disbursement of roof, gutter, home site, landscape, walkway and driveway drainage are the property owner's responsibility. Owners should consult with professionals to discuss their drainage risk factors and specific solutions.

Care should be taken in the design phase to plan for areas that may be subject to additional water difficulties (from street run-off or other sources).

Driveways

Driveway cuts onto SVE roadways will be limited to one per home site, unless otherwise approved by the ARC. The driveway shall be a maximum of 18 feet wide, except to radius to the street and to transition to the parking area in front of the garage.

Driveways must be asphalt, concrete or masonry.

"U" shaped driveways will be approved if they are appropriately designed with consideration to natural contours and vegetation of the property and do not interfere with any neighboring views.

Driveways must have the ARC approval prior to installation. In cases where properties must share a driveway to preserve the natural environment, the ARC requires the owner of the property and driveway to grant an easement to the neighboring parties in legal and recorded form, along with an agreed maintenance plan by all parties.

Duplication

Duplication of a house design is discouraged.

In cases where similarity in home design or appearance is deemed, a concern by the ARC, modifications to the home may be required to eliminate similarities.

Excavation

Each home site shall be developed with minimal modification of the existing topography. All excavation spoils must be removed from the site. All areas disturbed during construction must be restored to their original appearance or in accordance with an approved landscape plan. Natural area restoration includes replanting native grasses and other native plant materials, and redistributing mulch and/or duff covering raw earth. Landscaping shall be designed to “disguise” excessive slope areas caused by fill for driveways and around the foundation of homes.

Exterior House Colors and Stains

Please contact the Management Company prior to any exterior painting or staining.

All exterior colors are subject to review and written approval by the ARC for both original painting and subsequent repainting or staining, even if the same color will be applied.

A 2-foot by 2-foot taped or painted sample of the paint body and trim is required. Ideally, the samples will be placed where the ARC can easily review from the street or on approach to the home.

Exterior colors must be of medium to dark earth tones. Exterior color treatment shall be continuous on all elevations (meaning that East, West, North, South elevation color schemes shall be continuous). Very light, pastel or bright body colors are *not* acceptable.

Care shall be taken to avoid duplicating colors of nearby homes.

Natural wood siding, peeled logs and natural shakes must be stained or treated.

Exterior Design Treatment

Consistency. Exterior material treatment used on the building walls shall be continuous and consistent on all elevations of a residence in order to achieve a uniform and complete design. Exterior siding material must be carried down to within 10 inches of grade and sloped, to match finished grade, not stepped. Only 10 inches of exposed foundation is permitted on any exterior elevation.

Coordination. The ARC encourages and may require the fenestration, projecting bays, and all other architectural features to be coordinated on all sides of the building. Integrating architectural elements around the building will enhance it as a whole and should augment the architectural character of the building.

Stucco & Masonry. Many times these materials may be used in conjunction with other approved siding materials to enhance the architectural style and appeal of all sides of a home. When masonry is used on the front of a home and it extends to any front corner, it must extend at least two feet around the adjoining side elevation.

Slope Conditions. Regarding the aspect of view preservation as it pertains to building height, the design of a dwelling shall consider the negative visual impact of tall, imposing facades upon neighboring properties.

Exterior Lighting

Information regarding the design, number and location of all exterior lighting fixtures is required for ARC review and written approval, including (but not limited to) exterior wall, pendant, driveway, walkway and landscape lighting. Lighting submittals require legible dimensioned drawings and/or catalog cuts for the review process.

All exterior wall light fixtures must be shown on the exterior elevations of all new construction submittals. Driveway, walkway and landscape lighting may be included later with the landscape plan.

The object of the exterior lighting requirements is to eliminate glare and annoyance to adjacent property owners and passersby. To this end, the requirements and restrictions are as follows:

- a. Only 2 fixtures with a visible light source are permitted on the exterior of the home and are subject to ARC written approval regarding their exact location. The shroud for these fixtures may be translucent or transparent. The fixtures must be positioned to enhance and identify the entrance of the home, and both fixtures are limited to a maximum output of 75 watts each. (Colored lamps are prohibited).
- b. All other exterior wall fixtures are subject to ARC review and written approval regarding their location, number and wattage. These fixtures must have downward-directed light sources which are shielded with an opaque material. No part of the lamp may be exposed through perforated opaque material, or translucent or transparent shrouds. Colored lamps are prohibited.
- c. Driveway, walkway, landscape and all other decorative light fixtures are subject to ARC review and written approval regarding their location, number and wattage. No part of the lamp may be exposed through perforated opaque material, or translucent or transparent shrouds. All landscaping lighting should be the same fixtures. Solar lighting is allowed as long as it matches any other landscape lighting.
- d. During the holiday season exterior decorative lights may be used. Exterior holiday lighting is allowed to be installed no earlier than November 1 and may be lighted no earlier than the Saturday before Thanksgiving. Lighting the decorative lights should end by the second weekend in January. All holiday lighting must be turned off by 1:00am daily and should be completely removed from the exterior of the home by January 31 (weather permitting).
- e. For all other holidays – lights may be put up one week before and must be removed one week after the holiday.
- f. All allowed lighting should be considerate of adjacent home owners.

Exterior Walls and Trims

In the design of homes, which propose the use of a composite of exterior materials, consideration shall be given to appropriate balance, both in terms of the amount of each material, as well as the specific areas of their use.

The following materials are approved for use on exterior walls and trims:

- a. Wood (treated with semi-transparent or solid body stains or paints) and Lap cement-based siding material is approved. Individually applied board and batten type siding and log style homes may be appropriate on some home sites; however, they are subject to ARC review and written approval. In most cases, siding applications which involve a mix of directions (horizontal, diagonal, vertical) are discouraged.
- b. Brick, natural and cultured stone - medium to dark colors.
- c. Textured masonry block units are not to exceed 4 inches in height - medium to dark colors, unless approved by the ARC.
- d. Stucco and synthetic stucco.

Prohibited Materials and Conditions:

- a. exposed plain concrete (10" maximum exposure at foundation)
- b. plain concrete block
- c. corrugated metal
- d. unarticulated panel siding (e.g., T-1-11, plain plywood, sheet press board)
- e. horizontal seams on sheet (plywood or pressboard type) products
- f. other similar quality, non-durable products

Fencing, Gates and Screening

Fences and gates are not allowed at SVE (with the exception of phase I) and require specific review and written approval from the ARC before they may be placed. A fence is defined as a structural or ornamental barrier, which separates one space from another. (*See Animal Fencing*)

Some Fencing Rules and Considerations

- a. The design concept at SVE is one that promotes a feeling of open spaces; therefore, no fencing or other structures of any nature will be allowed outlining front, side or rear property lines or within property setback lines.
- b. Screening shall be limited to 5 feet in height from ground level, shall be connected to the house structure and shall blend or follow natural terrain and landscaping. The ARC will evaluate each condition on an individual basis.
- c. No tree, whether in a setback or on private property, shall be used for the attachment or support of any screening.
- d. All allowed screening shall be faced with materials and finish compatible with the principal structure on site. No screening is permitted on berms.

- e. Screening around recreational facilities in private areas will be judged on an individual basis, taking into consideration such factors as location, exposure to public view, and natural screening in the immediate vicinity.
- f. The use of monofilament line, netting or electric fences for the protection of any part of the landscaped area, individual beds or along property perimeters is prohibited. Inconspicuous protective equipment may be permitted with ARC approval around individual plants or shrubs until they are of a size less vulnerable to the deer population.

Phase 1 Fencing

- a. The SVE design concept specifically allowed for fencing of property boundaries for Phase 1 lots. In most cases that fencing was installed as part of the original development.
- b. The SVE design concept also specifically allowed the use of adjacent common area for Phase 1 lots. Phase 1 lots may have fencing that runs as an extension of their property line to the common area boundary.
- c. In all cases for Phase 1 lots the fencing must match exactly as possible the existing fencing that was installed during the initial development of Phase 1 lots so as to provide design continuity in the SVE development.
- d. Attachments (for example wire mesh or elements to increase the fencing height) to the Phase 1 lot fencing or to common area fencing is not allowed.
- e. Any new or replacement of Phase 1 boundary fencing must be approved by the ARC.

Fireplaces

Outdoor fireplaces, fire pits, etc. must be gas or propane fired and must have prior approval of the ARC as part of the landscape plan.

Firewood

Residences in SVE are permitted to use wood-burning stoves, fireplaces or pellet stoves. However, firewood must be screened from the view of roadways and other home sites by the use of service yard screening attached to the home or in garages. In most instances, the addition of gates will be required to screen firewood adequately. The storage area shall be high enough (not more than 5-feet as allowed for other screen purposes) and large enough to accommodate the wood.

Flagpoles

Flagpoles require prior ARC review and written approval before they may be installed. Flag poles shall be designed and located to minimize noise and visual impact to neighbors.

Garages

All garages must be attached to the home or designed to give the appearance of being attached to the home. Garage doors must be a minimum of 8 feet

tall. Larger doors require ARC review and written approval. See 'home sites' also. Some additional limitations on garages are as follows:

- a. Garages with more than 2 bays must offset the additional bay at least 3 feet. Homes with more than 3 garage bays will be reviewed on an individual basis and requires specific ARC written approval.
- b. RV garages are allowed with specific ARC written approval.
- c. Carports are not allowed.

Garage Sales

Individual or group garage sales are prohibited in SVE.

Garbage and Trash Removal

Owners are responsible for their own garbage and trash removal during and after construction. Construction sites must be kept clean from trash and construction debris at all times. Construction sites that are not kept clean (at least weekly removal or trash and construction debris) may be subject to ARC action (i.e. having the trash and construction debris picked up and disposed of). The cost of the removal and disposal of the trash and construction may be deducted from the ARC deposit.

Gravel carried onto existing paved roads by construction vehicles shall be swept back onto construction site weekly by the contractor or property owner. This rule also applies to mud, dirt or other debris.

Trash and recycle containers must be stored in an area that is not visible from the street or adjoining home sites.

Burning or dumping of garbage, landscape debris or trash anywhere in SVE is prohibited.

Gardens

Gardens should be consistent with the design of the SVE development. Gardens should be situated so that they are not easily visible from the road or adjacent home sites.

Gates, North and South Entry

Contact the management company for gate policy.

Grading

To the maximum extent feasible, all grading on a home site shall conform to existing topography and must be approved by the ARC at the time of construction and/or landscaping review. For purposes of drainage, grading must slope away from structures on a home site (See Drainage).

Both existing and finished grading must be represented on each site plan and each exterior elevation submitted to the ARC.

Greenhouses

Greenhouses shall meet the following requirements:

- a. Application: The application to install a greenhouse shall be submitted to HOA Management. The application shall include a dimensioned plot plan

of the owner's lot and the location where the greenhouse will be located (this location should be as discreet or inconspicuous as possible). Photos, or catalog cut sheets of the greenhouse shall be included with the application.

- b. Material: Only non-reflective material will be allowed. Aluminum or steel frames shall be anodized or painted in a color that blends with the surrounding landscaping. Wood frames shall be stained a dark earth tone. White or off-white frames will not be allowed. Opaque glass panels will not be allowed.
- c. Size: Maximum size will be 8W' x 8'L x 7'H
- d. Foundation: Foundations shall be of a temporary nature.
- e. Maintenance: The appearance of the greenhouse shall be maintained at all times. For example, no broken glass or plastic panels, no flaking paint, etc. Gardening accessories such as wheelbarrows, tools, plastic bags, etc. shall not be stored in any visible location.

Gutters and Downspouts

Gutters are highly recommended in SVE and may be required on some homes. All gutters and downspouts shall be designed as a continuous architectural design feature. Exposed gutters and downspouts shall be colored or painted to blend in with the surface to which they are attached.

Hammocks

Hammocks should be of natural colors and blend into their surroundings. Hammocks are not allowed in common areas.

Heating and Cooling Systems

All exterior elements of heating and/or cooling systems must be screened from the view of neighboring home sites and roadways, and where applicable, must be insulated to reduce noise transmission to acceptable levels at adjoining properties.

Screening materials must match the style, texture and color of the adjoining home.

Home Business

SVE CC&Rs state that businesses run from residences are prohibited. See also the section on rentals.

Home sites

In addition, the SVE Home sites have the following requirements:

A minimum 2,800 square footage living space requirement.

Garages with a minimum of three parking spaces are required. Three single garage doors or a single door and a double door are acceptable. A tandem garage space does not meet these requirements.

Hot Tubs

Hot tubs are required to be screened from the view of neighboring home sites and roadways. Hot tub location and required screening must have prior ARC review and written approval. Sinking the hot tub may be an acceptable form of screening as long as the sides of the hot tub are not visible.

Landscaping (see Landscaping Section for Complete Requirements)

Formal landscaping is not required in SVE. All home sites, however, shall be maintained to present a neat and pleasing appearance to all off-property vantage points, to minimize fire danger in the area, maximize weed control, and to moderate the problem of wind-blown dust. If a property owner chooses to maintain the natural appearance of the site, steps must be taken to restore/re-naturalize unsightly scarred areas due to construction activity or other damage and to remove dead plant material and refuse from the site. Re-naturalizing includes:

- a. Planting native plant material
- b. Spreading mulch/pine needles/duff, covering raw earth
- c. Feathering transitions between truly native areas to the newly restored areas

Other Landscaping Considerations

- a. Landscaping must be completed within 6 months of substantial completion of the home. Extensions for winter months are allowed.
- b. In some situations the ARC may require an owner to plant trees and/or add contouring to a site to screen on-site elements from off-site vantage points.
- c. It shall be the responsibility of the home site owner, when landscaping his property, to follow the plan submitted to the ARC.
- d. Bark or decorative stone must be of an earth tone color. No bright reds, pinks, whites or blues are permitted. Stone placed along the road must blend with the existing or prevailing stone.

Mailboxes, Newspaper Receptacles and Street Addresses

Group mailboxes are provided at the north and south entrances of SVE as well as a midpoint location. Keys for the mailboxes may be picked up from the Post Office. Street address signs shall be located at an appropriate location to identify the home and shall be in a style consistent with the home and SVE.

Newspaper receptacles are allowed in SVE. They are generally 2'W x 2'D x4'H and are allowed to be placed near or on the roadway right of way. Designs shall be submitted to the ARC for review and written approval.

Maintenance

Each property owner is required to keep his land, landscaping and all improvements in good repair and attractive condition. This includes keeping

the native areas free of building materials, garden tools and other debris. The owner is required to keep the painted areas of his home in good repair.

Metals and Plastics

- a. All exterior metals and plastics (vents, flashing, gutters, etc.) must be painted or treated to blend in with surrounding material. All utility meter housings must be painted to match the body color of the home. Utility panels and meters shall not face the street and shall be attached to the home.
- b. If copper is used for gutters, this material must be allowed to “weather.”
- c. Decorative features in unpainted or untreated metal or plastic require prior ARC review and approval.

Music

Continuous and/or Loud noise before 8 AM and after 10 PM are prohibited.

Netting

If a homeowner desires to erect “safe netting” to protect the home and/or occupants from golf ball damage, plans for installation of netting must be submitted to the ARC for approval before netting is installed.

Outdoor Furniture and Decorations

Location of permanently placed outdoor furniture, picnic tables, barbecues, arbors, flagpoles and other decorative items must be approved by the ARC. Outdoor furniture and decorative items shall be maintained in good repair. Outdoor radiant gas/LP heater caps shall be painted with a dark, non-reflective color

Outdoor Play Equipment

Location of permanently placed outdoor play equipment such as swing sets, basketball backboards, trampolines and other such items must have prior ARC review and written approval. This type of equipment must be maintained in good repair and screened, if possible, from the view of other home sites and roadways. Backyards of home sites, which are exceptionally exposed, may require additional landscaping. Play equipment must be painted or stained, as approved by the ARC, to blend with the natural surroundings.

Other Considerations

- a. No large, brightly-colored, plastic play equipment will be permitted to be left in permanent view on any SVE home site.
- b. No skateboard ramps will be permitted.
- c. No brightly-colored basketball backboards will be permitted. Nets must be a solid, neutral color and be kept in good repair. Basketball backboards are not permitted on streets or cul-de-sacs.
- d. Play equipment that might disturb your neighbors should not be used after dark.

Parking and Screening

- a. No overnight parking of any vehicle is allowed on any SVE street. Repeat offenders will be towed at their expense.
- b. Motor homes, trucks, campers, boats and trailers of any sort, cars under repair, etc., must be appropriately screened so these items are not visible from the road or neighboring properties.
- c. If it is necessary for one of the above vehicles (which are normally stored or moored in another location) to be parked on a home site in view of roadways, or neighboring home sites, such items may be temporarily parked on the owner's home site, and not on the street. Parking is allowed for a maximum of 7 nights for recreational maintenance purposes only.
- d. If an owner has out-of-town guests who arrive with a recreational vehicle, the home site owner must notify the Management Company. The vehicle must be parked on the owner's home site (not on the roadways or cul-de-sacs) and may be there no longer than seven nights. Overnight *occupancy* of recreational vehicles is not allowed in SVE.

Recreational Vehicles

(See Parking and Screening)

Rentals

Property owners may rent their homes for a period of not less than one year. Home rentals are allowed for single family residential use only. Partial home rentals are not allowed, for example a rental of one bedroom even if for 1 year is not allowed.

No short term or vacation rentals are allowed. Short term being defined as overnight, daily, weekly or less than one year. Property owners may not run a rental business such as a bed and breakfast facility.

Rock (Decorative)

(See Bark and Decorative Stone)

Roofing

Slate and concrete tiles, concrete and wood simulated shakes, and composition roofing (with at least a 40-year warranty) are considered as acceptable roofing applications for SVE. Textured metal with a matte finish may be considered on some homes. Wood shakes and shingles are prohibited due to fire danger. Roofing applications will be reviewed on an individual home/home site basis. Even though the product is approved, some colors will not be permitted on homes in SVE. A minimum of a 4/12 pitched roof is required in SVE.

Satellite Dishes and Antennas

No exterior satellite receivers or transmitters, television antennas, radio/short wave antennas, or other receiving device shall be placed on any

home site or home without the prior consent of the ARC. Small satellite dishes 32 inches or smaller supplied by satellite service providers such as Direct TV or Dish are allowed.

Other Considerations

- a. Dishes must be attached to the home and painted to blend into the roof or siding to which they are attached. Satellite service provider supplied dishes are exempt from this requirement.
- b. Location of receiving devices must be inconspicuous and pre-approved before placement. Landscape screening may be required in some cases.

Security

As of this date no security patrol is provided at SVE by an outside contractor.

If you have a security concern, call the Management Company, or if it is an emergency, dial 911.

If the situation is more of a neighborhood issue or a rules violation, during the day, contact the Management Company.

Service Yards

When not provided by other structures, each residence shall have a screened service yard, not to exceed 5 feet in height, enclosing garbage, recycling, compost bins and trash containers, firewood (where permitted), bicycles, landscape debris, outdoor maintenance equipment, etc. None of these shall be placed where they will be seen from roadways or neighboring home sites. Service yards must be attached to the home and gated as necessary to screen the area from view of other home sites or roadways. Service yard enclosures must be sided in a material that matches the house. Lattice is not an acceptable screening material.

Setbacks, Easements, and Other Requirements

See Buildable Area

Signs

- a. Subcontractor, lender and supplier signs are prohibited. No signs shall be displayed in the windows of homes (except approved block home stickers) or be nailed or attached to trees.
- b. No directional signs may be used without prior ARC approval.
- c. No offsite signage within SVE may be used without prior ARC approval.
- d. All allowed signs must appear to be professionally produced.
- e. Signs may not be illuminated with artificial light.
- f. Plastic or cardboard store-bought or handmade "for sale" signs are prohibited.
- g. All signs must be removed upon close of escrow of the property and/or upon completion of the construction project or at the direction of the ARC.

- h. Political signs are permitted and may be placed on the property 30 days prior to any election. These signs must be removed the day following the election. If not removed, the Management Company will remove them. Political signs of a non-election nature are discouraged.
- i. "For Rent" or "For Lease" signs are prohibited.

Home For Sale Signs

- a. Only one "For Sale" sign is permitted at the front of each home site. It must be single-sided, on its own post and no higher than 42" above the immediately adjacent ground plane. For home sites with golf course frontage a second sign facing the golf course is allowed. No signs are permitted facing exterior streets such as Knott Road or China Hat Road.
- b. Directional Signs used for open house or showing days must be posted the day of the open house or showing and removed directly after.
- c. Information boxes (flyer boxes) are not permitted to be mounted on an individual stake or post. They must be attached to the home or to the back of the "For Sale" sign. If a box is attached to the back of the "For Sale" sign, the box may not protrude beyond the dimension of the sign.

Golf Course Signs

Signs facing the golf course to indicate private property are allowed. The signs may not be placed on common area and should not encroach on out-of-bound stakes. The ARC in its sole discretion may require a homeowner to remove a sign that is not in the spirit of a golf course community.

Special Event Signs

- a. Special event signs must obtain Management Company approval prior to their use.
- b. All exceptions to these sign standards must be presented to the ARC for review and specific written approval prior to their use.

Skylights and Solar Devices

- a. All glass, plastic or other transparent skylight or solar device shall be treated to eliminate reflective glare. Clear, bronze or gray glazing is preferred over white translucent.
- b. Solar collectors are permitted; however, the collectors must be flat to the roof. In addition, the majority of the mechanical portion of the system must be contained within the structure and not positioned on the roof.
- c. Prior ARC approval is required for all solar collection systems.
- d. No solar collection system or equipment may be placed on common area.

Solar Encroachment

Any planting which interferes with the use of solar energy on an adjacent property is prohibited.

Solar Heating System

Any solar heating system must be reviewed on an individual basis, and requires the approval of the ARC.

Solar (Photo Voltaic) Systems

- a. A homeowner may place a solar energy device on any single-family residential dwelling unit owned by that person, provided that the installation complies with the following ARC rules.
- b. Systems must comply with current issue Oregon Solar Installation Specialty Code and any Deschutes County Building code in effect at the time of application to the ARC.
- c. A sample or illustrated brochure of the proposed solar unit, which clearly depicts the unit and defines the material used, must be submitted with the application.
- d. The method of installation shall follow the solar manufacturer's recommendations to achieve the lowest profile possible.
- e. If the profile of the PV panels is more than 4" above the roof, the leading and side edges of each array shall have an appropriate "skirt" facing to maintain as low a profile as possible.
- f. In no event shall the racking system extend beyond the face of the array/panel.
- g. In no event shall the panels/arrays extend beyond the edge of the roof. Racks cannot be exposed between panels.
- h. Solar panels must be installed horizontally, all panels, frames, skirts and hardware must be black, only micro-inverters will be allowed.
- i. Internal conduits are preferred, external conduits if approved by the ARC shall be painted to match the exterior surface.
- j. Electrical and/or other permits required must be obtained and posted prior to installation.
- k. Construction drawings for the proposed installation must be provided to the ARC, showing the location and number of solar panels, attachment to the roof structure, location of any other exterior components and the finished appearance.
- l. Application fees may apply, see the Application Form for details.

Staging Area

Each construction approval submittal must designate at least one staging area for a home site, subject to approval by the ARC. Each staging and construction area must be kept clear of trash and debris.

Tarps, BBQ Covers and Other Weather Protective Materials

- a. The use of exposed tarps is generally discouraged. However, when tarps are used for covering firewood or other usage and are visible from

roadways, and other home sites, they must be brown in color. Tarps must be removed after 30 days. Green, blue or bright colored tarps are prohibited.

- b. Exposed BBQ Covers should be of a dark neutral earth tone (Black or brown).

Tree Removal and Trimming

- a. The removal of any tree larger than 6 inches in diameter (19 inches in circumference) measured 6 feet from the ground without the written approval of the ARC is prohibited. Trees less than 6 inches may be removed in accordance with fire safety guidelines. Any tree may be trimmed up 6 feet from ground level for fire safety. Any dead limbs above this height may be removed.
- b. Unauthorized tree removal during construction will result in immediate forfeiture of the deposit and suspension of all construction activity on the property until a remediation plan and new deposit are received and approved by the ARC.
- c. Tree topping is prohibited in SVE other than that which is required for the health of the tree. If an owner or their agent(s) ignores this prohibition, the owner will be required to completely remove and replace the topped tree with a tree or trees (with the size(s) and species as required by the ARC) at the owner's expense.

Utilities

All connections from trunk lines to individual structures must be underground; exposed plumbing, electrical, and all other utilities and services are prohibited. All areas of excavation for site utility work must be restored.

Utility Meters

All utility meters (gas and electric) should not be visible to roadways or neighboring home sites. They shall be installed according to the guidelines provided by the utility companies and located at the house. All meter housings and junction must be painted to match the siding color of the house.

View Preservation

Construction of improvements and/or growth of owner-planted vegetation on a home site ideally would not materially impair the previously existing view of other home site owners. The ARC shall be the sole judge of such impairment. If vegetation needs to be removed, the benefited party shall be responsible for any costs associated with the removal and/or trimming of such vegetation.

If an owner perceives that his view is being impaired by vegetation on an adjoining property, whether it is native vegetation or vegetation placed by the homeowner, the following procedure should take place:

- a. The owner who perceives his view is compromised (owner “A”) should approach the vegetation’s owner (owner “B”) directly with the request to trim or remove the offending vegetation at his (owner “A”s expense).
- b. If “B” is agreeable, “A” must present the proposal to the ARC for final approval (no fee required).
- c. If “B” does not agree, “A” must present the issue to the ARC (no fee required). The Committee will decide if view preservation is truly at issue and will rule accordingly.
- d. In all cases the benefited party pays for all costs.

Water Features

All Water features must have written ARC approval prior to their construction and/or installation. The ARC has sole discretion and may reject any water feature deemed inappropriate.

- a. Water features shall be integrated as part of the landscape design.
- b. Water features shall be oriented to benefit those within the home or on decks or patios.
- c. Water features shall be scaled as a minor landscape element—they shall not dominate or distract from the landscaping or the architecture of the home.
- d. Water features shall not be excessively noisy. The noise generated by the water feature may not be greater than 50db as measured at the edge of the next adjacent neighbor’s property line or at the edge of the paving at the street.

Windows

Aluminum windows, doorframes and skylights must be bronze anodized. Color of exterior window and doorframes must blend with exterior color of home. In general, windows wrapped in “white” vinyl will not be accepted.

Miscellaneous Rules & Regulations

- a. In addition to the ARC Rules & Regulations which deal with construction and landscaping concerns, it is highly recommended that all property owners become familiar with the SVE Rules & Regulations that address SVE community concerns.
- b. It must be understood that the ARC Rules & Regulations also apply to remodels and/or add-ons where alterations to the exterior of the structure will occur. These Rules & Regulations also apply to exterior color choices.
- c. The ARC has the power to require a property owner to trim/top planted shrubs/trees that have grown in such a manner as to block a pre-existing view corridor of a neighbor.

