SURPRISE VALLEY DESIGN GUIDELINES

JUNE 1995

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INTRODUCTION

SURPRISE VALLEY DESIGN GUIDELINES

These Design Guidelines ("Guidelines") are promulgated by the Design Committee effective this 3749 day of 3000, 3955, pursuant to the Master Declaration recorded in the records of Ada County Idaho as instrument #95042516. These Guidelines replace and supersede all previous design guidelines.

I. INTRODUCTION

The home designer should view these Design Guidelines as aides that will protect the special qualities of Surprise Valley, not as roadblocks to creative design. The Design Guidelines are not meant to limit the imagination or personal needs of the individual homeowner. Individual design is encouraged. All terms used in these Design Guidelines shall have the same meaning as is set forth in the Master Declaration.

The Design Committee has the following design goals:

1.1 Perceived Quality:

"Perceived Quality" is the primary goal of Surprise Valley. To achieve a high quality community image, both the overall building appearance and its details should convey a sense of solid, permanent construction. The Design Committee will discourage facade treatments that are associated with temporary, hastily-built, or obviously inexpensive construction materials or techniques. If inexpensive materials are used, the Design Committee expects that every effort will be made in both design and construction detailing to "ennoble" rather than further cheapen the effect of the materials. Regardless of the quality of the material used, tacked-on, veneer-type facade treatments will be strongly discouraged by the Design Committee, as will any too-blatant an expression of cost-cutting methods, such as too-thin fascia boards, exposed rafter tails, or untrimmed doors and windows (unless required by the design to obtain a legitimate and consistent architectural aesthetic).

1.2. Scale and Proportion of Dwellings:

Homesites in Surprise Valley vary in size and the finished streetscape should not create the impression of oversized houses pushing too hard against the street. Vertical and horizontal

offsets are encouraged in preference to houses with long, tall, or unbroken walls and roofs butting against the minimum setbacks. Proportion is a somewhat subjective issue, but the designer should be aware that this is an issue which will not be ignored and that there is rarely disagreement within the Design Committee when it reviews a house that is ill-proportioned.

1.3 Consistency:

Surprise Valley will strive to achieve a quality community image through a continuity of overall layout and design as the units relate to each other. A substantial quality of individual design and finish materials will be required.

1.4 Conflicts With These Design Guidelines:

In the event there is any conflict between these Design Guidelines and the Master Declaration, any Supplemental Declaration, the Articles of Incorporation or Bylaws of the SV Homeowners' Association, Inc., or the Articles of Incorporation or Bylaws of any Local Association, the Master Declaration, Supplemental Declaration, Articles of Incorporation or Bylaws of the SV Homeowners' Association, Inc., or the Articles of Incorporation or Bylaws of Incorporation or Bylaws of the SV Homeowners' Association, Inc., or the Articles of Incorporation or Bylaws of the SV Homeowners' Association, Inc., or the Articles of Incorporation or Bylaws of any Local Association, as the case may be, shall govern.

1.5 Defined Terms:

Every defined term not defined herein, shall have the same meaning as ascribed to it in the Master Declaration.

GENERAL DESIGN GUIDELINES

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GENERAL DESIGN GUIDELINES

2.1 "Period" Architecture:

Applicants are not encouraged to submit designs imitating "period" architectural styles (Georgian, Tudor, etc.) except perhaps in those zones of the Surprise Valley development that are devoted to houses in the higher price ranges. It is difficult if not impossible to successfully execute a period house in a low-to-moderate price category since the detailing necessary to achieve a quality image cannot be afforded. The Design Committee will also discourage the putting of elements of period architecture into the design of dwellings that are in all other respects inconsistent with the elements proposed. A submittal imitating a period style is expected to be an authentic representation of the original style and to be consistent with that style from all views. The Design Committee is not opposed to designs evoking period styles, but the applicant should be aware that - as with submittals based on more contemporary styles - the Design Committee will be looking for evidence of a clear intent as well as consistency within the context established by the design.

2.2 Privacy Screens:

The preferred privacy screen is one which is treated as an architectural extension of the house, both in its design, finish, material and color, rather than as a separate and unrelated element. Unfinished "natural" wood elements are not allowed.

2.3 Horizontal and Vertical Offsets:

It is usually more effective in achieving the effect of a substantial edifice to have fewer but larger horizontal and vertical offsets rather than a series of small jogs. This design approach is at the heart of the goal of the Design Committee: to encourage the achievement through sensitive design the appearance of greater quality at lesser cost.

2.4 <u>Scale</u>:

The homesites at Surprise Valley are not sized for "estate" homes and it is important that the homes not be over scaled.

2.5 <u>Roof Design:</u>

All roof designs will be reviewed, depending upon the designer's ability to produce the visual impact of quality regardless of the materials used. As with the design of the house as a whole, the style of the roof should remain consistent from all views. It is desirable to maintain consistent roof pitches. In general, roof designs should not be mixed.

2.6 Openings and Projections:

Large blank walls should be avoided. Large gable ends of two story houses should be broken with projections or recesses rather than windows alone. Garage side walls visible from the street shall not be left blank. Around windows and doors, projections or recesses are preferred to windows cut into the surface of the wall. Windows with a definitely visible trim surround are preferred to windows with no trim.

2.7 Fascias and Rafter Tails:

Vinyl and metal clad fascias and soffits are discouraged. Do not use metal corner clips on fascias and/or siding. Rafter tails shall be covered with a fascia board unless specifically approved as an integral design feature of a house.

2.8 Roof and Attic Vents;

Roof and attic vents shall be shown on the building elevations. The type, size and proposed design shall be clearly shown. A combination of ridge, soffit and dormer vents are preferred, metal vent caps in the roof surface are discouraged. Failure to show how the attic or roof Joist spaces are to be vented may be cause for rejection of the submittal.

2.9 Material Changes:

To avoid a tacked-on, low-quality, thin veneer look, material changes should be made at an inside corner or at a major wall opening. Changes at outside corners should be avoided, veneer treatments shall "wrap" corners with logical terminations that are a part of the design intent.

2.10 Joints in Siding Materials:

Nearly every siding material requires joints of some type in order to extend across the area to be covered. The treatment of these joints provides important visual clues regarding the quality of its construction and shall be shown on the final Design Submittal. The Design Committee will be looking carefully at the method of joint treatment proposed. For all except wood and masonry sidings, the type and placement of the joints and/or joint covers must be indicated on the drawings. No hard and fast rules can be given by the Design Committee to cover all situations, except to say that joint treatment (particularly expansion joints in stucco, batts and joint covers used with hardboard siding) must be integrated carefully into the overall design of the house.

2.11 Garages:

Seen from the street, the main living areas of the house should dominate the garage. The visual impression should be that of a house with a gracious entry, not of a garage and driveway. Garages can be de-emphasized by turning the garage 90 degrees to the street and providing landscaping for screening. The required setback can be reduced to 10" if side entry garages are utilized.

2.12 Solar Considerations:

Designers should consider passive solar opportunities. Design and siting of a house should take into account the solar space of neighboring houses, e.g., minimizing structure height near the north property line when a building site lies to the north.

Solar collectors and associated hardware shall be an integral part of the design of the house and shall not have a "tacked-on" appearance. Placement of the collectors should consider the impact of glare on neighboring outdoor living spaces.

Collector types shall be submitted for review by the Design Committee in the early stages of the planning of the house to verify acceptability. Collectors shall be arranged in a compact configuration and shall have the appearance of a uniform plane with a neatly finished edge.

In addition to the above considerations, all improvements must be in compliance with Sections 12.4 - 12.4.6 as identified in the Master Declaration.

SPECIFIC DESIGN AND CONSTRUCTION GUIDELINES

III. SPECIFIC DESIGN AND CONSTRUCTION GUIDELINES

The following is a list of certain design and construction guidelines which may assist an Owner/Applicant; provided, however, that the following guidelines shall in no respect modify the Declaration.

3.1 Accessory Buildings; Only buildings to be used as temporary construction shelter may be erected on a Building Lot prior to construction of the main residence building. Structures such as dog houses, tool sheds, etc., which are not appurtenant to the dwelling structures but are intended for permanent or semipermanent use, are not specifically prohibited, except as provided in the Master Declaration. Such structures are, however, subject to Design Committee approval. Their design and location shall be submitted to the Design Committee for review and approval prior to construction.

3.2 Building Height and Setbacks: Building height limitations and non standard setbacks may be imposed by the Design Committee in order to preserve views and to minimize the adverse impact of structures on sensitive natural areas or air and light requirements of other properties. Solar Considerations may also impact the height of structures. See Section 12.4 - 12.4.6 in the Master Declaration. (See Exhibit "A" for height and setback restrictions.)

3.3 <u>Chimneys:</u> All exterior chimneys must be of wood, stone, brick or metal. A metal chimney must be of such a color as to blend in aesthetically with the residence and will be subject to approval by the Design Committee. All metal spark arresters shall be covered by a chimney termination shroud.

3.3.1 Chimney Caps: Chimney caps of purely utilitarian design shall not be allowed in Surprise Valley. Such caps when necessary shall be screened by a false cap appropriate to the design of the house. The design of these caps shall be indicated in the final drawings. In circumstances where a custom designed false cap is desired, the Chase Termination Shroud may receive approval by the Design Committee. Other types may be approved upon application.

3.4 Driveways and Driveway Layout: Except for multi-family structures, driveway cuts onto streets shall be limited to one per Building Lot, unless otherwise approved by the Design Committee. Lots 4-31, Block 1 are subject to a specific Driveway locations as seen in attached Exhibit "B" unless otherwise approved.

3.5 <u>Excavation</u>: All excavation must be done so as to create a minimum disturbance on the site and surrounding properties. All dirt (not otherwise used) and debris as a result of excavation must be removed from Surprise Valley. Excavation and construction along Surprise Valley common area owned by the Homeowners Association must be fenced with temporary construction fencing.

3.6 Exterior Lighting: Exterior lighting located at the front of the house may be of a direct type (for example, of an exposed bulb, carriage-light type), but the bulb size may not exceed 60 watts. Exterior lighting located other than at the front or street side of the house must be either a) indirect with the light source shielded and not visible or b) otherwise screened by landscaping or in such a manner that the visible light shall not pass beyond the boundary of the property on which the light is located. In no case may the bulb output exceed 60 watts. The purpose of this Guideline is to provide a neighboring property owner with the right at any time to insist upon and receive relief from an unshielded light fixture that may be found objectionable. Where exterior lighting is desired or required and a shielded type of light fixture is incompatible with the style of the house, recessed soffit lighting is encouraged by the Committee. Flood lights and spot lights mounted on the exterior face of the house, on poles or in trees are prohibited. Colored lights or light sources shall be prohibited, except during the Christmas season. Ground-mounted flood lights for landscaping emphasis will be allowed under the rules applying to shielded fixtures.

3.7 Exterior Walls and Trim: Wood (painted or stained), local stone and brick are preferred for exterior walls and trims. No vinyl or metal siding, fascia or soffit shall be allowed.

3.8 Exterior Appearance:

3.8.1 Exterior color and 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 architectural design and to avoid a "veneer" look.

3.8.2 Exterior colors of residences and other improvements must harmonize within themselves and be harmonious with their surroundings. All colors are to be submitted for approval to the Design Committee. All reflective metal such as chimney stacks, flashings, exhaust vents and pipes must have a factory finish or be painted to match or blend with surrounding materials. All such colors are to be approved by the Design Committee.

3.8.3 All draperies and window coverings shall also be of materials and colors which harmonize with the surroundings and shall be chosen in consideration with neighbors and neighboring views.

3.8.4 All utility meter panels shall not be visible from the street or neighbors and shall be installed according to guidelines available from utility companies and those set forth by the Design Committee.

3.8.5 All glass, plastic or other transparent skylight or solar devices shall be treated to eliminate reflective glare.

3.9 <u>Group Design:</u> Any production/merchant builder owning contiguous property or property within the same block should submit the complete group design to the Design Committee. The criteria for approval may vary from the Design Guidelines if the goals of the Design Committee are not compromised as decided by the Committee. A variance from these Design Guidelines may be approved as outlined in Section 12.7 of the Master Declaration.

3.10 Gutters and Downspouts: All gutters and downspouts shall be designed as a continuous architectural design feature. Exposed gutters and downspouts shall be colored to blend in with the surface to which they are attached. Splash blocks for erosion control are requested.

3.11 Heating and Cooling Systems: All interior or exterior heating or cooling systems must be physically screened from the view of neighboring property, streets and the Common Area, and must be insulated for noise so as not to be heard from adjoining properties.

3.12 <u>Parking:</u> A minimum of two parking places shall be required for each single-family Building Lot. Parking must be in an approved garage or carport, or an approved area adequately screened from any road and neighboring views.

3.13 Prefabricated Housing: Prefabricated housing is discouraged.

3.14 Roofing Material: Wood shakes and shingles, slate and concrete tiles shall be the only approved roof materials unless other materials are specifically approved by the Design Committee. (If an entire neighborhood maintains a consistent grade and material of the same color, a high quality asphalt shingle may be approved.)

3.15 <u>Service Yards</u>: When not provided by other structures, each residence should have a screened service yard, enclosing garbage and trash containers, firewood, bicycles, and other items of personality and must be placed where they will not be seen from the streets, Common Areas or neighboring Building Lots.

3.16 Utilities: All connections from trunk lines to individual structures must be underground. Exposed plumbing and electrical lines are not allowed. Material must conform to the State of Idaho Electrical and Plumbing Codes. Water and sewer hookups must be inspected by the appropriate governmental inspectors. All excavation for site utility hookups must be restored to its natural condition. 3.17 Construction Staging and Conduct: Construction Approval submittal shall designate at least one staging area for a building lot subject to approval by the Design Committee. Building materials and construction vehicles shall be kept completely on the construction site unless prior approval of the Committee is obtained. The construction area shall be kept free of litter and debris. Loud music and animals will not be allowed. Persistent violation of these requirements shall be considered sufficient grounds for retention of the Construction Deposit. Temporary construction fencing shall be installed prior to construction on all Zone 1 Lots located on the Common Area and rimfront.

LANDSCAPE DESIGN AND CONSTRUCTION GUIDELINES

IV. LANDSCAPE DESIGN AND CONSTRUCTION GUIDELINES

4.1 <u>Vegetation:</u> Certain plants and trees are indigenous to the Surprise Valley area and have been found to grow well in this location. Assistance in choosing plants and trees will be provided by the Design Committee upon request.

4.2 <u>Front yards</u>: Front yard is defined as that area between the front property line and the plane of the face of the building, or intercepting side yard fence or wall. The total front yard area (except the driveways and entry paving) is to be landscaped and irrigated prior to closing of the residence (weather permitting), and must be installed by professional landscaping and irrigation contractors. The front yard landscaping shall be maintained in a healthy and neat appearance at all times. The front yard landscaping shall be designed in conjunction with and in harmony with the architectural design of the residence, Building Lot and adjoining improvements. The following standards shall be followed when designing and installing the front yard landscaping, unless otherwise approved by the Design Committee.

4.2.1 Ground Plane: All landscape areas shall be irrigated by an underground sprinkler system connected to the Surprise Valley dual irrigation system. Sixty percent (60%) of the ground area shall be planted in grass. The grass area shall be designed to accomplish a continuous grass appearance along the property frontage from the back of the curb and from and to adjacent properties. All planter beds must be held back six (6) feet from curbs or sidewalks where present. Forty percent (40%) of the ground area may be planted with shrubs, ground cover, or utilized as an entry patio. Natural, native bark product ground cover mulches are recommended to hold moisture an add organic matter to the soil. Cinders, gravel or rock do not break down and are therefore not allowed. All landscape boulders used to accent shall be of sufficient and appropriate size to properly compliment the landscaping plan.

4.2.2 <u>Trees</u>: A minimum of one (1) tree shall be planted per 500 square feet of front yard ground plane area. Required trees shall be a minimum of two inch (2") caliper measured at six inches (6") above ground plane. With the exception of the common lot line street tree provided by Grantor, trees shall not be planted closer than 6.0 feet from the curb. Any tree planted that does not survive or which is not healthy shall be immediately replaced. Trees shall be planted in an informal pattern (approved by the Design Committee) with a minimum offset of ten feet (10').

4.3 Rear Yards:

4.3.1 Rear Yards: A rear yard is defined as all areas that are not visible from the street. One of the intents of rear yard landscaping is to insure that within ten (10)

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years tree heights will extend beyond the ridgeline of the building. The location and species of the trees shall be selected by the Owner/Applicant according to use and privacy needs of the rear yard. Another intent of rear yard landscaping is to insure an aesthetic transition from open rear yards to common areas, rimfront areas, or public open space. Accordingly, rear yard landscape zones have been created to accommodate this second intent. In Phase 1 of Surprise Valley:

Neighborhood "B"	Block 2 Lots 7-24	Block 3 Lots 1-7
Neighborhood "C"	Block 1 Lots 4-31	
Neighborhood "D"	Block 1 Lots 32-58	Block 10 Lots 1,5,6,10
Neighborhood "E"	Block 1 Lots 59-80	Block 15 Lots 1,3,5,7

are Zone 1 homesites and landscaping is to be completed within ninety (90) days of completion of construction. All other lots in Surprise Valley Phase 1 are in Zone 2 and must complete rear yard landscaping within six (6) months of occupancy.

4.3.1.1 <u>Ground Plane Rear Yard:</u> All rear yard areas shall be landscaped and irrigated by an underground irrigation system connected to the Surprise Valley dual irrigation system.

4.3.1.2. <u>Trees</u>: One (1) tree shall be planted or retained per 1,500 square feet of rear yard area.

4.3.1.3 <u>Grading</u>: A maximum slope of three to one (3:1) shall be allowed between the Building and existing Common Area grade.

4.3.1.4 <u>Rim Lots</u>: Rim Lots will be as defined below:

Neighborhood "C"	Block 1 Lots 16-24
Neighborhood "D"	Block 1 Lots 40-46
Neighborhood "E"	Block 1 Lots 68-74

The rear yard transition from the backyard to the slope along the rim is critical to the image and character of the housing as well as the integrity of the wildlife habitat in Surprise Valley. The visual appearance and the transition from manicured lawn to the natural area must be identified on the site and landscape plans and field checked prior to start of construction. In no case shall any improvements encroach upon the rim, slope or into the natural habitat. Temporary construction fencing must be installed prior to the start of construction on all rimfront homesites.

4.3.1.5 <u>Miscellaneous</u>: Service yard, swimming pools, etc.are subject to review and permitted on a case-by-case basis only.

4.4 <u>Side Yards:</u> Landscaping will have the same requirements as typical rear yards. Landscaping requirements and fence restrictions for side yards facing streets shall be the same as front yard requirements.

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MISCELLANEOUS AND EXTERIOR GUIDELINES

V. MISCELLANEOUS AND EXTERIOR GUIDELINES

5.1 Solar Encroachment: Any planting that interferes with the existing use of solar energy on an adjacent property is prohibited. See Section 12.4 - 12.4.6 of the Master Declaration.

5.2 Outdoor Furniture and Detached Structures: All outdoor furniture and detached structures including childrens' play structures should be chosen in consideration with the neighbors and neighboring views. All childrens' play structures shall be located outside of the side and rear yard setbacks and no play structures will be allowed in front yards. Any portion of the equipment that is over 6 feet in height shall be located no closer than 10 feet from the property line. The maximum height of any portion of the equipment shall not exceed 10 feet. The main frame shall be constructed of wood, and shall be finished to match either the house, fence, or a basic earth tone. If the equipment includes a roof structure, its finish material and color shall likewise comply. The design intent is to assure the integrity of the neighborhood in discouraging brightly colored finished or reflective surfaces. Playground equipment should blend with the building and landscaping.

5.3 Decks. Patio Covers and Trellises: Except for the actual walking surface, they shall be finished (paint/stained) to match the main body or trim of the house, or a weathering stain and not left "natural". If the deck is located in an unfenced yard and is over 30" high, it will require screening either as a part of the deck design or landscaping. Trellises shall be designed (using like materials) as an extension of the original house design.

5.4 Fencing: Fences are allowed at Surprise Valley but must have specific design approval from the Design Committee. Because it is the intent of the Design Committee to tie the development together visually, only certain types of high quality fences will be allowed. No fence situated anywhere upon a Building Lot shall have a height greater than six (6) feet above the finished graded surface (adjacent to the fence) of the Building Lot upon which such fence is located. No fence shall be constructed so as to extend toward the front of the Building Lot past the front plane of the dwelling structure, constructed thereon or closer than fifteen (15) feet to any side Building Lot line of a Building Lot adjacent to a street. (Particular attention shall be paid when constructing fences on corner Lots.) In all zones, front yard fencing is not allowed. Where screened private areas are desired, the Design Committee will encourage the owner to treat these fenced areas, insofar as possible, as extensions of the architecture of the house. When non-standard fence types are proposed, submittals to the Design Committee shall include the heights, location, color and design of the proposed fence, a sample of the proposed building materials, a paint or stain chip if appropriate and any such other information as the Design Committee may request. In Architectural Zone 1 (lots adjacent to the Common Area / rimfront:

Neighborhood "B" Block 2 Lots 7-24 Block 3 Lots 1-7

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Neighborhood "C" Block 1 Lots 4-31 Neighborhood "D" Block 1 Lots 32-58 Block 10 Lots 1,5,6,10 Neighborhood "E" Block 1 Lots 59-80 Block 15 Lots 1,3,5,7

fencing is discouraged and perimeter fencing blocking view corridors to 3 feet is prohibited. Limited step down side fencing and rear yard step down split rail fencing is allowed as approved by the Design Committee. For all buildings which are adjacent to the Common Area, fences shall meet these minimum standards. The height of the fence shall be reduced beginning at a point 20 feet from the nearest Common Area or rimfront to a height not to exceed four (4) feet. No fence bordering a Common Area shall exceed four (4) feet in height. Examples of approved fence types are attached.

5.5 <u>Mailboxes</u>: All mailboxes shall be the boxes and stand as is initially provided by the developer, i.e., Postmaster General Rural Mailbox Size No. $1\frac{1}{2}$ in white with green vinyl one (1) inch lettering and numbers.

5.6 <u>Signs</u>. All signs advertising for the sale of property shall be limited to four hundred fifty (450) square inches and shall be subject to Design Committee approval as to design and color. No more than one (1) sign shall be permitted on any Building Lot at any one time and all signs shall be located at least ten (10) feet back from the front property line. Streamers, flags and other like advertising or attention attracting devices are expressly prohibited.

5.7 Basketball Hoops: On private property, portable basketball hoops if removed when not in use, are allowed. Permanent single pole backboards and hoops and their location need specific approval from the Design Committee.

5.8 Mechanical Projections from Roof: Insofar as possible, plumbing vents should be grouped on that face of the roof which is opposite the street approach to the residence. The Design Committee will expect to see a statement to this effect on the final drawings submitted. Gas or other chimney flues or pipes protruding from the roof exceeding three (3) feet in height shall be located in a chimney chase of a design compatible to the architecture of the house. The location and design of these chases shall be shown on the final drawing submittal.

5.9 Windows: Consistency in type, style, trim and sometimes in the proportion of window areas is a key focus of the attention of the Design Committee. The relative sensitivity or inattentiveness of the designer is often revealed by the window treatment. Consistent with the goal of achieving "Perceived Quality" in Surprise Valley, the Design Committee will discourage submittals showing windows of differing styles and types scattered over the various faces of the house. In general, the window treatment should be approached as a theme that can be repeated with variations, rather than regarding each window as a separate design/function problem that exists separately from all the other windows.

5.10 House Numbers; To further a harmony of graphic design throughout Surprise Valley, Macklandburg-Duncan Co., $5 \frac{1}{4}$ x $3 \frac{1}{2}$ " house numbers shall be encouraged. However, if such numbers are inconsistent with the house design, the design, material and color of alternate numbers must be specifically approved by the Design Committee.

5.11 <u>Submittal</u>: It is imperative that the drawings submitted to the Design Committee and the Design Representative be internally consistent with one another and accurately drawn exactly as the improvement is to be built. A high level of inconsistency and inaccuracy is one of the primary reasons for rejection of a submittal by the Design Committee. The Design Committee is charged with the responsibility to the homeowners of Surprise Valley of approving specific installations and cannot approve such drawings when their deficiencies are apparent.

5.12 Revision: Revisions required by the Design Committee must be drawn and re-submitted before the Design Committee can issue a formal approval unless the nature of the revision is such that the Design Committee can accurately describe it in a letter of conditioned approval.

5.13 <u>Violations</u>: When an improvement has been built that is in conflict with the documents submitted and the approval or conditioned approval of the Design Committee, the Design Committee shall consider this a violation and withdraw its approval, whether or not the Design Committee or the Design Representative might consider the change superior to construction proposed in the submittal. Approvals shall not be granted by the Design Committee after the fact, following construction. When a violation is deemed to have occurred, the matter shall be transferred from the jurisdiction of the Design Committee to disposition by the Surprise Valley Homeowner's Association itself, which shall immediately require a remedy to the violation, including, without limitations, injunctive relief. Changes desired during construction to any exterior element of the project must be submitted prior to construction of said change to the Design Committee for review and approval under the Alteration process.

5.14 Construction Timing: All building construction must be completed within nine (9) months of commencement of construction.

SUBMITTAL AND APPROVAL PROCEDURES

VI. <u>SUBMITTAL AND APPROVAL PROCEDURES</u>

6.1 <u>Preliminary Submittal and Approvals</u>

6.1.1 <u>Purpose</u>: The purpose of preliminary submittal is to review designs at the preliminary design stage to give the Design Representative a chance to comment on designs which may not be in keeping with the concepts of Surprise Valley or which could be duplications of other designs in close proximity to the requested improvement or to suggest changes in the design which, because of his experience in working with the Design Committee, he believes may be requested by the full committee. The preliminary submittal and approval process is optional.

6.1.2 <u>Intent:</u> The intent of the Preliminary Submittal and Approval process is to identify and insofar as possible eliminate difficulties which could arise in the final, construction Approval review, thus speeding the overall process.

6.1.3 <u>Appeal</u>: If the submitter is not satisfied with the judgments of the Architectural Representative, he may request a review during the Preliminary Submittal stage by the full Design Committee.

6.1.4 <u>Form:</u> Preliminary submittals shall be made pursuant to the "Design Control Committee Submittal Form and Application" (which shall be completed in full) and such submittals shall include the following:

6.1.4.1 Landscape Plan: A complete landscaping plan is not required at the Preliminary Submittal stage. Show only the various areas to be landscaped indicating graphically the percentages of the site allocated to sod, planting beds, patios, decks, etc., and the proposed location, generic type (evergreen, deciduous) and mature canopy diameter of shrubbery screens and trees.

6.1.4.2 <u>Site Plan:</u> Application for preliminary approval shall include a complete site plan at a minimum scale of 1/8" equals 1'-0". which shows the lot and phase number; adjacent streets and watercourses; the orientation of the site; the exterior perimeter and dimensions of the lot; existing trees and any significant topographical features; the location of fences and structures on adjacent lots, if any; all setbacks and easements; the location of all buildings, patios, decks, fences, screens, driveways and walks; the location of all utility services and meters; and the location of all mechanical items and electrical fixtures not attached to the building.

6.1.4.3 <u>Building Elevations:</u> All exterior elevations shall be shown at a minimum scale of 1/8", equals 1'-0". The elevations shall be drawn

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correctly in coordination with the floor plan and shall show the improvement exactly as it is proposed to be built. Drawings of improvements that are similar to the improvement proposed or are reversed from the way the improvement actually is to be seen will not be formally reviewed.

6.1.4.4 <u>Floor Plan</u>: A floor plan at a scale of 1/4" equals 1'-0" shall be submitted exactly as the improvement is proposed to be built. Drawings that are reversed from the way the plan is to be built will not be formally reviewed.

6.1.4.5 <u>Roof Plan:</u> A roof plan at a minimum scale of 1/8" equals 1'- 0" shall be submitted. This may be illustrated on the site plan.

6.1.4.6 <u>Fee:</u> The application shall be accompanied by the Design Committee submittal form but no fee is required for preliminary approval on the form, include the name, address and telephone number of the submitter. Partial or incomplete applications shall not be considered.

6.1.5 <u>Memorandum of Review</u>: The submitter shall receive a memorandum of the preliminary review from the Design Representative.

6.1.6 Preliminary Approval: The receipt of qualified or complete preliminary approval shall not be deemed to be approval for the construction of the improvement. With the approval of the Design Committee, the Design Representative may at the submitter's risk allow commencement of site work or foundation construction prior to submittal of final documents for Construction Approval. Such commencement of work shall not be undertaken prior to the submitter's having received written preliminary approval from the Design Committee or the Design Representative and shall not proceed beyond the extent of the work approved. Verbal approval or approval to proceed coming from any source other than the Design Representative or the Design Committee does not constitute approval to proceed with work on the site.

6.1.7 <u>Expiration of Preliminary Approval</u>: The preliminary approval shall be valid for a period of six months, at which time it shall expire.

6.2 <u>Construction and Submittal Approval:</u>

6.2.1 <u>Purpose</u>: Subject to Section 6.1, before any improvement may be constructed on any lot in Surprise Valley, the owner must obtain a Construction Approval Letter from the Design Committee. Construction submittals shall be made pursuant to the "Design Review Submittal Form and Application", (which

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shall be completed in full) and such submittal shall include, without limitation, the following:

6.2.1.1 Landscape Plan: A complete landscape plan showing plant material species, location, number and size at time of planting must be submitted 2 weeks following written approval of building plans.

6.2.1.2 <u>Site Plan:</u> The application must be accompanied by a complete site plan at a scale of 1/8" equals 1'-0" containing the same information that is required for Preliminary Approval. The plan must indicate all fencing, setback lines, easements, etc.

6.2.1.3 Building Elevations: All exterior elevations shall be shown at a minimum scale of 1/8" equals 1'-0". correctly show that the relationship of the building's finished floor elevation to the Proposed finished grade of the lot on each elevation, including all decks and patios. Requirements of the Preliminary Submittal process also apply.

6.2.1.4 <u>Floor Plans</u>: Floor plans for the proposed improvement shall be submitted at a scale of 1/4" equals 1'-0". The square footage of each floor shall be designated as well as the total square footage of the plan, including the garage. Requirements of the Preliminary Submittal process also apply.

6.2.1.5 <u>Roof Plan</u>: A roof plan at a minimum scale of 1/8" equals 1'0" shall be submitted. This may be illustrated on the site plan.

6.2.1.6 Three Dimensional Representations: It may occur in the case of complex roof forms or unusual structures that the Design Committee may require isometric or perspective views or models in order to fully understand the visual impact of or the three-dimensional feasibility of the proposed improvement. The applicant shall be notified of this requirement by the Design Representative during the Preliminary Approval process.

6.2.1.7 Exterior Lighting; In addition to showing the location of all exterior lighting on the Site plan and Floor Plan, catalog cuts of all exterior lighting fixtures to be used shall be submitted with the application.

6.2.1.8 Exterior Colors and Materials: Exact color samples of all exterior paint and stain colors applied on the surface of a sample of the actual material to be used shall be submitted with the application. Samples of all other exterior materials such as brick and stone shall be submitted including a sufficient number of samples to show the entire color range

proposed. Clearly indicate to the Design Committee the colors and finishes of all exterior elements. The outline Specification section of the Submittal Form and Application is the place where these colors are to be indicated by reference to samples, if necessary. The Committee must be informed not only of the proposed body, fascia and trim colors of the house, but also of the colors of manufactured windows, the garage doors, the front door, other doors, shutters, downspouts, chimney caps, vents, house numbers, exterior light fixtures, etc. All exterior metal shall have either a factory finish or be painted. See Paragraph 4.9.2 and 4.12 for color requirements for exterior metal and downspouts.

6.2.1.9 <u>Staging Area:</u> The application shall show the staging area during the construction period.

6.2.1.10 <u>Submittal Form:</u> The Surprise Valley Design Committee Form must be completed and submitted at the time of the application.

6.2.1.11 <u>Fee</u>: The application shall be submitted with the required fee in an amount established by the Committee which shall not exceed \$1,500.

6.2.2 <u>Inspection</u>: submittal of the application is authority for the Design Committee to make a physical on-site inspection of the proposed lot and improvements. In addition, the owner shall be responsible for notifying the Design Committee when construction of the improvement is complete, at which time the Design Committee shall again make an inspection to verify compliance with the documents as approved.

6.2.3 <u>Notification of Action</u>: The owner shall be notified of the action of the Design Committee within thirty (30) days. If the Design Committee has not notified the Owner, the application will be considered accepted and approved.

6.2.4 <u>Expiration Date of Approval</u>: The construction approval shall be valid for a period of one year at which time it shall expire.

6.2.5 <u>Rehearing</u>: The Design Committee will hear one additional presentation from the owner or builder if necessary following its first formal review to insure that there has been no misunderstanding on the application. After the second review or hearing, the Committee's approval or rejection of the submittal shall be considered final. Additional hearings shall not be granted unless substantial changes in the application have been made. A formal decision to reject a submittal shall be made only with a quorum (3 out of 5) of the Committee in attendance.

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6.3 Alteration. Submittals and Approval:

6.3.1 Alteration Submittals: Before an improvement in Surprise Valley may be altered, modified, painted, stained or otherwise refinished, whether by excavation, fill, alteration of existing drainage, or the planting, cutting or removal of existing vegetation, shrubs or trees, or any other alteration or modification, such alteration, or modification must be approved by the Design Committee. Alteration submittals shall be made pursuant to the "Design Committee Form and Application" (which shall be completed in full) and such submittals shall include, without limitation, the following:

6.3.1.1 The elevations of the proposed improvement as necessary to fully depict the proposed improvement.

6.3.1.2 A site plan at a scale of 1/8" 1'-0" of the proposed alteration and/or improvement.

6.3.1.3 If applicable, a floor Plan at a scale of 1/4" equals 1'-0" showing the square footage.

6.3.1.4 Repainting or restaining must include a submittal of the paint or stain chip of the requested color. The application shall be submitted with the required fee in the amount set by the Design Committee. Submittal of the application shall be authorization to the Design Committee to make physical on-site inspection of the Building Lot where the proposed alteration is to be completed. The application shall also specify when the proposed improvements shall be laid-out on the site (stake and string lay-out) to facilitate Design Committee site inspection. The owner is responsible for notifying the Design Committee of completion of the proposed alteration to facilitate final inspection for compliance with approved submittal.

6.3.1.5 Any other information requested by the Design Committee.

6.3.2 Alteration Approvals: The Owner shall be notified of the action of the Design Committee within thirty (30) days. The alteration approval shall be valid for a period of six months, at which time it shall expire.

ADOPTION AND APPROVAL

These Surprise Valley Design Guidelines dated effective $\int u = 27^{\text{TH}}$, 1995 are hereby adopted and approved by the Surprise Valley Design Committee.

Ronald Thurber

Peter S.O'Neill

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Derick O'Neill

L. Edward Miller Barry Teppqla

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DESIGN REVIEW APPLICATION AND CHECK LIST

VII. SURPRISE VALLEY DESIGN REVIEW APPLICATION AND APPROVAL PROCEDURES

- 1. Submittal of one set of preliminary or construction documents as outlined on the following pages.
- 2. A completed and signed submittal form and application and a construction deposit of \$500.00 for new homes. No fee shall be required for preliminary submittal. The construction deposit of \$500.00 is to help cover the costs of the Committee and to assure satisfactory compliance with the Design Committee Guidelines and the Master or any Supplemental Declarations. Up to \$250.00 of the new home deposit may be refunded upon satisfactory completion of construction as approved.
- 3. For additions, landscaping or exterior changes over \$1,000, the deposit will the \$150 with up to \$100 refunded upon final inspection approval. For landscaping and/or exterior changes up to \$1,000, the fee will be \$50 with up to \$25 refunded on final inspection approval.
- 4. No application or fee is required for plant replacement in like or similar kind or minor landscaping. This landscaping will be at the Owner's risk. If unacceptable to immediate neighbors, it will be subject to review, removal and fees.
- 5. Notice of action taken by the Committee will be mailed to applicants as soon as possible within thirty (30) days.

ITEMS TO REMEMBER

- 1. Construction approval is valid for one (1) year for new construction and six (6) months for remodeling. If construction has not begun by that time, a new application must be made.
- 2. All proposed exterior construction and finished landscaping on the lot must be completed within nine (9) months from the date construction is begun, unless otherwise approved by the Committee.
- 3. The Design Committee assumes no liability for encroachments into platted setbacks or onto easements of neighboring property. Be sure to check the plat of your lot and Property lines to avoid encroachment and trespass.
- 4. Removal of any/all vegetation of the same requires Design Committee approval.

SURPRISE VALLEY DESIGN REVIEW SUBMITTAL FORM AND APPLICATION

PRELIMINARY SUBMITTAL	CONSTRUCTION SUBMITTAL
Date Received	Ву:
Property Owner(s)	
Address	
	Telephone ()
Architect/Designer	
	Telephone ()
Contractor	
	Telephone ()
Submittal for: New Construct	ction () Alternation ()
Legal Description	·
Area (square footage) of house	
Estimated completion date of al exterior work, including landsca	

The Design Committee exists at Surprise Valley to maintain high standards for design and use of homes and property. When an owner wishes to construct a home or other improvement, remodel an existing home, or otherwise alter a building lot, application must be made to the Committee using this form. Completion of the following pages will provide the Committee with a portion of the information necessary to review the proposed construction for compliance with the Guidelines and with the Master and Supplemental Declarations. The Design Committee Representative can be contacted through O'Neill Enterprises, Inc. for information and assistance.

SURPRISE VALLEY DESIGN REVIEW COMMITTEE CONSTRUCTION AGREEMENT (FOR NEW CONSTRUCTION)

As a prospective homebuilder, I/we have read the current Design Review Guidelines and the submittal form and application and fully understand the requirements of this construction submittal.

Enclosed is the construction deposit fee of \$500.00 of which up to \$250.00 may be refunded upon a satisfactory final inspection by a representative of the Design Committee.

Any change in the exterior from an approved submittal must be resubmitted to the Committee for approval.

I/we assume responsibility for any and all damage by the contractor to adjacent lots, common areas, or my/our property.

SIGNATURES (all owners' signatures required)

Lot Number:

Date:

SURPRISE VALLEY DESIGN REVIEW COMMMITTEE CONSTRUCTION AGREEMENT (FOR ADDITIONS/REMODEL)

As a homeowner(s) requesting an addition/remodel as to the home on Lot _____ Block _____ Surprise Valley Phase ______, I/we have read the current Design Committee Guidelines and the submittal form and application, and fully understand the requirements of this construction submittal.

Enclosed is the construction deposit of , up to ______ of which may be refunded upon a satisfactory final inspection by a representative of the Design Committee.

Any change in the exterior design and/or construction from the original submittal will be resubmitted to the Committee for approval.

SIGNATURES

(all owners' signatures required)

Date:

Lot Number:
SURPRISE VALLEY DESIGN REVIEW CHECKLIST

The following is a list of items which must be included in the Design Committee submittals and will be considered by the Design Committee prior to approval of any proposed construction. Please check off each item included.

A. <u>SITE PLAN</u>

1.	Minimum scale: $1/8" = 1'-0"$
2.	Building location (house, garages, carports)
3.	Property lines and dimensions
4.	Existing tree locations
5.	Driveway, parking areas, walks, patios, decks, service yards (indicate materials)
6.	Privacy screening, fences (show elevations, details and materials on Elevation sheets)
7.	Outdoor lighting layout
8.	North arrow
9.	Setbacks and Easements
10.	Location of buildings and other improvements (patios, decks, privacy screens, etc.) on all adjacent lots
11.	Location of utility services, meters, A/C units
12.	Subdivision and Lot Number, names of adjacent streets, creeks
13.	Grading
FLOOR PLAN (s)	
1.	Minimum scale: $1/4$ = 1'-0" ($1/8$ " = 1'-0" allowed for preliminary submittal)

В.

2. Door and window opening

3. Exterior and interior walls, room names

- 4. Stairways
- 5. Exterior lights (location and mounting heights)
- 6. Decks, porches and patios
- 7. Electric and gas meter locations
- 8. North arrow
 - 9. Trash receptacles (locations how screened and how accessed)

10. Type and location of heating and cooling system, including air conditioning condenser

C. BUILDING ELEVATIONS (ALL VIEWS)

1.

Scale: same as plans, showing ALL exterior building features, fascia material and size, soffit material

- 2. Roofs note materials (if materials or direction of application are a feature of the design, so indicate). Note location of any roof penetrations
- _____3. Siding (graphically show and note material and direction of application, joining method joint location, type of joint cover shall be indicated on drawings)
- 4. Chimney chases (graphically show and note materials, graphically show type of chimney cap proposed)
 - 5. Door and window openings graphically indicate type (e.g. casement or single hung windows, sliding or swinging doors), style (e.g. paneled or flush doors, full glass or "paned" windows), size and location
 - ____6. Trim graphically show and note type and size of trim at windows, doors, corners, etc.

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- 7. Railings, decks, privacy screens, fences indicate relationship to composition of house, note materials and finish. FULL DETAILS FOR RAILINGS, PRIVACY SCREENS AND FENCES SHALL BE REQUIRED UNLESS STANDARD Surprise Valley TYPES ARE TO BE USED. All wood materials shall be finished and not left "natural"
 - 8. Roof and attic vents correctly show size per UBC, locations and types
- 9. PLACE NOTE ON DRAWING THAT PLUMBING VENTS SHALL BE GROUPED AND LOCATED ON SIDE OF ROOFS OPPOSITE STREET. ESTABLISH LOCATION AND HEIGHT OF GAS VENT AND INDICATE ON DRAWINGS. (Gas vents over, 3'-0" high shall be enclosed in a chase compatible with the architecture of the structure)
 - 10. IMPORTANT. Note generically all exterior materials and finishes (e.g. Painted Hardboard Siding, Stained Wood Siding) on these drawings (include more detailed information on materials and finishes in Outline Specifications below)
 - _____11. IMPORTANT. Show the proposed structure's finished floor line in relation to the finished grade
- D. LANDSCAPE PLAN
 - 1. Sodded areas indicated
 - _____2. Planter areas indicated describing type of surfacing material (bark, soil aid, etc.)
 - 3. Planting materials; size at time of planting, species, exact location
 - 4. A drip line of mature canopy of trees indicated
 - 5. Screening of mechanical units and meters shown
 - 6. Berms indicated, show fine grading at side and rear property lines that shall contain surface drainage on-site
 - Planting to soften fencing and privacy screens

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7.

8.	Photographs of rocks,	boulders	to be	used in	landscape.	Size
	indicated on drawings.					

- 9. Treatment of Rimfront Areas indicated
 - 10. Irrigation design and plan

E. OUTLINE SPECIFICATIONS

- 1. Site Work
 - a. Driveways and Parking Areas
 - b. Walks
 c. Patios
 d. Decks
 e. Screens and Fences
- 2. Foundation type and finish

3. Exterior Masonry (submit actual samples sufficient to show full range of colors)

- a. Types
- b. Locations

4. Exterior Metals

a. Types

b.	Locations
b.	Locations

c. Finishes (colors)

5. Exterior Wood (submit actual samples sufficient to show full range of colors)

a. Siding (species, grade, pattern)

b. Trim (species, grade)

c. Fascia (species, grade)

d. Soffit

e. Batts/joint covers

6. Other Exterior Materials (submit actual samples sufficient to show full range of colors)

Trim					
Fascia	<u>₩~2 0</u>	<u> </u>		<u></u>	
Soffit			······································		

e. Joint Covers

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7. Roof

	а.	Roofing Materials		
	b.	Flashing Materials (type and color)		
	с.	Roof Finish/color		
	d.	Skylights (type)		
8.	Exterio	or openings		
	а.	Garage Doors (type, style, material, finish color)		
	b.	Exterior Doors (types, styles, materials, finishes, color)		
	c.	Windows (types, styles, materials, finishes, color)		
9.		or Paints and Stains (submit color samples on actual substrate - indicate on as areas in which they are to be used)		
10.		or Light Fixtures (submit manufacturer's brochure or photocopy of same ting appearance and indication rated wattage of all fixtures		
11.	Heating/Cooling System Type (if specifying the use of solar or other exterior equipment, please indicate)			
12.	Rain Gutters and Downspouts (see Paragraph 3.11 of the Design Guidelines)			
	a. Ty	rpes		
	b.	Finishes		

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- 13. House Numbers (see Paragraph 5.10 of the Design Guidelines for the required type).
- 14. Chimney Caps (see Paragraph 3.3.1 of the Design Guidelines for the required type).

EXHIBIT "A

HEIGHT/SETBACK RESTRICTIONS



NEIGHBORHOOD "C"



NEIGHBORHOOD "D"



NEIGHBORHOOD "E"



EXHIBIT "B"

DRIVEWAY LAYOUT



STANDARD FENCE DESIGN

EXHIBIT "C"

X6 Centres 1		IX6 CEMR		TIX6 HORIZONTAL
	4×4 + 788 - 1		Z	t-4×4 mer



Surprise Valley Design Committee Common Improvements

As our community grows, we handle the ever increasing responsibility of maintaining the design procedures and standards outlined in the Surprise Valley Design Guidelines. Our builders are well accustomed to the submittal and review process for their construction and landscape plans, however, once their project has been turned over to the new buyer, these requirements (which are still in effect) seem to be forgotten. The purpose of these requirements is to protect your investment in Surprise Valley by the continual monitoring and maintenance of a high degree of design standards. Outlined below are some of the most common improvements:

- 1. Construction application procedure all additions, remodels, site improvements (major landscaping, decks, patio covers, playground equipment, gazebos, hot tubs, storage units, repainting of exterior, fencing, etc.) need to have their design submitted along with the applicable construction deposit and completed construction form found on pages 22-25 of your Design Guidelines. Homesites on the common or rim areas have additional guidelines that must be observed.
- 2. <u>Decks</u> if less than 30" (walking surface) above finish grade, cannot extend into the side or rear yard setback more than 24". Except for the actual walking surface, decks and their related parts will be finished (paint/stain) to match the main body or trim of the house and not left "natural." If the deck is located in an unfenced yard and is over 30" high, it will require screening either as a part of the deck design or landscaping.
- 3. Deck/patio covers the roof structure will be designed (using like materials) as an extension of the original house design; packaged "specials" that are available will probably not qualify. This specifically includes the pre-finished aluminum, steel and fiberglass systems.
- 4. Playground equipment all playground equipment will be located within the rear yard setbacks. Any portion of the equipment that is over 6' tall will be located no closer than 10' from the property line. The maximum height of any portion of the equipment will not exceed 10'. The main frame will be constructed of wood and will be finished to match either the house, fence or a basic earth tone. If the equipment includes a roof structure, its finish material and color will likewise comply. The design intent is to assure the integrity of the neighborhood in discouraging brightly colored finished or reflective surfaces. Playground equipment should blend with the building and landscaping.
- 5. Fencing the standard Surprise Valley fencing requirements are carefully outlined in section 5.4 of the Surprise Valley Design Guidelines. Specific zones in Surprise Valley prohibit 6' perimeter fencing, and other types of fencing are allowed upon specific application and review.

- 6. Landscaping landscape plans submitted will be on an accurate site plan drawn to scale. (Your builder has a site plan on file). Plant materials proposed will have specific names, size at time of planting and location. Utility meters and external mechanical equipment will be screened from common areas, streets and neighboring properties when possible. Natural, native bark product ground cover mulches are recommended; cinders, gravel or rock is not allowed. Review section IV of the Surprise Valley Design Guidelines. Please note the number and size of trees along with the landscape installation timetable requirements.
- 7. Landscape sprinkler system Surprise Valley has a "dual" pressurized irrigation system which shall be employed as a part of your automatic underground sprinkler system. Your landscape/irrigation contractor will need to familiarize himself with this system prior to its design and installation. Refer to the Surprise Valley pressure irrigation user's manual.
- 8. Detached storage building refer to section 3.1 of the Surprise Valley Design Guidelines. You will need to submit an application form with the appropriate construction deposit. This shall be accompanied by drawings (floor plan and elevations) and a site plan indicating location of the site. Packaged pre-finished metal units will likely not qualify, as the intent is to match the general architectural design of its adjoining house including exterior finish materials and color.
- 9. Recreational vehicle parking open storage is strictly forbidden as outlined in section 4.8 of the Surprise Valley Covenants, Conditions and Restrictions. If on-site storage is desired, it shall be totally enclosed in the garage or an approved detached storage building. If the home has a solid 6' fence, R.V. storage "might" be allowed in-so-far as its overall height does not exceed that of the fence and it is totally screened from the views of neighbors (this includes second story windows) an the street and common areas.
- 10. Dog runs while dog runs and kennels are allowed, certain restrictions do apply. Design and location will need approval from the Design Committee.
- 11. Basketball hoops on private property, portable basketball hoops are allowed if they are removed when not in use. Permanent single-pole backboards and hoops and their location meed specific approval from the Design Committee.

Surprise Valley Design Committee Submittal Procedure

- 1. Submit applications prior to proceeding for review and approval to the Design Committee along with appropriate sketches and deposit for the following:
 - Decks and patios
 - Deck and patio covers
 - Hot tubs
 - Gazebos (sometimes in conjunction with hot tubs)
 - Fencing and screening
 - Changes and additions to existing exterior lighting
 - Major changes in landscaping (ceramic statues and related "cute" items are discouraged
 - Repainting or reshingling
 - Playground equipment
 - Dog runs and kennels
 - Shutters and window boxes
- 2. Building permits from the City of Boise are required for all projects exceeding \$500. Projects that cost less still must meet the requirements of all prevailing codes when applicable.