

Southern Comfort Homeowners' Association
Architectural Design Policy

Adopted: December 1, 2014

1. Purpose. The purpose of this Architectural Design Policy is to facilitate the exercise of the powers granted to the Association by Article VII of the Declaration of Covenants, Conditions and Restrictions of the Southern Comfort Homeowners' Association, including without limitation the following provision:

"No building, fence, wall or other structure shall be commenced, erected, or maintained upon the Properties, nor shall any exterior addition to or change or alteration therein be made until the plans and specifications showing the nature, kind, shape, height, materials and location of the same shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by the Board of Directors of the Association or by a design committee composed of three (3) or more representatives, appointed by the Board."

This Policy responds to the requirements of the Declaration by providing written standards for the exercise of the powers conferred upon the Board, by the Declaration and by applicable law.

2. Standards: General.

(a). The Declaration's provisions are binding upon all Association Members. They are directed to external appearances throughout the Southern Comfort Subdivision. The emphasis is on "harmony of external design and location" in the context of the other structures and of the topography of the Subdivision. Internal changes to any dwelling or other structures fall within the scope of the Declaration provisions and this Policy only to the extent they affect such external design and location considerations.

(b). All architectural design matters within the scope of the Declaration require written application (Application – see **Exhibit 3**) to the Board of Directors (or to the Architectural Design Committee, if established) and the prior written approval thereof before implementation. Nothing in this Policy relieves any Applicant or any Association Member from actions, obligations, and responsibilities arising from applicable law and regulation in connection with any Application.

(c). Neither the Association, its Directors, Members, officers or agents assume any responsibility for and shall not be liable with respect to, the suitability, adequacy, structural integrity, structural capacity, location, operation, legal or regulatory compliance, freedom from defect, quality of workmanship, or any other aspect whatsoever of the subject matter of any Application made and/or

approved under the provisions of this Policy and the Declaration, for which the Applicant shall be and shall remain solely responsible.

3. Standards: Declaration Guidelines [Exhibit 1]. The Declaration, including without limitation Article V Sec 5, Article VII, and Art IX, is incorporated by reference herein and made a part of this Policy, the same as if set forth fully here, and is enforceable as a part of this Policy. For the purpose of providing a convenient reference, only, the specific Article sections referred to above are reproduced as **Exhibit 1**, attached hereto.

4. Standards: Supplemental Guidelines [Exhibit 2]. Supplemental Design Guidelines, developed by the Association in furtherance of the exercise of the powers granted by the Declaration, are adopted and made enforceable as set forth in **Exhibit 2**, incorporated by reference herein and made a part of this Policy, the same as if set forth fully here. In any instance where the provisions of **Exhibit 2** conflict with the provisions of the Declaration, the provisions of the Declaration shall have controlling effect.

5. Architectural Design Committee. The Board of Directors, in its capacity as such or sitting as an Architectural Design Committee, may exercise and enforce the provisions of this Policy. From time to time, the Board may by resolution establish a separate Architectural Design Committee, consisting of three (3) members appointed by the Board under such terms and conditions, including powers and term, as the Board shall find consistent with the Declaration, the Bylaws, and this Policy. When so constituted by the Board, such Committee shall exercise the powers and perform the duties set forth in this Policy in the stead of the Board.

6. Applications, Fees, and Process [Exhibit 3].

(a). **Form:** No building, fence, wall or other structure shall be commenced, erected, or maintained upon the Properties, nor shall any exterior addition to or change or alteration therein be made until the plans and specifications showing the nature, kind, shape, height, materials and location of the same shall have been first submitted in writing to the Board. The form of SCHA Application for such submission is depicted in **Exhibit 3**, attached hereto and incorporated herein (Application). All relevant specifications, drawings, renderings, perspectives, samples, photographs, and other supporting information, together with copies of any proposed or filed governmental applications and attachments, shall be appended to the written SCHA Application.

(b). Response Period: In the event the Board fails to approve or disapprove such Application within thirty (30) days after said plans and specifications have been submitted to it, approval will be deemed to have been granted, and this Policy and Article VII of the Declaration will be deemed to have been fully complied with. The Board may provisionally approve or disapprove an Application without prejudice to resubmission or to the submission of additional information as specified by the Board in its provisional action with respect to that Application.

(c). Term of approval: Approval of an application shall be valid for a period of three hundred and sixty-five (365) days following final action by the Board and notice to the Applicant. Any and all work described in an approved Application must be completed within that time frame. Where such work will not be completed within that time period, another Application must be filed with, and approved by, the Board. This succeeding Application may incorporate by reference the previously approved Application and identify only those previously approved matters that will remain uncompleted at the expiration of the original Application.

d). Fees:

- | | |
|---|----------------|
| ▪ New residences: | \$200 |
| ▪ Construction alterations and remodels: | \$150 |
| ▪ Minor changes (e.g., landscaping, decks, fence additions, screens, exterior color changes, etc.): | No fee |
| ▪ Special meetings requested by the Applicant: | \$100 per hour |
| ▪ Special meetings called by the Board: | No fee |

The Board, in its discretion, may waive a portion or all of any fees set forth above as it finds appropriate.

(e). Appeal: In the case of Applications reviewed by the Committee, the disapproval of any Application by the Committee may be appealed by the Applicant to the full Board of Directors, in a writing delivered by the Applicant to the Board within fifteen (15) days following the action of the Committee. Within thirty (30) days after the receipt of such an appeal, the Board shall review the disapproval and shall either ratify the Committee's decision or grant the Application on the basis of the record then presented. Failure of the Board to act within the thirty (30) day period shall work a rejection of the appeal and the Application.

7. Annual Reporting. The Board shall report annually to the Association Members concerning architectural design activities under this Policy, including but not limited to such matters as the number

and nature of Applications made, the number of Applications approved and disapproved, and any significant issues or trends arising from or relating to such Applications.

8. General Notice. A copy of this Policy shall be **(a)** provided to every current Association Member, **(b)** provided to every homeowner becoming an Association Member in the future, and **(c)** posted to the SCHA web site page. The Board may authorize such additional postings, filings, notifications, or announcements as may from time to time seem necessary or desirable to the effectuation of this Policy.

9. Effective Period: This Policy shall be and shall become effective from and after the day and date of adoption given herein. This Policy shall have prospective application only.

10. Changes. The Board and the Members each retain the power to alter, amend, or terminate this Policy at any time, as the needs of the Association require, by a vote of the appropriate body. Any such alteration, amendment, or termination shall have prospective effect only and shall not have any effect on Applications previously approved under this Policy.

Attachments:

Exhibit 1 – Declaration of Covenants, Conditions and Restrictions (Southern Comfort Subdivision)

Exhibit 2 – Supplemental Design Guidelines

Exhibit 3 – Application Checklist and Application Form



Exhibit 1 – Declaration Provisions

ARTICLE V.

BOARD OF DIRECTORS

... OF ITS APPOINTEES.

Section 5. **AUTHORITY.** The Board of Directors for the benefit of the owners, shall enforce the provisions hereof and shall have all the powers accorded to directors of corporations duly organized and authorized by the State of Idaho.

ARTICLE VII.

DESIGN COMMITTEE

No building, fence, wall or other structure shall be commenced, erected, or maintained upon the Properties, not shall any exterior addition to or change or alteration therein be made until the plans and specifications showing the nature, kind, shape, height, materials and location of the same shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by the Board of Directors of the Association or by a design committee composed of three (3) or more representatives appointed by the Board. In the event said Board, or its designated committee, fails to approve or disapprove such design and location within thirty (30) days after said plans and specifications have been submitted to it, approval will not be required and this Article will be deemed to have been fully complied with.

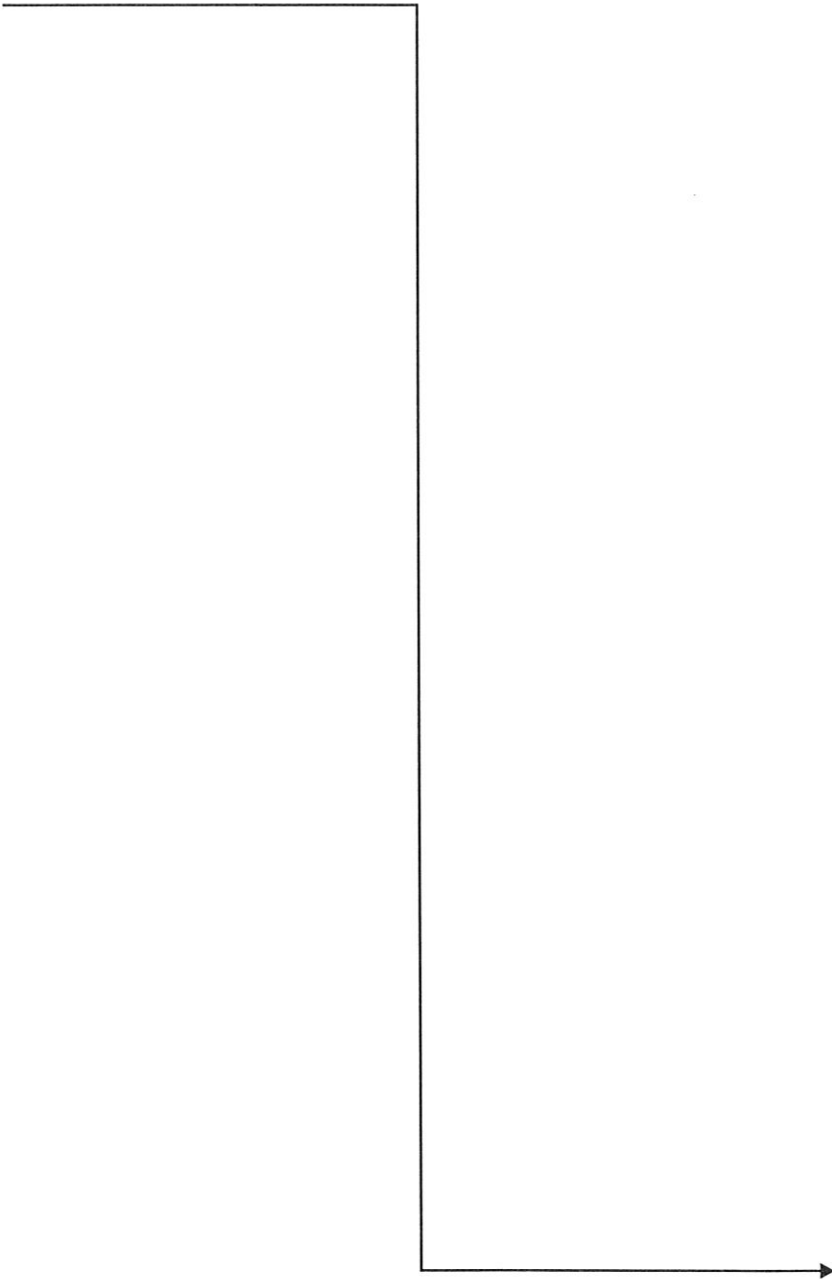
ARTICLE IX.

Policy
2014

SPECIFIC RESTRICTIONS

Section 1. RESIDENTIAL USE. Such Lots, and each and every one thereof, are for single-family residential purposes only. No building or structure intended

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for or adapted to business purposes and no apartment house, rooming house, or other multiple-family dwellings shall be erected, placed, permitted, or maintained on such premises, or on any part thereof. Only one (1) single-family dwelling may be erected upon each Lot.

Section 2. MAINTENANCE. Each Lot and all improvements thereon shall be maintained by the Owner thereof in good condition and repair.

Section 3. PETS AND ANIMALS. Only a reasonable number of recognized house or yard pets shall be permitted. Approval in writing is necessary by the Board of Directors of the Association for pets and animals in addition to one (1) horse, two (2) dogs or two (2) cats.

Section 4. TREES. Only those trees of the Poplar, Fir and Pine families and Indigenous shrubs may exceed a height of six (6) feet. No tree over three (3) inches in diameter or over ten (10) feet can be removed without prior design committee written approval. (Any tree over three (3) inches in diameter or ten (10) feet in height shall be replaced by a tree belonging to the Poplar, Fir or Pine families.)

Section 5. SIGNS. No sign shall be permitted except residential identification signs of not more than two (2) feet square in area, nor maximum height in excess of four (4) feet high, and with a further exception that the Declarant may erect a subdivision advertising sign in conformance with the Blaine County Zoning Ordinance.

Section 6. HOUSE TRAILERS AND MOBILE HOMES. No house trailers, mobile homes, permanent tent, or temporary structure shall be permitted.

Section 7. TRAILER, BOATS AND REPAIR. The construction, repairing, or maintaining of a trailer of any type, truck, camper, or boat is permitted only if it is adequately screened from neighboring property and from the main driveway.

Section 8. SERVICE YARD. Each residence shall contain a fenced service yard enclosing all above-ground garbage and trash containers, clothes lines and other outdoor maintenance and service facilities.

Section 9. FIRES. Exterior fires are permitted only in barbecue pits or outdoor fireplaces.

Section 10. EXTERIOR COLORS AND FINISHES. Colors of all exterior building surfaces shall be of natural tones which harmonize with the existing landscape. A limited use of strong accent color will be allowed as approved by the design committee. No reflective finishes shall be used with the exception of hardware and detail items.

Section 11. ROOFS. Tar and gravel shall not be used as a finished roofing material, except on flat roofed structures where the surface is not visible from any road or adjoining structure. Non-reflective metal roofs shall be allowed subject to approval of color and finish by the design committee.

Section 12. PARKING. At least two (2) parking spaces shall be provided for each residential lot. One (1) parking space for a permanent vehicle and a minimum of one (1) guest parking space may be located in an exposed parking area. Additional parking for permanent vehicles shall be in an attached or detached garage, in a carport, or in an exterior parking area enclosed on at least two (2) sides by a fence at least five (5) feet in height.

Section 13. FENCES. All fences, screens, and similar exterior structures shall be constructed of wood, except for hardware, fasteners and footings, and shall require design committee or Board of Directors approval.

Section 14. SEWAGE DISPOSAL. Septic tanks shall be installed and maintained on the lot by the Owner. Leaching fields shall be installed by the Owner in accordance with the Idaho State Health and Environmental Services. Prior to installation, Owner must furnish written proof of compliance with Idaho State Health and Environmental Services to the Board of Directors of the Association.

Section 15. WATER SYSTEM. All water systems shall be installed and maintained by the SOUTHERN COMFORT ASSOCIATION in accordance with Article VIII.

Section 16. EXTERIOR LIGHTING. The light source of any exterior lighting fixtures shall not be visible from neighboring property or the main road.

Section 17. ANTENNAS. Antennas and similar devices shall be installed so as not to be visible from roads or adjoining properties.

Section 18. UTILITIES. All power, gas, telephone and other service lines shall be located underground. All meters and service access devices shall be located within the service yard or concealed from view of adjoining properties and main road.

Section 19. HEIGHT LIMIT. No structure or part thereof shall exceed a height of thirty-five (35) feet.

Section 20. LOT COVERAGE. The area covered by any structure (including garage and carports) shall not exceed thirty per cent (30%) of the total lot area, without prior written approval of the design committee or the Board of Directors.

Section 21. SETBACKS. No setbacks shall be required. However, structures built in proximity to the exterior boundaries of the Common Area must conform to Blaine County Ordinance No. 71-2, and any amendment or replacement thereof. The design committee may require setbacks on all lots as it deems necessary to protect adjoining lots.

Section 22. SUBDIVISION OF LOTS. No lot shall at any time be further subdivided.

Exhibit 2 – Supplemental Design Guidelines

These Design Guidelines supplement the requirements and specifications set forth in the Declaration of Covenants, Conditions and Restrictions of the Southern Comfort Subdivision (see **Exhibit 1**), and shall be interpreted in a manner conforming to the Declaration. Applications which do not adhere to these Design Guidelines will not be approved. No construction, demolition, alteration, addition, remodeling, or other modification with respect to structures on Subdivision Lots will be permitted in the absence of an approved Application. Articles V and VIII of the Declaration provide powers for enforcing the Declaration and the Architectural Design Policy, of which these Guidelines are a part.

* * *

1. Style. No single architectural style is or shall be required in the Southern Comfort Subdivision (Subdivision). Architectural harmony is to be achieved by utilizing a controlled range of complementary materials and colors consistent with the existing neighborhood.

2. Repetition. No approval shall be granted to Applications with plans that duplicate or replicate (a) an existing residence in the Subdivision or (b) a residence the Application for which has been previously submitted but not yet approved, or approved but the structure described in which has not yet been completed.

3. Height. No portion of any structure or improvement shall be more than thirty-five (35) feet high, measured vertically from the natural grade as it existed prior to any site preparation. This height shall include chimneys.

4. Exterior walls. Dwellings which incorporate articulated facades, and which are not designed with large, flat uninterrupted wall surfaces, will be favored in the Application process.

5. Foundations. The visible surfaces of masonry or concrete foundations, walls, and piers shall not rise more than twelve (12) inches above the finished grade level unless they are faced with a masonry finish, a stucco cover, or a mortar-wash finish approved as part of the Application.

Visible foundation surfaces shall be painted to blend unobtrusively with adjacent materials.

Wood siding extending from walls down over foundation walls shall smoothly follow grade lines and shall not follow the steps in concrete foundations. Within ten (10) days of completion of the foundation, the Applicant shall provide a written certificate of foundation height executed by a licensed surveyor. No construction may proceed until such certificate shall have been provided.

6. Exterior materials. Only the following materials may be approved for visible exterior use in the Subdivision: wood, beveled press-board (Masonite-like materials), stucco, stucco-like materials (such as Drivit), vinyl, rock, and stone. The following materials shall not be approved for visible exterior use in the Subdivision: sheet plywood, asphalt composite siding, concrete block, concrete, and metal. No exterior wall shall contain more than three (3) different approved exterior materials.

7. Exterior colors. All exterior building surfaces shall be of natural earth tones. Limited, minimal use of bright accent colors may be approved on a discretionary basis.

8. Front doors, entries, and entryways. Doors and surrounding architectural details shall be substantially conformed so that the front elevation of the residence remains in balance and proportion. Where entries are located above the lowest floor of the residence, the entry shall appear to be solidly connected to the ground.

9. Windows and skylights. Windows and skylights shall have gray or clear glass finishes. Highly colored or highly reflective window glass, and white translucent skylight lenses shall not be approved.

10. Chimneys and outdoor fires. All chimneys shall be equipped with a UL- or I.C.B.O.-approved spark arrestor. Open, unscreened outdoor fire pits shall not be approved; provided however, that natural gas open fire pits may be approved if they utilize ceramic logs or stone, and if they

do not otherwise create a fire hazard. Permanent, free-standing barbeques may be approved if they are equipped with a permanently attached lid.

11. Solar power. Solar heating equipment or apparatus may be approved if so integrated into the residence structure and/or into the Lot's landscaping that it is not visible from any Lot or the Common Area.

12. Prefabricated structure. All residences shall be new construction. No Application for a structure previously used or occupied elsewhere, including log homes, shall be approved.

13. Free-standing structures. Only Applications for single-family dwellings will be considered for approval. Outbuildings and free-standing structures, separate and apart from a single family residence, shall not be approved. Guest and care-taker living quarters, storage facilities, garages, and similar structures which abut and which are integrated into an existing single-family residence, or into the plans for remodeling same, may be considered for approval on a discretionary basis.

14. Trees. Only those trees of the Poplar, Fir and Pine families and indigenous shrubs may exceed a height of six (6) feet. No tree over three (3) inches in diameter or over ten (10) feet in height can be removed without prior design committee written approval. The design committee may require that any tree over three (3) inches in diameter or ten (10) feet in height be replaced by a tree belonging to the Poplar, Fir or Pine families.

15. Fencing. An approved Application shall be required before any fence, screen, or similar exterior structure can be constructed. Fences and similar structures shall be constructed of wood; provided however, that on a discretionary basis, wire mesh with four (4) to six (6) inch squares may be approved for attachment to the interior of fences to contain pets.

16. Screening. The following screening materials may be approved as part of an Application: privacy lattice with squares of no more than three (3) inches: solid board fencing: bushes: and trees. Screening shall be consistent with the associated residence in terms of color, materials, and design. Screening of a significant part or all of a Lot shall not be approved.



Exhibit 3 – Application Checklist and Form

Southern Comfort Homeowners' Association

Architectural Design Policy (ADP) Application Checklist

1. Every Application for approval of any construction, demolition, alteration, addition, remodeling, or other modification with respect to structures on Subdivision Lots must include the following:
 - a. A completed and signed Application Form. Forms are available from the SCHA property manager, **PioneerWest, 180 First Street West, Suite 216, Ketchum, ID 83340, (208) 726 -9897.**
 - b. Specifications for all items (sizes, colors, dimensions, materials, etc.)
 - c. Pictures, renderings, drawings, or other depictions showing (as applicable)
 - (i) the Application's subject matter;
 - (ii) the existing structure, site, landscape, etc., marked to show any changes proposed in connection with the Application; and/or
 - (iii) site plan, elevations, or landscape plan drawn to scale (minimum 1 inch = 20 feet) and showing positioning of all elements material to the Application's subject matter.
2. When completed and signed, each Application must be submitted to the SCHA property manager, PioneerWest. PioneerWest will acknowledge the receipt in writing by e-mail, the date of which acknowledgement shall commence the initial 30-day period for SCHA review and approval/disapproval of the Application.
3. If additional information is required by the Association, or if a meeting in person or via teleconference appears necessary in connection with review of an Application, the Association will contact the Applicant via e-mail to schedule same.
4. The Application will be reviewed in the following general sequence:
 - a. Completeness of all submissions.
 - b. Site and location matters, including but not limited to:
 - (i) Public record information (platting, easements, restrictions, CC&Rs, etc.)
 - (ii) Site plan- Right of way – Landscape zones; building envelope; set-backs; etc.
 - c. Visibility/appearance from street, neighboring Lots and dwellings, Common Area, etc.
 - d. Neighborhood attributes (structural and natural)
 - e. Streetscape
 - f. Integration into existing Subdivision appearance
 - g. Timetable for completion
 - h. Adherence to Declaration and ADP requirements

Southern Comfort Homeowners' Association

**Architectural Design Policy (ADP)
Application**

Fee: \$_____

Paid: __/__/__

Lot #: _____

Date: _____

Owner name: _____

Mailing address: _____

E-mail: _____ Phone: _____

Contractor information: _____

Signature of Applicant: _____

Review the ADP and check the item(s) for which this Application is being made:

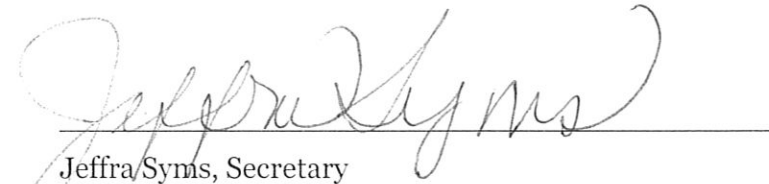
1. ☐ Doors, windows, awnings
2. ☐ Walkways, decks, porches, patios
3. ☐ Garage, storage, other attached structure
4. ☐ Fences, walls, gates, lighting
5. ☐ Screens, trellis, arbor, privacy structure
6. ☐ Other exterior structural modifications: Shutters, trim, wall surfaces, columns, steps (including painting, re-surfacing, etc.)
7. ☐ Grading, contouring, landscaping, terracing, drainage
8. ☐ Landscape accessories: Water features, statuary, barbeques, fire pits, fireplaces
9. ☐ Setbacks, building envelope, easement
10. ☐ Demolition, removal, remodeling, structural change to an existing dwelling
11. ☐ Other (Please describe in detail): _____

Attachments (check the items attached to this Application):

- | | |
|--|--|
| a. ☐ Architectural drawings, plans | e. ☐ Materials specification sheet; samples |
| b. ☐ Artist/conceptual renderings; diagrams | f. ☐ Product brochures |
| c. ☐ Photographs | g. ☐ Government application, permits |
| d. ☐ Plat, site survey, Lot depiction | h. ☐ Other (Please describe): _____ |

Attestation:

*At a duly called meeting of the Board of Directors, Southern Comfort Homeowners' Association, held on December 1, 2014, for which Minutes were recorded, and upon motion duly made and seconded, and in conformity with Article VII of the Declaration of Covenants, Conditions, and Restrictions for the Southern Comfort Subdivision (February 15, 1977), the foregoing "**Architectural Design Policy**" was unanimously adopted by the Board, to be effective on and after December 1, 2014.*



Jeffra Syms, Secretary

