

## CANTERBURY SUBDIVISION ARCHITECTURAL CONTROL GUIDELINES

### PURPOSE AND INTRODUCTION:

With your help and our mutual participation in the following Architectural Guidelines, we will create a living environment in which the homeowner will take great pride.

The purpose of the Architectural Control Building Guidelines and is to set forth the criteria by which each plan will be accepted and evaluated for approval by the Architectural Control Committee. It is nearly impossible to write down all of the criteria but we have enumerated the basic guidelines to assist you in designing the houses for your lots.

### SUBMITTAL FOR ARCHITECTURAL APPROVAL:

Prior to commencement of construction in Canterbury Subdivision, the Builder must obtain **WRITTEN** approval of his plans and specifications from the Canterbury Subdivision Architectural Control Committee. Submittals or architectural approval shall be made on the "Application for Architectural Approval" attached hereto as Exhibit "A". This form must be included with each house plan submitted to the Architectural Control Committee.

Payment of the \$300 Architectural Control Deposit must be submitted with the Application for Architectural Approval per "Approval Fee" section in this document.

### COVENANTS, CONDITIONS AND RESTRICTIONS AND HOMEOWNERS' ASSOCIATION:

Included is a copy of the Covenants, Conditions, Restrictions and Easements (CC&R's).

Also included is a letter entitled "Dear Homeowner" that describes the Canterbury Subdivision Homeowners Association. The homeowner association dues and irrigation water assessments must be paid at the time of purchasing the lot. When you sell your house, please make sure the title company calls the homeowners' association to ensure that you are credited with any excess dues and assessments you may have paid.

## **UTILITY INFORMATION FOR FEES:**

Please call the following for service and hook-up information:

- A. Domestic Water: United Water at 362-1300
- B. Power: Idaho Power at 388-2323
- C. Intermountain Gas at 377-6840
- D. U.S. West at 1-800-526-3557
- E. TCI Cablevision at 375-8288

## **APPROVALS:**

The Builder will in most cases be notified of the Architectural Control Committee's action within 7 working days from the date of submission. In the event the application or plan must be modified, the Architectural Control Committee will endeavor to make the request in writing within 7 working days. However, the restrictive covenants allow the Committee up to 30 days to act on the application; therefore, the Builder may not assume that the plans have been approved without modification until 30 days after the date for submission.

Construction must be completed within 6 months from the date of written architectural approval. The time required to satisfy the conditions of a conditional approval does not extend the time for completion. The approval may be conditioned on compliance with conditions listed on the "Application for Architectural Approval" form or imposed by the Architectural Control Committee. The Architectural Control Committee may refuse to accept for review the plans of any Builder who has previously failed or refused to comply with the Architectural Guidelines applicable to this or any other improvement constructed by Builder in the subdivision, provided that such refusal shall not eliminate the requirement of approval by the Architectural Control Committee before construction of improvements is commenced.

In the event the Builder wishes to make modifications during construction, the Builder must resubmit plans to the Architectural Control Committee and receive written approval for all modifications prior to any changes being made.

## **APPROVAL FEES:**

A deposit of \$300.00 shall accompany each "Application for Architectural Approval". Upon satisfactory completion of the house and landscaping \$200.00 will be refunded to the Builder and \$100.00 will be retained to cover the costs incurred by the Architectural Control Committee, providing all work is completed within 6 months from date of written architectural approval. If the plans are rejected \$250.00 will be returned. In the event the house is not constructed or painted in accordance with the plans and information submitted and approval or as modified and approved, the Builder will be notified in

writing to make the necessary corrections. If Builder does not make the necessary corrections, the Architectural Control Committee may elect to seek enforcement on the builder pursuant to Article IX of the Covenants, Conditions and Restrictions. In addition, the Architectural Control Committee may thereafter refuse to accept for review or act upon any plans submitted for approval by such Builder or then pending approval for improvements to be constructed by Builder on the same Lot or any other Lot in the subdivision.

### **ARCHITECTURAL CONTROL COMMITTEE:**

The Architectural Control Committee shall consist of three or more members appointed by the Board of Directors for Canterbury Subdivision Homeowners Association. Two members shall constitute a quorum. The Architectural Control Committee meets every other Thursday at 4:30 p.m. but may meet without advance notice. Plans must be received at the following location by 12:00 p.m. (noon) on Wednesday in order to be included on the agenda for that Thursday's Architectural Control Committee meeting.

All submission and inquiries shall be directed to the following:

Canterbury Subdivision Architectural Control Committee  
%Kathy Parker  
Group One Realty  
1555 Shoreline, Suite 150  
Boise, ID 83702  
(208)343-1352

*Jerry Sullivan*  
*1736 N Clarkson Way*  
*Eagle ID 83618*  
*939-5250*

### **GENERAL CONSTRUCTION AND DESIGN GUIDELINES:**

Following is a list of construction and design guidelines for houses in Canterbury Subdivision. These guidelines do not constitute and in no respect should be considered as a modification to the Declaration of Covenants, Conditions and Restrictions for Canterbury Subdivision, recorded as instrument number 97080707, records in Ada County, Idaho, (The "Declaration") and in case of conflict, the Declaration shall control.

#### **SET-BACKS:**

Unless otherwise specifically approved in writing by the Architectural Control Committee, no dwelling structure or garage or any part thereof, or any other structure (exclusive of fences and similar structures) shall be placed nearer than fifty (50) feet to the front or to the rear Lot line of the Lot on which it is located, or not more than one hundred (100) feet from the front lot line, or nearer than fifty (50) feet to the side Lot line of the Lot on which it is located. No structure used or to be used for sheltering animals shall be placed nearer than sixty (60) feet to any Lot line, provided that a dog kennel and/or dog shelter may be located within said sixty (60)

foot set back, but in no event nearer than twenty (20) feet to any side Lot line or at least forty (40) feet behind the front plane of the house or in no event nearer than forty (40) feet of the rear Lot line. For the purposes of this section, eaves, steps, chimneys and gutters shall not be considered as a part of the building; provided, however, that this shall not be constructed to permit any eaves, steps, chimneys or gutters or any portion of the building on any Lot to encroach upon any other Lot. Open porches shall not be considered as a part of the building, but any open porch which would extend beyond the building lines as herein established shall, prior to construction, require the approval of the Architectural Control Committee.

**DUPLICATION OF HOUSES:**

Houses will be allowed to be duplicated providing you cannot see the front elevation of one such house while standing in front of the other such house.

**GENERAL DAMAGES:**

The Builder shall inspect all onsite improvements prior to commencement of construction and report any problems to the Canterbury Subdivision Architectural Control Committee. Unless notified, the improvements will be considered in good repair and all damage occurring during construction will be the responsibility of the Builder. Repairs must be made before or at the time of the completion of the house and request for architectural refund deposit.

**EXCAVATION:**

Care should be taken to insure that damage to adjoining property does not occur. If damage does occur, the Builder is responsible for promptly making the necessary repairs. All dirt and debris not used in construction is to be removed from the area at the Builder's expense.

It is the Builder's responsibility to make sure that drainage from his lot does not run onto the adjacent lots.

**CONSTRUCTION BUILDINGS:**

No buildings or structures are to be erected on any lot for the purpose of a temporary construction shelter or storage of construction material.

### **BUILDING HEIGHT:**

Houses shall not have a building height greater than two stories above ground level. Certain houses may have a building height of three stories above ground level if they do not exceed 35' in height and if approved by the Architectural Control Committee. Walk-out basements are not considered a story.

Detached buildings shall be no higher than ten feet above the roof line of the principal building on the lot or 35' in height, whichever is lower."

### **ROOFS:**

Roofing material may consist of wood shakes, tile, cement, slate, Architectural 70's, Dimensional Shingles 25-Year, Charcoal or Black in color, or as approved by the Architectural Control Committee. Samples must be submitted and approved in writing by the Architectural Control Committee before installation.

Homes are to have a roof pitch of not less than 6/12 pitch or as approved by the Architectural Control Committee.

### **FASCIA:**

1" x 8" fascia is preferred in Canterbury Subdivision. No less than 1" x 6" is required.

### **CHIMNEYS:**

Exterior surfaces of chimneys are to be of hardboard, stucco, wood, stone or brick. **CHIMNEY CHASE ENHANCERS ARE REQUIRED EXCEPT ON MASONRY CHIMNEYS.**

### **ROOF METALS:**

All metal flashings, chimney caps, roof jacks and other miscellaneous roof metals shall be painted to blend with roof materials including aged roof materials.

### **EXTERIOR WALLS AND TRIMS:**

Each Dwelling Unit must have exterior brick, stone, manufactured or synthetic stone or stucco on the front elevation. The brick, stone or stucco

must wrap around each side of the house at least 2'. Colors and material treatments shall be continuous and consistent on all elevations to achieve a uniform design.

Homes on corner lots are to be finished in the same material as the front along all street sides.

Trimming of windows and doors in a contrasting color is discouraged. Colors shall be compatible with surrounding homes. **APPROVAL OF EXTERIOR COLORS MUST BE OBTAINED BEFORE INSTALLATION.**

**WINDOWS AND DOORS:**

Wood, white clad and bronze anodized metal are approved for windows, door frames, skylights and garden windows. Mill finished aluminum windows are not acceptable.

Garage doors with windows are not acceptable.

**UTILITY METERS:**

Utility meters are to be placed in an unobtrusive location and concealed behind fences where possible. Location is to be shown on site plan. **IT IS THE RESPONSIBILITY OF THE BUILDER TO MAKE SURE THAT UTILITY METERS ARE SCREENED FROM VIEW. IF A BUILDER ALLOWS THE HOMEOWNER TO DO THEIR OWN LANDSCAPING, THIS RESPONSIBILITY DOES NOT PASS ONTO THE HOMEOWNER AND THE BUILDER NEEDS TO MAKE SURE THAT THE OUTSIDE UTILITY METERS ARE SCREENED FROM VIEW.**

**GUTTERS AND DOWN SPOUTS:**

All gutters and down spouts are to be continuous and shall be colored to blend with the surface to which they are attached. Therefore gutters and down spouts may be a different color.

**MAILBOXES:**

The location of mailboxes has been predetermined by the Postal Service. The standards and mailboxes are provided by Canterbury Subdivision to assure uniformity and only these standards and mailboxes are to be used. The design is white PVC standards with black mailboxes with gold letters.

**SERVICE YARDS:**

Garbage cans, trash containers, firewood, bicycles, etc. are to be screened so they cannot be seen from the street or surrounding houses. Consideration shall be given to the placement of all heat pumps, compressors or like equipment so that they are not a nuisance to the surrounding houses and screened where possible.

**UTILITIES:**

Connections to all utilities must be underground. Material must conform to Idaho State Code and must be inspected by all governmental agencies. See Exhibit "E" - Typical Utility Locations.

**IRRIGATION SYSTEM:**

Areas used for pasturing of animals shall be maintained in good condition and free of weeds, uncontrolled vegetation growth and refuse. Pasture areas shall be maintained in a clean and odor-free condition.

**LANDSCAPING:**

A landscaping plan must be submitted to the Architectural Control Committee for written approval before installation and must meet following requirements.

Within thirty (30) days after substantial completion or occupancy of the house, whichever comes first (and weather permitting) the landscaping, sprinkler system and pastures must be completed in front, side and rear yards that abut streets. All other landscaping must be completed within 120 days after substantial completion or occupancy of the house, whichever comes first. Landscaping requirements include the 10' right-of-way area between the street (edge of pavement) and property line.

**FRONT YARD:**

Front yard is identified as the area from the street to the back plain of the house. Grass (seeded or rolled sod), fully automatic underground sprinklers, four (4) trees at least two inches in caliper or, if evergreen, at least six (6) feet tall, and adequate shrubs or bushes, all as approved by the



**REAR YARDS:**

A rear yard is defined as the area that begins at the back plain of the house and extends to the back property line. Homeowners can be responsible for the landscaping of these areas providing said area does not abut to common areas and is not visible from a street.

However, all rear yards must be landscaped and maintained in a professional manner within one hundred twenty (120) days from completion of house. Those areas that abut common areas or streets shall be professionally landscaped as follows:

Landscaped with grass (seed or rolled sod) fully automatic underground

**EXTERIOR LIGHTING & ENTRY-WAY LIGHT:**

No exterior lighting shall be installed or maintained on any Lot (or structure thereon) which interferes with the use and enjoyment of adjacent Lots, or without prior approval of the proposed installation by the Architectural Control Committee.

Entry-Way Lighting and/or Light Posts must be submitted to the Architectural Control Committee for written approval before installation.

**NOXIOUS USE OF PROPERTY:**

No portion of the Common Area, or any Lot or any structure thereon shall be used for the conduct of any trade or business or professional activities. The prohibition of use of any Lot or any structure thereon for the conduct of any trade or business or professional activities includes and prohibits use of any Lot or any structure thereon for a "half-way house", treatment center, shelter home, school, day-care center or other similar use, including use for the care or the residence of unrelated physically or mentally handicapped persons (notwithstanding the provisions of Section 67-6530 and 67-6531, Idaho Code). The occupancy of a dwelling structure on a Lot shall be limited to one or more persons related by blood, adoption or marriage, living together as a single housekeeping unit, or not more than two persons, though not related by blood, adoption or marriage, living together as a single housekeeping unit, except that one (1) live-in housekeeper may be included in a single housekeeping unit. Noxious or undesirable acts or undesirable use of any portion of the Property including (but not limited to) acts or uses causing loud noise which interferes with the peaceable enjoyment of neighboring properties is prohibited and shall not be permitted or maintained; provided, however, that an office or model home for the purpose of the development, construction and sale of the Lots and homes in the Project may be maintained by Declarant.

**RECREATIONAL VEHICLES:**

Recreational vehicles including but not limited to campers, trailers, boats, motor homes, motorcycles, etc. are not permitted in the subdivision unless they are in an enclosed structure. Exception may be made for a brief period (not to exceed 48 hours) for loading and unloading purposes.

### **SIGNS:**

Not more than one Realtor sign and One Builder sign shall be allowed on any building lot at any one time. All signs shall be maintained and kept in an upright position. Builder and Realtor signs are not allowed in any of the common areas.

### **MISCELLANEOUS EXTERIOR ISSUES:**

Basketball backboards or posts shall not be installed without prior written approval of the Architectural Control Committee as to materials and positioning. At a minimum, backboards shall be freestanding, constructed of plexiglass or acrylic materials, and shall be supported by removable metal posts, painted to blend with the color of the house and anchored in concrete. Backboards must be perpendicular to and adjacent to the driveway, or to the side of the house, or shall be located in the backyard, so as not to constitute a nuisance or visual obstruction to adjacent homeowners.

✓ Permanent in-ground clothes lines are prohibited.

Radio and television antennas on the exterior of the building or roof are prohibited. However, satellite dishes for television will be considered as long as they are not visible to the public and they are subject to Architectural Control Committee written approval as to size and location.

### **JOBSITE MAINTENANCE:**

Jobsites are to be kept as clean as possible during construction. All dirt, nails, gravel and other building materials must be removed from the street and sidewalk daily. Work vehicles are not to be parked in front of occupied houses or blocking streets. Power and water must not be used from existing dwellings without permission of owner.

Dumpsters are the responsibility of the Builder and shall be kept orderly at all times and emptied on a timely basis.

All contractors and subcontractors are directed to leave their dogs at home. They are an irritant and potential danger to Realtors, buyers and homeowners.

Courtesy is required from all parties including no loud radios or speeding in the subdivision.

It shall be the Builder's responsibility to obtain compliance with these rules and regulations by the Builder's subcontractors.

**GENERAL:**

Builders working in this project are expected to maintain a good reputation in business. They must take care of their call-backs and warranty work in a timely manner and they must be easily accessible to Realtors, customers and governmental officials.

No liens shall be filed or allowed to be filed against the property.

**ACKNOWLEDGMENT:**

Builder acknowledges that Builder has received the foregoing guidelines and the Declaration of Covenants, Conditions and Restrictions and agree to abide by them.

DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 19 \_\_\_\_.

COMPANY NAME: \_\_\_\_\_

ACCEPTED BY: \_\_\_\_\_  
TITLE: \_\_\_\_\_