

Dayton Valley Community Association

Architectural Review Committee

c/o Incline Property Management
848 Tanager Street, Suite M
Incline Village, Nevada 89451
Phone 775-832-0284 * Fax 775-832-4036

ARCHITECTURAL COMMITTEE RULES

Revision: 7-7-09-B

Dear Homeowner:

The Conditions, Covenants and Restrictions (C.C.&Rs) are basically a set of rules we all agreed to follow as Homeowners in the Dayton Valley Community Association. As stated in those C.C.&R.s, (Document #133393 pg. 36) Article 9.04 Architectural Committee Rules The Architectural Committee shall from time to time and in its sole discretion adopt, amend, and repeal by unanimous vote, rules and regulations to be known as “Architectural Committee Rules” interpreting and implementing the provisions of this Declaration and setting forth fees to be charged and procedures and design and construction criteria to be followed in submitting proposals to the Committee. The Architectural Committee Rules shall comply with all applicable federal, state, and local laws regulations and ordinances. A copy of the Architectural Committee Rules as they may from time to time be adopted, amended, or repealed and certified by any member of the Architectural Committee, shall be maintained at the office of the Association and shall be available for the inspection and copying by any Member at any reasonable time during the business hours of the Association.

The Architectural Committee, for your convenience and easy reference, is providing to each Homeowner a copy of the current and most up to date Architectural Committee Rules. You will note we have numbered each of the Rules with a 9.04 prefix number and suggest that you insert this copy of your Architectural Rules between pages 36 and 37 of your copy of the Dayton Valley Community Association C.C.&Rs for easy future reference.

Should you have any questions, comments or suggestions, please feel free to call me or any member of the Architectural Committee or the Board of Directors. Names and phone numbers are listed below for your convenience.

Thank you,

Architectural Committee

Members:

Joe Wilson – Chairman 246-7215
Ed Messineo – 246-4612
Leo DeLapp- 246-7011
Cheryl Cummings- 246-0819
Eddie Hult – 246-0526

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Revision: 7-7-09-B

Architectural Committee Rules

9.04.1 New Construction *All new home construction must have the prior approval of the Architectural Committee. The following also apply:*

(a) *A Road Maintenance Fee of \$1,000 will be charged for each new home built on any lot. This fee will be collected by the Dayton Valley Community Association at the time plans are submitted to the Architectural Committee for approval. If the submitted plans are not approved by the Architectural Committee, the Road Maintenance Fee will be returned to the submitting party.*

(b) *Driveways must be constructed of concrete, stamped or colored or pavers with prior approval – NO ASPHALT WILL BE APPROVED.*

(c) *Roofs to be of slate, concrete tile or S tile. Colors to be approved by the Architectural Committee – NO SHAKE or ASPHALT tiles.*

(d) *Exterior will be Stucco or have horizontal Lap Siding, Brick or Stone accent. – NO Vinyl, Plastic or Aluminum Siding.*

(e) *Exterior colors to be earth-tones. Any color change must have prior approval of the Architectural Committee.*

(f) *All exterior house numbers to have prior approval of the Architectural Committee.*

- (g) Outside lights, fixtures and lamp posts, require prior approval of the Architectural Committee.
- (h) Landscape plans must be submitted and approved prior to planting.
- (i) Landscape to be completed, Front and Rear, within one year of occupancy or close of escrow.
- (j) Zero-scape allowed within limits, prior approval of the ARC is required before installation.
- (k) All fencing must have prior approval of the Architectural Committee. Rear yard fencing must be black or dark green wrought iron. If side yard fence is wood, it must be double rail, up to six feet tall and cannot extend past front of the house. NO Front Yard Fences Permitted.
- (l) All Patio Covers, Gazebos, etc. require Architectural Committee approval prior to construction.
- (m) It is the responsibility of the lot owner to provide the necessary water to control wind borne dust in accordance with EPA regulations during the construction of the home.

9.04.2 General All excavation, alterations, or modifications which in any way alters the exterior appearance of a residence or the removal of any improvement, requires the prior approval of the Architectural Committee.

Proposal / Approval Process:

- (a) The homeowner obtains from any ARC member, or On Line at the DVCA website (daytonvalleyassociation.com) an Application for Architectural Modification Packet. They then fill out Exhibit-A providing a description of the proposed work along with necessary drawings or sketches. The *Impacted Neighbor Statement, Exhibit-B must be completed by the applicant only when requested to do so by the Architectural Review Committee.
- (b) Application for Architectural Modification, Exhibits A & B are submitted to the ARC for review. Work must not start until approval is received from the ARC.
- (c) The Homeowner is notified by the ARC of the approval (disapproval) of the proposed plans.
- (d) Upon completion of the work, the homeowner must submit Notice of Completion, Exhibit C.
- (e) The ARC inspects the completed project.

*NOTE: A neighbor's objection noted on the Impacted Neighbor Form does not assure disapproval of the submitted plans by the ARC.

9.04.3 Landscaping All landscaping, excluding the planting of flowers and small shrubs less than 3-feet tall require the prior approval of the Committee. The planting of large trees should be placed so as to not block the scenic view of neighbors.

9.04.4 Garden Sheds Garden sheds are permitted under the following stringent rules:

- (a) Sheds must be made of wood. No Plastic or Metal structures will be allowed.
- (b) Must be in the style of a house painted and trimmed in the color of the residence.
- (c) The roof is to have dimensional shingling matching the color of the residence roof.
- (d) Location of the shed is to be in the side yard next to the house mounted on and anchored to a concrete slab.

(e) Plans must be submitted to and approval received from the ARC prior to installation.

(f) The construction and erection of a shed must meet Lyon County Building Codes for placement on the property including set-backs from property lines and residence.

9.04.5 Fences *The rule regarding fences is outlined in Article 5.05. In addition the following applies:*

(a) For homes that directly abut the golf course, side yard wooden privacy fences may not extend beyond the rearmost or front of the residence.

(b) Homes that do not directly abut the golf course may have a wooden fence up to six (6) feet in height enclosing the sides and rear of the property but may not extend forward further than the front of the house .

(c) Article 5.05 requires that metal wrought iron fences must be black or dark green in color. Wooden privacy fences may not be painted. They are to be maintained in their natural wood color of cedar or redwood. It is the responsibility of the homeowner to maintain the wooden fences. This includes removing and replacing warped and broken slats and restraining fences which have been discolored by water staining.

(d) At homes where ARC/Board approved, temporary “wind fences” have been erected to protect the residence from blowing sand, tumbleweed and other debris. It is the responsibility of the homeowner to maintain the “wind fences” which have become torn and wind-blown in a condition that preserves them both esthetically and functionally.

9.04.6 House Exteriors *Changes to the exterior of the residences may be made with prior approval of the ARC:*

(a) Painting the residence a different color requires prior ARC approval. Repainting with the same colors requires no prior approval.

(b) Rain gutters and downspout installation requires approval of the ARC to assure color matching and proper drainage.

(c) Installation of Security Doors and Screen Doors are allowed provided that prior approval is obtained from the ARC. Retractable screen doors are preferred. Colors must be in harmony with the residence color scheme.

(e) Fabric retractable window awnings or fabric patio covers are not permissible unless the patio cover mechanism is fitted with a Wind Detector which retracts the awning in the presence of high wind. Fabric color and design must be approved by the ARC before installation

(f) The building of an addition to the residence, enclosure of an existing porch, installation of a wooden patio deck and or pergola cover requires that the plans be approved by the ARC as well compliance to all applicable County Code requirements.

(g) Article 5.01 Antennas: is amended to meet the ruling of the Federal Communications Commission (FCC) ruling established in 1997 which states in part “*Some communities have written restrictions that provide a prioritized list of PLACEMENT PREFERENCES. Residents should comply with the PLACEMENT PREFERENCES*”.

- (i) Satellite Dish Antennas may not be placed on the front of a house including the eaves or the fence.
- (ii) A Satellite Dish Antenna may not be placed on the back of the house including the eaves, patio cover or fence. This rule applies to houses that are directly adjacent to the golf course only.
- (iii) The desired location for a Satellite Dish Antenna is the side of the house including the eaves or the back or inside of the fence.

- (h) Exterior holiday and seasonal decorations are permitted as follows:
- (i) Decorations for the Christmas season may be put up no sooner than Thanksgiving and must be taken down before January 31.
 - (ii) Decorations for all other special celebrations (Valentines, St Patrick's Day, etc) are permitted only during the month of that celebration.

9.04.7 Miscellaneous

(a) Golf Ball Screen Barriers: Article 8.03 Golf Ball Easement burdens each lot with an easement permitting golf balls unintentionally to come upon ones property. Lot or unit owners should take all necessary measures to protect their property, family members and guests. To that end, screen barriers may be a means of protection. These may be installed with prior approval of the ARC. The ARC may suggest other alternatives. ARC considers the screening method, location and color. Impacted Neighbor form may be required.

(b) Basketball Hoops: Basketball hoops present an eyesore that may not be in harmony with the looks of the surrounding area. They are allowed in the community provided that they are portable in design. They must be collapsed and stored out of sight when not in use. They may not be left on any street in the community.

(c) Driveways: Driveways are designed to be a means to drive ones vehicle into the garage. To that end, it is the DVCA's desire that all vehicles be stored in the garage and not parked on the driveway or the street (see Article 6.06 Parking Restrictions, Use of Garage). Widening a driveway for the purpose of parking an additional vehicle(s) is not permitted and will not be approved. Widening a driveway will generally be approved by the ARC where the walkway from the side yard is extended down to or alongside the driveway. Widening will not be approved if the driveway abuts an adjacent widened driveway. Driveways must be kept clean of oil dripping from vehicles. Oil drip pans are not permitted.

(a) Extended Visitor Parking: From time to time, homeowners will have visitors that will be parking on a street or in Visitor Parking for a reasonable extended period. DVCA permits such parking with a valid Parking Permit. This permit is available from the ARC or any Board Member and must be placed on the vehicle dashboard or preferably hung from the mirror of the visiting vehicle.

(b) Garage Sales are not permitted within the community

(c) Mail Boxes: Mail is delivered by the U.S. Postal Service to each homeowner in individually assigned (by the USPS) mail cluster boxes which are located in close proximity to each homeowner. Individual mail boxes in front of homes are not allowed. NOTE: Posting of bills and notices on Postal Cluster Boxes is NOT PERMITTED.

(g) Garbage Containers: Must be stored out of public sight behind privacy fence or in garage. Garbage Containers may be placed at the curb the evening before garbage pick-up and returned to out-of-sight storage no later than midnight of the day of garbage collection.

DAYTON VALLEY HOMEOWNERS ASSOCIATION
ARCHITECTURAL REVIEW COMMITTEE
c/o Incline Property Management
848 Tanager Street, Suite M
Incline Village, NV 89451
Tel. (775) 832-0284 * Fax (775) 832-4036

EXHIBIT A

APPLICATION FOR ARCHITECTURAL MODIFICATION / REVIEW

Name: _____

Address: _____

Please describe the property modification and attach a site plan, elevation plan, floor plan, landscaping plan, and/or a color selection sample, as appropriate.

I hereby acknowledge that I will maintain the proposed modification in a condition which is in accordance with this proposal and that I will reimburse the Dayton Valley Community Association for any and all expenses it incurs as a result of this proposed modification.

Signature: _____

Dated: _____

Notice to Homeowners: Approval by the Architectural Review Committee does not substitute for County permits and approvals when such are required.

IMPORTANT- Construction must not start until Final Approval has been received from the Architectural Review Committee.

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EXHIBIT B

IMPACTED NEIGHBOR STATEMENT

FACING NEIGHBOR: Agree Object

Name	Address	Signature
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FACING NEIGHBOR: Agree Object

Name	Address	Signature
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FACING NEIGHBOR: Agree Object

Name	Address	Signature
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ADJACENT NEIGHBOR: Agree Object

Name	Address	Signature
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ADJACENT NEIGHBOR: Agree Object

Name	Address	Signature
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These neighbors have seen the plans I am submitting for Architectural Committee approval (see above verification). I understand neighbor objections do not in themselves cause denial. However, the Architectural Committee will contact the neighbors to determine their objections and their appropriateness, if necessary.

SUBMITTED BY:

Name _____ Date _____

Address _____

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EXHIBIT C

NOTICE of COMPLETION

Notice is hereby given that:

The undersigned is the owner(s) of the property located at

(Name)

(Street & Number)

(Telephone Number)

The work of modification or improvement on the described property was COMPLETED on the _
day of _____, 20_____ in accordance with the
Architectural Committee's written approval of the above owner's plans and submitted package.

Signature of Owner: _____

Dated: _____