

ARCHITECTURAL RULES AND GUIDELINES

BANBURY MEADOWS

SUBDIVISION

GENERAL INTRODUCTION

Article XI of the Master Declaration of Covenants, Conditions and Restrictions for Banbury Meadows Subdivision (CC&Rs) provides for the Architectural Committee to review plans and specifications for all improvements constructed upon a lot which are visible above ground (see Sections 3.1, 3.29 and 4.1.2 of the CC&Rs). The CC&Rs provide that the Architectural Committee also may establish rules and guidelines setting forth procedures for the required content of the applications and plans submitted for approval. Provisions incorporated herein reference Article XI of the CC&Rs.

The review and approval or disapproval of plans submitted may be based upon the following factors: design and style elements, mass and form, topography, setbacks, finished ground elevations, architectural symmetry, drainage, color, materials, including approved material, physical or aesthetic impacts on other properties, including common areas, artistic conformity to the terrain and other improvements on the property, and any and all other factors which the Architectural Committee, in its reasonable discretion, deems relevant. The requirements as to the approval of the architectural design shall apply only to the exterior appearance of the improvements. The architectural rules are not intended to serve as authority to control the interior layout or design of residential structures except to the extent incidentally necessitated by use, size and height restrictions.

GOVERNING PHILOSOPHY

The Banbury Meadows Homeowner Association ("Association") recognizes the value of maintaining and promoting a community environment suitable for all families regardless of race, color, religion, sex, handicap, familial status or national origin. The Association is therefore dedicated to fostering an open and welcoming community for all families. To meet this goal, the Association must strive to ensure that its homeowners do not use their individual properties in such a manner to discourage or limit the use and enjoyment of property owned by other homeowners. Further, it is essential that each homeowner does his or her part not to detract from the overall aesthetic quality expected from the neighborhood's residents in general. The Association understands that flexibility and compromise are qualities essential to achieving these goals. To this end, the Association is committed to developing a set of objective procedures to govern the decision-making process for permitting variances to the Association's Master Declaration of Covenants, Conditions and Restrictions ("CC&Rs"). In addition to establishing a fair and consistent process for deciding variances, the Association shall endeavor to consider each request for a variance in an impartial and just manner regardless of race, color, religion, sex, handicap, familial status or national origin.

Review Policy

- The Architectural Review Committee (“ARC”) shall be comprised of five (5) members, none of which may also be serving as a Board of Director for the Association.
- The Board of Directors (“Board”) shall appoint the ARC.
- The ARC shall meet once a month or as needed to consider submitted ARC Request Forms. Once recommendations have been made, the ARC shall present its recommendations to the Board for the Association. The Board shall vote on the ARC’s recommendations. Once the Board has voted on the ARC’s recommendations, it shall provide written notice to the homeowner.
- Once a homeowner has been notified of the Board’s decision, it shall be the responsibility of the ARC to follow up with the homeowner to ensure compliance with the CC&Rs.
- No request for exception to the CC&Rs will be granted unless the request is submitted on the Architectural Review and Approval Form. It is the duty and responsibility of the ARC to ensure each homeowner is provided with the Architectural Review & Approval Form.
- The ARC and the Board agrees to consider the following criteria when deciding to grant/deny an exception to the CC&Rs:
 - Color
 - Style
 - Size
 - Location
 - Appropriate screening

The intent of considering the above criteria is to ensure that any exception to the CC&Rs conforms to and is compatible with the homeowner’s residence, the surrounding environment and the neighborhood at large. In addition to considering the above criteria, the ARC may also weigh the neighbors’ opinions. However, the opinion of the neighbors is not dispositive on whether an exception is granted. *[From “Governing Philosophy to here, adopted 13th of November 2006 by the Banbury Board of Directors.]*

PROCEDURES

The Architectural Review Committee (“ARC”) will meet the first Monday of each month or at such other time as may be designated by the Committee.

The Architectural Review Committee approval does not waive or modify any code requirements from the City of Eagle or any other governmental agency.

Submittal: All Architectural plans and request forms must be sent to Development Services Inc., 9601 W State Street, #201, Boise, Idaho 208-939-6000, www.dev-services.com.

Setbacks and building elevations must conform to all applicable governmental laws and regulations (see Sections 4.1.3 and 4.1.4 of the CC&Rs). The ARC, Board of Directors, and Association shall have no liability resulting from approval of any plans, setbacks, heights, or building elevations that are not in conformance with applicable laws and regulations.

Approvals: The ARC will use its reasonable effort to promptly respond with approvals, evaluations and conditions to plans submitted. In the event the homeowner wishes to make modifications after approval, the homeowner must resubmit plans to the ARC and receive approval for all modifications prior to any changes being made. Projects started or completed before the submission of an ARC Application must still be reviewed by the ARC and approved by the Board. Applications submitted after the fact are still subject to changes, adjustments (and possible disapproval) based on the final review and findings of the ARC and Board of Directors.

SPECIFIC DESIGN CONSIDERATIONS

Roofs: Roofing material shall be compatible with surrounding homes and should be Owens Corning TruDefinition Duration in Onyx Black or Driftwood. Any proposed substitute roofing material will be architectural in style and laminate in construction of comparable color, warranty, style and grade. Alternative manufacturers include Pabco, Tamko, Certaineed or GAF (Barkwood). The homeowner shall verify and submit to ARC for approval roof brand color and quality prior to installation and shall match shingle color to the color scheme. Homes are to have roof pitch of not less than 5/12 or as approved by the ARC. A variance of roof pitches on porches and patio covers may be considered by the ARC.

Chimneys: Exterior surfaces of chimneys are to be hardboard lap siding, stucco, wood, stone or brick.

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

Exterior Walls and Trim: No cottage lap siding or vinyl siding is allowed. Minimum true-lap siding of 8" exposure or less is preferred. Board and batt must be tied to architecture and will be scrutinized by the ARC. An optional 12" Belly Band may be included on stucco elevations; window trims or other enhanced detail is required. Wainscoting and masonry type "belly bands" will not be allowed unless the ARC deems it warranted based upon compatibility with the overall design. Stucco cannot be used as an accent (Columns corner of columns, etc.), however, brick (no false brick), rock or synthetic rock will be considered as an accent by the ARC. Any masonry wraps of at least 2' on the front must be included inside elevation if located on a corner lot. For subdivisions 6 and 7, hard surface is required on all 4 exterior sides of the home (brick, stone, stucco or a combination).

Colors shall be compatible with surrounding homes.

Soffits: Metal soffits are acceptable.

Fascia: Fascia must be a minimum of 1-1/4" X 8" (tru-lap).

Windows and Doors: Wood, white and bronze 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 must be approved by the ARC.

HVAC Units: They are to be screened from the street and the Golf Course with permanent wall to match the house or 4' evergreen shrubberies.

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.

Lighting: No yard lights are permitted. Soffit or low voltage decorative lighting is permitted subject to the review and approval of the ARC and Board.

Mailboxes and Posts: The location of mailboxes has been determined by the Postal Service. The standards and mailbox/post specifications have been established by the HOA to assure uniformity and only these standards and mailboxes are to be used.

Service Yards: Garbage cans, trash containers, firewood areas, and all other improvements are to be screened so that they cannot be visible above ground from the street or surrounding houses. Consideration shall be given to the placement of all heat pumps, compressors or any non-generating equipment so that they are not a nuisance to the surrounding properties.

Landscaping: A landscaping plan must be submitted to the Banbury Meadows Homeowner's Association ARC for written approval prior to the initiation of construction.

Sod: All yard area must be sodded unless a variance is granted by the ARC.

Landscaping Minimums subdivisions 1 to 4

Front Yard:

- Sodded
- 3 2" caliper trees
- 5 5-gallon shrubs
- 5 1-gallon shrubs

Side Yard:

- Sodded
- 5 5-gallon shrubs
- 5 1-gallon shrubs

Rear Yard: A rear yard is defined as all areas from the back plane of the house.

- Sodded
- 3 2" caliper trees (including at least 1 evergreen/minimum 6' tall)
- 5 5-gallon shrubs
- 5 1-gallon shrubs

Landscaping Minimums subdivisions 5 and later

Total sod and sprinklers – pressurized irrigation provided to lot

Front Yard:

- 2 Class I trees
- 1 Class II tree (minimum 2.5 caliper)
- 10 5-gallon shrubs

Rear Yard:

- 1 Minimum 6 ft evergreen tree
- 1 Class I tree
- 1 Class II or Class III tree
- N/A- The Villas
- 5 5-gallon shrubs

Side Yard

- 5 5-gallon shrubs
- N/A- The Villas

Air Conditioner unit must be screened from the street and the golf course. If not already permanently screened with wall, incorporate 4' evergreen shrubberies into landscape plan.

Fencing: All rear yard fences which abut the golf course inclusive of fairways, lakes, tees and greens, shall be of non-view obstruction design and construction. All rear yard fences abutting the golf course must be approved by the ARC and by the record owner of the golf course and are subject to the specific fence requirements under Section 4.1.8 of the CC&Rs. Black wrought iron style fencing made from wrought iron, aluminum, or steel are the only approved fencing material and color. Fencing may not extend past the front plane of the house or side plane of the house if on a corner lot. **White vinyl fencing is permitted in Subdivision 1 only** [9/15/2005].

These architectural rules shall not be construed to modify, amend, or in any way vary the terms and conditions of the CC&Rs and the Supplemental CC&Rs which are adopted from time to time. These Rules and Guidelines are subject to

modification from time to time. The ARC will use reasonable efforts to notify the homeowners of any significant material changes in these guidelines and rules.

SOLAR ENERGY POLICY

Purpose: This establishes the policy and architectural considerations that must be used by Homeowners/Members regarding Solar Energy improvements within Banbury Meadows.

Location: This policy applies to all homes within Banbury Meadows, Eagle, Idaho.

Architectural Review Committee (ARC) Application: Homeowners must submit an ARC Application (at least 30 days prior to the date work is to commence) to the Association's Management Company (DSI) requesting approval for any proposed solar energy improvement. The ARC Application can be found on the Banbury Meadows or DSI website.

Solar Energy Policy and Architectural Considerations: The design and placement of a solar system should consider the preferred location of the system on the home and adjoining neighboring homes.

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 solar collectors should consider the impact of glare on neighboring outdoor living spaces.

Passive solar systems are preferred.

All solar tubes, skylights, solar power panels or other solar devices mounting hardware, pipes, conduits and cabling shall be painted to match the house color schemes or treated to eliminate reflective glare.

The preference is for roof-mounted solar panel systems to be on the backside of the house, garage roof or the patio roof where the panels are not visible from the street fronting the house.

Roof-mounted solar panels are permitted to be on the visible street front side if the installation is orientated to the South, or within forty-five (45) degrees East or West of due West. For installation oriented other than directly South, it is the homeowner's responsibility to provide a survey or other acceptable documentation regarding compliance with forty-five degrees East or West of due South restriction.

Solar panels mounted on existing roofs shall be installed so that the panels are flush-mounted, parallel to the roofline conforming to the slope of the roof.

The solar panels, wiring, conduits or any exposed parts shall not be higher than the roof peak.

Solar panels with black back-sheet are preferred. The dark back-sheet minimizes the visibility of the lines in the solar panel.

Any panel frames, support brackets, visible piping or wiring shall be painted to

coordinate with the roofing material and house color.

Ground mounted solar panels shall be avoided whenever possible. Ground mounted solar panels shall only be installed in the rear yard of homes with solid "privacy" fencing. This type of equipment is not authorized in yards with open wrought iron fences.

No portion of any ground mounted unit may exceed five feet in height from to ground below it.

Ground mounted solar collectors shall be within setback lines in accordance with City of Eagle Building Codes, not within any utility easements or other easements and must be concealed from neighbor's view to the extent reasonably possible.

No ground mounted devices or their components should be affixed to a block wall or wood fence.

Compliance: The Board of Directors and ARC are responsible for ensuring the above considerations and guidelines are followed in order to maintain and enhance the Banbury Meadows community.

Approved 12/14/20:



Banbury Meadows Board of Directors/President

12/14/2020