

Knolls Estates Owners Association

Design Committee Guidelines

For Landscaping & Lot Improvements

Design Committee: The purpose of the CC&R's, Bylaws and the rules and regulations is to achieve a high standard of quality of workmanship, materials, and design and to help ensure harmony of external design and landscaping with existing improvements and the location of the proposed improvement. No improvement, but not limited to, any building, structure, fence, wall or landscaping that involves 30% or more of a Lot, the clearing or removal of natural vegetation, or other improvement or any exterior alteration of any existing improvement may be undertaken on any Lot until the modification plans and specifications for an improvement showing the nature, kind, shape, height, materials, paint colors, and proposed location have been submitted to and approved in writing by the Design Committee. Owners must submit the plans and specifications to the Design Committee prior to commencement of any work and prior to application to Douglas County for any building permit.

Application Guidelines and Procedure: An Owner must provide a copy of plans to the Design Committee. These copies must be on a minimum of 8" x 11" sheets with overall dimensions being clearly visible and legible. A complete modification application will specify in writing the approval or consent requested and be accompanied by all material reasonably required or desired by the Design Committee to make an informed decision on the application. The Owner will comply with reasonable requests by the Design Committee for additional or clarifying information. The Design Committee will then timely consider the Owner's submitted plans. The Design Committee may, in its sole discretion, withhold or condition its approval of any proposed improvement if the Design Committee finds the proposed improvement is incompatible with the design standards described in these CC&Rs, Bylaws or design guidelines adopted and published by the Design Committee. Design Committee discretion includes, but not limited to, consideration of siting, shape, size, paint color(s), design, height, impairment of the view from other Lots within the PUD, other effect on the enjoyment of other Lots or Common Area, disturbance of existing terrain and vegetation, and any other factors which the Design Committee reasonably believes to be relevant in rendering the decision whether or not to approve or to

conditionally approve any proposed improvement within the PUD. The procedure and specific requirements for application for Design Committee approval or consent may be set forth in design guidelines or other rules formally adopted from time to time by the Board.

Variances and Waivers

The Design Committee may, subject to Board approval, grant reasonable variances or waivers from the current provisions where: (i) literal application thereof results in unnecessary hardship; and (ii) where the granting thereof will not be materially detrimental or injurious to any other Owners. All variances or waivers shall contain findings of fact setting forth each criterion for variance or waiver considered, shall be in writing, and shall be signed by the Design Committee, in order to be valid, and must thereafter be approved by the Board in its sole discretion. On approval by the Board, such variance or waiver shall be signed by the President and kept in the Association's official records. **The design committee will review any request by homeowners, for any kind of project, because each lot is different and if it benefits the homeowner and causes no adverse issues to the association, these requests will be considered.**

Owner and Contractor Site Agreement: Prior to the beginning of any construction each owner and site contractor is required to read and 'sign acknowledgement' that the PUD's "Construction Site Agreement" will be enforced by both at all times. This Agreement places restrictions on the construction hours as well as several other restrictions on the maintenance of construction site and surrounding area(s).

Refer to the Rules & Regulations if further questions.

- 1. The Design Committee shall consist of not less than 3 owners.**
- 2. The Design Committee is responsible for the approval of plans and specifications for the development of all areas and to publish and enforce rules and regulations governing the use and maintenance of such areas and the improvements thereon.**

- 3. Two copies of all owner's plans for improvements shall be submitted to the Design Committee prior to commencing construction. Upon approval by the Design Committee, the plans will be stamped to indicate the plans have been reviewed and approved.**
- 4. All landscaping comprising 30% or more of the net lot size shall be approved by the Design Committee.**
- 5. All fences must be architecturally pleasing and presented to the Design Center prior to their erection.**
- 6. No fence may be constructed and no sight-obscuring hedges may be cultivated at any point beyond the front line of the home. No chain link fences will be allowed.**
- 7. On non-golf course lots, rear yard fences and hedges may be up to six feet high beginning at a point no closer than 20 feet from the front line of the dwelling and extending to and across the rear lot line.**
- 8. Golf course lots shall not have fences past the house line facing the golf course except where the lot borders the fairway. Fences may be 4' high with a 2" spacing on golf course. The Design Committee may vary fence rules on a particular lot upon application of the lot owners and finding that no adverse impact to adjoining properties results from the variance requested.**
- 9. Fences and building of any nature may not be placed on an easement.**
- 10. No firewood shall be stored in such manner that any part of it becomes visible from any point off the lot of which it is stored.**
- 11. No trees shall be removed from the lot except for those within building footings and as otherwise approved by the Design Committee.**

- 12. In the event that a decision by the Design Committee is unacceptable to a lot owner or any other lot owner:**
 - 1. the lot owner may request a review of such decision the Design Committee by directing a written request for such review to the Administrator by Certified Mail postmarked no later than ten working days after the decision is rendered by the Design Committee**
 - 2. property owners of other lots may request a review of such decision by the Design Committee by directing a written request for such review by Certified Mail postmarked no later than five working days after the decision is rendered by the Design Committee.**
 - 3. the lot owner or owner of any other lot may request a hearing before the Knolls Estates Judicial Council by filing a statement that such hearing is requested with the Administrator within fourteen days after the notice of the Design Committee decision above is given.**
- 13. If at any time the Design Committee shall fail to function for any reason, the Board of Directors shall have the right to act in place of the Design Committee.**
- 14. NonWaiver: Consent by the Design Committee to any matter constitute precedent or waiver impairing it's right to withhold approval as to any similar matter thereafter proposed or submitted to it for consent.**
- 15. Within thirty days after written demand therefore by any owner, the Design Committee shall execute and deliver to the owner requisition the same an estoppel certificate certifying with respect to the property of such owner that as of the date of the certificate either (a) all improvements and other work within or upon said property comply "With the Consolidated Plan and with all restrictions and rules and regulations adopted in or pursuant to any Knolls Estates Declaration", or (b) that such improvements and work do not so comply for reasons specified in the certificate with respect to the matters set forth herein, such matters being conclusive against the Owner's Association and all lot owners.**

16. The Design Committee nor any member thereof shall be liable to any owner, Owner's Association, or any party who has submitted application to the Design Committee, for any damage, loss or prejudice suffered or claimed on account of any action or failure to act of the Design Committee or any members thereof, provided only that the Design Committee in accordance with actual knowledge by it has acted in good faith.