



**ARCHITECTURAL DESIGN GUIDELINES
FOR THE COMMUNITY OF LAKES AT TELAGA
MIDDLETON, IDAHO**

ARTICLE I: ADOPTION AND AMENDMENT

The Architectural Design Guidelines (“ADGs”) contained herein are promulgated this 10th day of April, 2006, by the Board of Directors of the Community of Lakes At Telaga, and the Architectural Design Committee (“ADC”) pursuant to the Declaration of Covenants, Conditions and Restrictions of Community of Lakes At Telaga, recorded in the records of Canyon County, Idaho, as Instrument No. 200584698, and may hereafter be amended upon the majority vote of said Board of Directors.

ARTICLE II: PURPOSE

These ADGs shall guide and control the ADC's approval or denial of plans presented to it as required by the Declaration of Covenants, Conditions and Restrictions of the Community of Lakes At Telaga. Further, they are intended to provide property Owners within the Community of Lakes At Telaga with guidance in designing and planning residential construction and related improvements compatible and in harmony with neighborhood design characteristics and to address, to the extent possible, view corridors, drainage patterns, building separation, standard accessories, and proper location of unsightly utility facilities and similar elements for the mutual benefit of all residents of the development. It is not the intent of the ADGs to promote rigid homogeneity in architectural character, nor to stifle the development of a broad range of interesting, creative and innovative designs, materials, and construction applications, provided they promote and result in desirable and compatible neighborhood environments, and do not detract from the value or enjoyment of neighboring properties. The authority and discretion to approve or disapprove any plans or specifications submitted to it shall rest exclusively with the ADC. The Committee shall consider all such plans and specifications in light of Article IV of these ADGs, but may, in addition, consider such additional circumstances and facts, as it deems appropriate in arriving at its final decision to approve or disapprove.

ARTICLE III: APPLICATION PROCEDURES

Section 3.01 – Jurisdiction of the Design Review Committee: All property in the Community of Lakes At Telaga encumbered by, or subject to, that certain Declaration of Covenants, Conditions and Restrictions of the Community of Lakes At Telaga, recorded as Instrument No. 200584698, records of Canyon County, Idaho ("Declaration"), shall be subject to these ADGs. The meaning of terms expressly defined in said Declaration shall have the same meaning if used in these ADGs.

Section 3.02 – Application for Approval: Any Owner proposing landscaping or construction which is subject to the review and approval of the ADC shall submit the following items, to the extent applicable given the nature of the Lot to be developed and the landscaping or construction being proposed, together with such other and additional information as the ADC may request:

- (A) SITE PLAN at a scale of not less than 1"=20' showing the Lot and including the following information:
 - 1. Property lines and dimensions, as shown on the recorded plat.
 - 2. Building envelope, if any, as shown on the recorded plat.
 - 3. Location of the proposed improvement for which approval is sought and its relationship to property lines. Location of existing structures on adjacent lots should be indicated.
 - 4. The driveway and walkway location, including any proposed turn-arounds and parking areas, and the width, grades, and proposed surface material of each.
 - 5. Footprint of Improvement. Developer shall maintain master plan of footprints with the intent of keeping said improvements driveway-to-driveway and open area-to-open area wherever possible.
 - 6. Additional Site Plan on 8.5 x 11 paper.
- (B) GRADING –Developer will provide Owner a drainage plan. Said drainage plan shall not be altered without prior written consent by Developer.
 - 1. Existing grades on the Lot, as well as proposed finished grades of any ground, shall not be altered.

2. Any existing and proposed drainage channels and patterns, swales, culverts, catch basins or subsurface drainage systems shall not be altered.

3. The location on the Lot of the benchmark used to set elevations shall not be altered.

(C) ARCHITECTURAL DRAWINGS - including, but not be limited to, the following:

1. Floor plans at a scale of not less than 1/4"=1' showing all floors, garages, basements, lofts and spaces intended to be used or occupied. Indicate room dimensions and square footage of each floor, and finished floor elevations on the main floor.

2. Exterior elevations at a scale of not less than 1/4"=1' showing all exterior elevations and surfaces of the proposed improvements, including the roof and any appurtenances thereto, such as skylights, chimneys and venting, and all proposed finish grades relative to each elevation as indicated on the grading plan.

3. Cross-sections taken through the proposed improvement at its highest point indicating the height of the structure above both natural and proposed grade. Where pertinent, a section should be taken through the structure out to the street indicating grade differential that may exist and how that differential will be handled in gaining access to the proposed improvement.

4. Exterior walls - clearly show the texture, color and type of material, as well as the pattern or direction of any exterior wall surfaces. Also indicate the type, material and color of any trim, doors, windows, fascia, shutters, decking and handrails. Color and material samples are required.

5. Roof plan showing roof pitch, valleys, hips, gables and drip lines, materials, color, and the location of any protrusion beyond the surface of the roof, including, but not limited to, chimneys with chase enhancers, parapets, facades, antennas, skylights and solar panels. Color and material samples are required. No flat roofs will be allowed without written permission from the ADC.

6. Exterior lighting should be indicated where it occurs, together with type of fixtures, direction of light to be emitted, and information on whether such lighting is recessed or surface mounted.

7. The ADC may require submission of such additional plans and other information (including models), as it may deem appropriate to the approval process.

(D) **LANDSCAPE DRAWINGS** - All Lots on which any improvements are constructed shall be landscaped in accordance with an approved landscape plan. Landscape plans shall be prepared by a landscape architect or professional landscaping company and shall include:

1. A planting plan at a scale of not less than 1"=20' showing the arrangement of all trees, shrubs, groundcovers, sodded lawn areas, and natural grass areas. A plant list or other indication of species, variety, size, quantity, spacing and location of all plant materials proposed for use on the project shall be included.

2. An automated irrigation system shall be installed for all landscaped areas.

3. Landscape features such as decks, retaining walls, privacy screens awnings, canopies, gazebos, benches, steps, etc., shall be clearly delineated on the plans in sufficient detail to adequately demonstrate their finished location and appearance.

4. A site drainage plan shall be provided to demonstrate the ability to retain all site drainage to the subject site.

5. Landscaping lighting fixtures shall be clearly delineated on the plan indicating location, type of fixtures, height and material.

Section 3.03 – Architectural Review Process: Owners shall obtain a preliminary review of any proposed construction or landscaping from the ADC, prior to the final review process. The purpose of the preliminary review is to give the Owner, or its representatives, an opportunity to discuss specific design concerns with the ADC, obtain interpretations and answers to questions concerning the ADGs, or other relevant information, and to allow the ADC the opportunity to provide feedback and direction toward architectural compliance. This preliminary approval by the ADC shall not obligate the ADC to approve final plans and specifications for the project after a formal submittal as provided for in paragraph 3.02 immediately hereinabove. The information, plans and specifications provided to the ADC at the preliminary review stage shall be at the discretion of the applicant, which should include sufficient information and graphic representations to allow the ADC to be helpful in the development of an acceptable construction plan.

Section 3.04 – Fees: The application for preliminary design review, which shall then include final approval of any landscaping or construction plan shall be

accompanied by a fee in an amount of Six Hundred Dollars (\$600.00), and from time-to-time amended as deemed necessary by the Board of Directors of the Community of Lakes At Telaga.

Section 3.05 – Inspection: Submittal of an application authorizes the ADC to make an onsite inspection of the Lot on which the improvements are proposed. Further, the Owner shall notify the ADC when the improvements have been completed, allowing the ADC to inspect and confirm that the improvements were completed in compliance with approved plans and specifications.

Section 3.06 – Notification of Action: Upon receipt of a completed application for approval, the ADC shall have thirty (30) days in which to complete its review, and to notify the applicant, in writing, of its decision to approve or disapprove. If the application is not approved, the reasons will be stated. In the event that the ADC fails to approve or disapprove any plans or specifications requested within thirty (30) days after receiving an application therefore, together with all additional information, plans or specifications requested by the ADC, approval of the ADC shall conclusively be deemed to have been given.

Section 3.07 – Expiration of Approval: Except as herein provided to the contrary for landscape completion, after approval of any development plan, the applicant shall commence the improvements within six (6) months, and shall complete them within one (1) year from the approval date. Failure to do so will cause the approval to expire unless, prior to expiration, the applicant petitions for, and receives, an extension from the ADC, which may be granted, in the sole discretion of the Committee, only if exceptional circumstances should warrant it.

Section 3.08 – Application Form: Application for approval by the ADC shall be completed on forms provided by said Committee, and shall be signed by all record owners of title to the Lot on which the proposed improvements will be constructed or installed.

Section 3.09 – Limitations on Architectural Design Committee Approval: In considering and approving any application for architectural design review, the ADC does not consider, and assumes no responsibility for, the following:

- (A) The structural capacity of the proposed improvements, nor the suitability of any proposed materials, building techniques or other aspects of the improvements relating to habitability or suitability for the intended purpose of the Owner.
- (B) Compliance with any applicable building codes, or any other statutes, ordinances, rules or regulations promulgated and made applicable to the applicant's property by any city, county, state or federal government, or any agency, department, bureau or other political subdivision thereof.

- (C) Suitability of the proposed site of any improvements in relation to manmade or natural hazards, including, without limitation, geological instability, ground compaction, drainage or flood hazards.

Section 3.10 – Building Timeline:

- (A) Owner shall, within one (1) year of the original Closing Date, commence construction of a single family residential dwelling on the purchased Lot in accordance with the requirements of the Lakes At Telaga Covenants, Conditions and Restrictions, and the ADGs as described herein.
- (B) Owner shall not convey or attempt to convey any Lot to any third party without first having obtained approval from the ADC for the dwelling to be constructed thereon and without first having commenced construction of such a dwelling in conformance with the Lakes At Telaga Covenants, Conditions and Restrictions, and the ADGs as described herein.

ARTICLE IV: DESIGN CRITERIA

Section 4.01 – Building Types: The ADC is encouraging home themes centered around the Tuscan, Mediterranean, or Sun Valley appearance, utilizing natural colors and materials such as stucco, stone, timbers and heavy fascias. The ADC shall not approve any design or construction style which it finds to be extreme or eccentric to the point of detracting from the aesthetics of the neighborhood, or which could diminish the value or enjoyment of neighboring properties, including, without limitation, "A-frames", "mineshaft houses", "Bauhaus", "round", or "oval." Multiple uses of house plans for single family residential structures with the same or similar exterior elevations or appearances within the Community of Lakes At Telaga are discouraged and may be allowed only if the ADC determines, in its sole discretion, that the exterior of any such proposed house, when viewed from any street or common area, has been made to appear significantly different from any similar houses in the Community through such means as altering roof types or lines; adding, deleting or significantly altering porches, windows, doors; significantly altering exterior materials and colors; or the reversal or "flipping" of the house plan. In addition, a high degree of architectural focus needs to be placed on the rear elevation of all houses.

Section 4.02 – Scale and Orientation of Buildings: It is important that the mass and orientation of any building relate to human scale and harmonize with the area in which it is situated, and existing natural features. Minimum square footage shall be: the enclosed living space of the ground floor of the primary residence structure (excluding decks, patios, covered walkways, and garages) shall not be less than 2,800 square feet. If home is of a two-story design, the total square

footage of living space shall not be less than 3,200 square feet. The scale, including height and mass of a building, should be appropriate to the size of the Lot, and the location of the Lot in relation to adjoining open space and common areas, and the orientation of any proposed building or structure should consider existing improvements on adjoining Lots, and should, wherever reasonably practical, be designed to juxtapose compatible uses next to uses on adjacent Lots, such as the location of garages next to garages.

Section 4.03 – Roof Design:

- (A) Shape: The following roof types are not permitted: Mansard, zero-roof overhangs, domed, flat and A-frame, unless otherwise approved by the ADC.
- (B) Overhangs: Roof overhangs generally protect walls and wall openings from the elements, and contribute to a building's character and longevity. Roof with overhangs of less than 12" are not permitted.
- (C) Surfacing Materials: Roof surfacing materials are important as a means of blending residential structures with the character of the area in which they are situated. Roofs shall be of tile or architectural grade composition shingles (which are classified, at a minimum, at forty (40) years). The color of the architectural shingles or roof tiles shall be antique black or as approved in advance and in writing by the ADC. Exterior roof construction of tarpaper, metal or gravel is prohibited. Other roof materials may be considered by the ADC on a case by-case basis, taking into account such things as reflectivity, color, texture and compatibility with other roofs in the immediate area. All roof ridges are to be completed with a raised ridge and/or ridge caps.
- (D) Flashing: All roof flashing, vents, gutters and downspouts must be of a color or treated with a color harmonious with the roof and upper wall surfacing. Bright materials must be treated to reduce glare.
- (E) Roof Pitch: The minimum roof pitch requirement is a 6:12 pitch, or that which may be approved by the ADC which is representative of the architectural style and theme of the design of the house.

Section 4.04 – Roof Projections and Appurtenances: Roof projections and appurtenances such as dormers, clerestories, skylights and light wells may create interesting and pleasant interior spaces, but their location on the roof can be critical in avoiding detracting unsightly or confusing interruptions in roof lines and appearances. Skylights should generally not extend to the eave line, nor should they project excessively above the roof surface. Only chimneys with chase

enhancers, which are constructed of wood, stucco, concrete and masonry, and which are compatible with the building on which they are attached, shall be permitted, and no chimney caps, extensions or flashings shall be constructed of reflective metal materials. Roof-mounted solar collectors, satellite dishes, and similar appurtenances shall, to the extent possible, be screened from view of adjacent Lots and streets, and shall be reviewed and approved or disapproved on a case-by-case basis by the ADC. All plans and specifications that are submitted shall show clearly the location, materials and appearance of all roof projections and appurtenances.

Section 4.05 – Fascias, Soffits and Vents: Vinyl and metal-clad vents, fascias and soffits shall be permitted, if the color and materials proposed are non-reflective, and compatible in color and texture with the remainder of the structure. Roof and attic vents shall also be shown on building elevations, indicating the type, size, location and proposed design. A combination of ridge, soffit and dormer vents are preferred, and metal vents and vent caps projecting from the roof surface are discouraged. All fascias shall be a minimum of one (1) inch by eight (8) inches in width, and at minimum two-tiered (excepting locations where gutters will be present on the home as part of the new construction process), unless otherwise approved by the ADC.

Section 4.06 – Exterior Wall Materials: Changes in exterior wall materials can lend visual interest to a building, while the use of too many materials can make the wall visually discordant. The predominant tones should tend toward earthy hues, and the use of bright and/or dramatic accent colors on the exterior wall surfaces are discouraged, and may not be approved by the ADC. Exterior siding materials are encouraged to be of stucco and stone with timber accents (an absence of stone must be approved by the ADC in writing). Exteriors may also be of natural or synthetic wood (true lap), natural or synthetic stone, or brick. If a façade of stone, brick or other masonry material is proposed for the front or other elevation facing a street, the facade shall wrap around at minimum three (3) feet to a natural termination point.

Section 4.07 – Window Penetrations: Windows may be constructed of wood or colorfast vinyl. The ADC may, at its discretion, allow aluminum or other metal windows provided they are factory-plated or colored in a non-reflective finish.

Section 4.08 – Retaining Walls: All proposed retaining walls are subject to ADC approval. All foundation walls or retaining walls with more than twelve (12) inches of vertical surface visible above grade shall have a surface treatment on the exposed portion as approved by the ADC.

Section 4.09 – Driveways: Driveways shall be constructed of concrete, masonry pavers or such other hard surface material as may be approved by the ADC. No driveways shall be constructed of gravel or concrete blocks. Driveways shall be designed in a manner providing off-street parking for at least two (2) vehicles.

Walkways, driveway borders, patios, and porches made of concrete will be created with a stamped, textured or colored appearance.

Section 4.10 – Utility Appurtenances: All utility meter panels, furnaces, heating units, air conditioning units, heat pumps and similar utility appurtenances shall be screened or fenced from view, and shall be located away from visibility from the street wherever possible. All plans submitted to the ADC for residential structures shall include the location of such utility appurtenances, and the proposed method of screening.

Section 4.11 – Pet Enclosures: All dog runs, pens, and other pet enclosures shall be immediately adjacent to the dwelling, and landscaped or otherwise screened or fenced to obscure them from view from neighboring lots or adjacent streets. All such pet enclosures shall receive approval by the ADC prior to construction.

Section 4.12 – Exterior Lighting: Exterior lighting can detract from the quality of living within the Community of Lakes At Telaga, by obliterating night views and interfering with the use and enjoyment of neighboring property. All such lighting should be discrete, illuminating only that which needs to be lit. In general, light sources should be shielded and directional, and the light source should not be visible from neighboring properties or adjoining streets. Lighting of large areas should only occur where it is absolutely required for safety considerations, and should be of limited duration, i.e., the area should not be illuminated all night. All exterior lighting shall require the approval of the ADC prior to installation, and all plans submitted for approval shall show clearly the location, and type of light fixtures proposed, together with any other information which may be helpful to the ADC in reviewing the application.

Section 4.13 – Signs: No more than one (1) sign shall be permitted on any Lot at any one time, and no signs shall be placed by a Lot owner, or its agents, on common area or on any Lot belonging to another. Signs shall conform to the specifications set forth by the ADC and shall be properly maintained at all times and be kept in an upright position.

Section 4.14 – Mailboxes: All mailboxes and mailbox stands shall conform precisely in a size and style to one that will be approved by the ADC, the specifications for which are available from said Committee. Mailboxes and stands are provided by the Developer; installation is the responsibility of the Owner.

Section 4.15 – Landscaping: All landscaping shall conform to the approved landscape plan and shall contain the minimum requirements for each Lot on which a residence has been proposed. (The front yard of a Lot is defined as that area between the front property line and the plane of the surface of the residential building facing the front property line.) All landscaping shall be completed within thirty (30) days after completion of the primary residence and in any event prior to occupancy, weather permitting. Special consideration and extensions will be

granted from December 1 to April 1 upon written approval of the ADC.
Landscaping shall, at the minimum, include the following:

Tree count (tree types and sizes must be defined on the landscape plan submitted for approval)

Front yard: Minimum of 3 deciduous trees and 3 evergreens

Back yard: Minimum of 3 deciduous trees and 3 evergreens

Tree Size (the following are MINIMUM size requirements)

Deciduous: 3-inch caliper minimum

Evergreen: 10 feet high minimum

Shrub count/size (shrub types and sizes must be defined on landscape plan submitted for approval)

Front yard: 12 shrubs at a minimum size of 5 gallons

12 shrubs at a minimum size of 2 gallons

Corner lot/Side yard: 12 shrubs at a minimum size of 2 gallons

Back yard: 12 shrubs at a minimum size of 5 gallons

12 shrubs at a minimum size of 2 gallons

Lawn

Front & back yard: Full sod

Planter Beds (types and sizes must be defined on the landscape plan submitted for approval)

Front yard: 20% minimum

Back yard: 15% minimum

Corner lot/Side yard: 20% minimum

Lake Front Lots: Lake edges and borders must duplicate landscape design and planting utilized in common area lake borders.

All landscaping shall, at all times, be irrigated and maintained as necessary to keep it in excellent condition and appearance.

Section 4.16 – Fencing: Fencing shall be wrought iron.

Height: 5 feet high

Style: Black or as approved by ADC in writing

Privacy Screens: ADC discretion as approved by the ADC in writing.

Section 4.17 – Setbacks: Minimum building setbacks shall be consistent with those established for the Community of Lakes At Telaga by Canyon County in its approval of the conditional use permit for said development (reference attached Exhibit A). Setback distances are measured from the property line:

Front Setback: Thirty (30) feet

Rear Setback: Twenty (20) feet

Side Setback: Ten (10) feet

Side Setback/Corner Lot: Thirty (30) feet from the Common Area boundary closest to the side road, or ten (10) feet from the property line, whichever is furthest from the side road.

Lake-Facing Portion of a Home Site: Any approved structures must remain at a minimum of twenty five (25) feet from top of slope of any lake or waterway within the community (unless otherwise approved by the ADC). Any approved fence must remain at a minimum of five (5) feet from top of slope of any lake or waterway within the community (unless otherwise approved by the ADC).

Easements: No structure shall be permitted to be constructed over any platted easements.

Section 4.18 – Foundations & Grading: Each Home Site Owner is aware that groundwater levels rise during irrigation months, and that shallow groundwater exists in the Lakes At Telaga. Each Home Site Owner shall design their structure to prevent the accumulation of water in crawl spaces in accordance with the Plat. (Basements are prohibited.) Each Home Site Owner is responsible for ensuring that the grading plan for each home site is designed such that water transfer/run-off is contained to that specific home site.

Section 4.19 – Garages: All garages will be of “Side Entry” or “Side Load” design unless otherwise approved by the ADC. Front entry garages must be screened from street view at least partially by a breezeway and are only allowed with written ADC approval. Garage doors will be required to have some architectural detail or windows. RV garage doors will be allowed as long as they are in matching appearance to the standard size garage doors. However, roll-type metal doors will not be allowed. No vehicle sized garage doors will be allowed on the rear elevation of any home unless otherwise approved by the ADC in writing. Garage interiors are to be taped and painted at minimum.

Section 4.20 – Accessory Structures: Separate garages/shops may be submitted to the ADC for approval. Architecture of any approved detached building must be consistent with primary dwelling in aesthetic appearance and must be located in such a manner as to not adversely impact adjoining properties.

Section 4.21 – Vehicle Parking: Per Section 4.9 of the Covenants, Conditions and Restrictions of the Community of Lakes At Telaga, outside RV parking/exterior RV parking pads, of any kind, are not allowed.

EXHIBIT A

Canyon County Setback Regulations (relative to Lakes At Telaga)

07-10-19: REGULATIONS FOR THE "A" (AGRICULTURAL) ZONE:

(6) Setback Requirements:

A. Front Yard: No building or structure shall be erected nearer than thirty feet (30') from the closest of the following: front property line, right-of-way line, or road easement line of any arterial, collector or local or private road or state or federal highway, except that long established setbacks are allowed when the following are true:

1. When the alignment of multiple existing buildings are matched; and
2. When not a corner parcel; and
3. When not on a section or quarter section line;

B. Side Yard: No building shall be erected closer than ten feet (10') to any side property line.

C. Rear Yard: There shall be a rear yard setback having a depth of not less than twenty feet (20'), except that long established existing setbacks are allowed when the following are true:

1. When the alignment of multiple existing buildings are matched.; and
2. When not on a section or quarter section line.

D. Corner Parcel: Front yard setback requirements are applicable on both street sides with no exceptions made for existing long established setbacks, unless approved by the board of commissioners of the highway district having jurisdiction.