

## Boards Lower Ranch Design Review Guidelines

The CC&Rs ARTICLE V, Section 2, Approval By Design Committee states:

“The DRC shall approve the proposed change in the existing state of the Lot if it finds it complies with the provisions of this Declaration and the external design, landscaping and location is in harmony with surrounding structures and topography. *The DRC may issue guidelines setting forth procedures for the submission of plans for approval, requiring a fee to accompany each application for approval or additional factors which it will take into consideration in reviewing submissions and additional standards for approval.*”

### Procedure for submission

Plans shall be submitted in digital pdf or jpeg file format. If the applicant does not submit digital files of plans, the DRC may create digital scans and bill the applicant for reimbursement prior to approval. The applicant is encouraged to submit jpeg photo files of the subject property and adjacent properties that may be affected by the plans submitted.

The ***Architectural Review and Approval Form*** shall be fully completed. The form covers all property changes from cutting trees to building a new home. New construction over 200 Sq ft. requires a fee, as noted on the form.

Make sure to note **proposed start and completion date of construction**. A Construction site that lingers for 2-3 years is not acceptable. See consequences below.

Note which neighbors have been contacted regarding your proposed project. List any comments they have regarding the proposed project. The Design Review Committee will follow up with adjacent homeowners as well. The intention is to verify that a neighbor's view corridor, sunlight, natural privacy screens of vegetation, and drainage are not affected by your project.

Please be aware that the Design Review Committee is not looking at those issues that are part of County Codes for Building or riparian changes. Contact the county for questions you may have in these areas.

A site visit will be required by the Design Review Committee. All Plans and the *Architectural Review and Approval Form* must be submitted prior to review by the DR Committee. Most updated is version available on Website <http://boardranchhoa.com/about/>

### Consequence of Lingering Construction Past Completion Date

The Fourth Amendment to Declaration of Covenants, Conditions, and Restrictions of Boards Lower Ranch Subdivision (Page 4 of 6) states:

“**4. Article VI Enforcement.** Article VI is hereby amended as follows:

Fourth Amendment to Declaration of Covenants, Conditions and Restrictions of Board's Lower Ranch Subdivision Page **4** of **6** Section 1. Right of Enforcement is hereby amended by adding the following provisions:

Section 1.a. Assessment of Fines. In addition to the foregoing rights of enforcement, the Association may impose a daily monetary penalty for any violation of this

Declaration, the Articles or Bylaws or of any rules, or regulations of the Association, which shall not exceed one Hundred Dollars (\$100) per day for any one violation. Before invoking such assessment, the Board shall give the Owner sixty (60) days' written notice to cure such violation and/or to be heard by the Board regarding the violation and any potential assessment. The Owner can appear, be represented by counsel and be heard at such meeting. If such violation is of a nature that it cannot be remedied within sixty (60) days, no assessment shall be invoked so long as the Owner submits a remediation plan to the Board to remedy the violation within a reasonable period of time and such Owner diligently pursues such plan to completion. If an Owner violates any rule, regulation, Declaration, Articles or Bylaw provision more than twice within any two-year period, regardless of whether such violation is the same, the accrual of such assessment shall begin ten (10) days after the Board gives notice of such violation rather than sixty (60) days after such notice. The Board may enforce the collection of such assessment through the assessment lien procedures in Article IV, Section 1 of this Declaration. The enforcement rights provided for in this Declaration apply to any and all Owners, whether such violation is by the Owner or such Owner's family, tenants, licensees, or invitees who commit any of the violations set forth herein.

Section 1.b. Remedies are Cumulative. Each remedy provided in this Declaration or by law shall be cumulative and not exclusive.”

An extension request past the 3 month grace period may be granted by the committee upon submittal of an additional \$200.00 fee. Only one extension request will be granted, after which, if construction materials, portable toilets, trucks, and unfinished landscape remain on the property, a fine of \$50.00/week will be charged. Written notice will be given when this fine will begin to be imposed, as noted in the Article quoted above, and owner will notify the Design Review Committee when work is completed and ready for a final inspection.

### **Additional Factors for Review**

Whereas the objective to maintain “harmony” with surrounding structures and topography may be broadly interpreted, there are specific factors that contribute to harmony between property owners within the Board Ranch. The visual character of the Board Ranch varies dramatically by virtue of the different sizes of the lots, the distinct indigenous plant communities (riparian and wetland, upland dry pasture, and alpine forest at the toe of the Baldy slopes), and the size and diverse architectural style of the existing structures. Because the character of the Board Ranch has been preserved due to economics and restrictions of leasehold ownership during the Board family stewardship, the Ranch has a unique opportunity to evolve in an environmentally responsive manner. Some factors that should be considered in design of changes to the existing state of properties are:

1. Open Space and view corridors between neighboring properties should be respected. Some lots are small in size and clustered together, therefore have limited site planning options and may require Blaine County variance. Where possible, structures should be sited and landscaping should be planned to maximize open space between structures and preserve view corridors. On those lots that are large enough for multiple structures to be built, clustering of structures is preferred in order to minimize

impact on neighbors. Construction materials can not be stored on any of the road easements.

2. Solar access and privacy between lots should be respected. Where possible, site planning and landscape should respect neighboring solar access and screen the view of structures from neighbors. Direct sunlight is precious at the Ranch and should be available for solar gain and comfort. Solar panels should be on rooftop and not a separate ground structure that reflects directly towards your neighbors.

3. Landscape irrigation should be limited to the statutory maximum for domestic use permits under the codes of the State of Idaho. Domestic landscape irrigation shall cover no more than ½ acre per lot, exclusive of surface water irrigation rights. Landscaping within the Warm Springs Road right of way should be non-irrigated, preferably undisturbed from its natural state, or restored to its natural state where possible. Landscape installations cannot be placed within the side road easements, which are typically 30 feet wide.

4. Existing plant communities on lots should be preserved. In the riparian and wetland areas, local, State, and Federal jurisdictional regulations shall be followed. Plant species such as willows, Cottonwood trees, River Alder, Red Twig Dogwood, and Aspen are essential for transpiration of standing surface water during high water seasons and should be preserved along with drainage pathways. In the upland pastures the existing grasses and wildflowers should be preserved, limiting irrigation to areas around the structures, with a preference for drip irrigation for peripheral trees. Noxious weeds, such as knapweed, need to be eradicated and controlled per Blaine County and Idaho State Laws.

5. Architectural Style is diverse at the Board Ranch, but tied together by a common sense response to engineering and function in snow country, therefore establishing a “Mountain Style” typified by gable roofs to shed snow, A-frames, covered porches, log homes, natural wood sided homes, stucco sided homes to withstand the ravages of sun and weather, and even metal-sided mobile homes. Historical references to mining buildings, ranch buildings, barns, rustic vacation cabins, and Craftsman style all fit together in both traditional and contemporary architectural expressions. Vernacular architecture from outside the Idaho Mountain region such as Southwest, French Chateau, Georgian, Colonial, etc. are discouraged.

6. Scale of structures relative to the size of lots has been a defining factor of the Board Ranch. In 2009 there were only 5 houses within the 85 lot Boards Lower Ranch Subdivision that have interior floor areas in excess of 3,000 above ground. The relationship of structure to landscape historically has been created by most of the houses having under 2,000 square feet of livable area. It is recommended that the above ground livable square footage of new main residences not exceed 5,000 square feet. Also, due to so many smaller, non conforming lots it is recommended is to remain well below the 35 foot total height allowed by county code to avoid looming over your neighbors and a crowded feel.

7. Snow Storage: The Board Ranch gets more snowfall than in Ketchum. Most winters it is a challenge where to push snow plowed from driveways and side roads. All properties need to have a plan for easily plowed or blown snow storage throughout the entire winter.

8. Demolition: If removing structures large enough to require a demolition permit from Blaine County, property owners need to submit a DR Application and notify neighbors in order to prevent demolished property sitting in poor shape or hazardous materials exposed for an extended period of time.

### **Property Upkeep**

In the interest of all Board Ranch Property owners, please note that keeping unsightly materials, including vehicles that do not run, trailers, broken fence lines, building materials not in use, and junk waiting for “who knows what,” is not in the interest of any property owner and only devalues one’s own property. This fact has been slow to be realized since the majority of properties went from lease to owned, but complaints indeed come in and the Design Review Committee has found it is necessary to notify property owners who have been negligent in this maintenance. The Fourth Amendment to Declaration of Covenants, Conditions, and Restrictions of Boards Lower Ranch Subdivision (Page 4 of 6) states:

**“5. Article VII Specific Restrictions.** Article VII is hereby amended as follows:

Section 5. House Trailers and Mobile Homes. Section 5 is hereby deleted and replaced in its entirety with the following provision:

“Section 5. Temporary Structures and Improvements. All temporary structures and Improvements that will remain on any portion of a Property longer than one (1) month, shall require the prior written approval of the DRC. Temporary structures and Improvements shall include, without limitation, house trailers, construction trailers, mobile homes, prefabricated homes, tents, wall tents, teepees, yurts, shacks, storage sheds or other temporary buildings or Improvements or structures.”

In Addition,

Section 12. Section 12 is hereby added to the Declaration as follows:

“Section 12. Unsightly Articles. No unsightly articles shall be permitted to remain on any Property so as to be visible from any other portion of the Property. Without limiting the generality of the foregoing, refuse, garbage, and trash shall be kept at all times in containers and in areas approved by the Design Review Committee; and, no equipment of any kind, containers, metals, building materials, oil tanks, propane tanks, shrubs or tree clippings, scrap or refuse shall be kept, stored, or allowed to accumulate on any Property except if appropriately screened from view from other portions of the Property or within a structure approved by the Design Review Committee. Boats, campers, trailers, all-terrain vehicles, motorcycles, recreational vehicles, and bicycles, may be maintained on the Property, unless they are dilapidated or unrepaired or otherwise have become an unsightly article as determined by the Design Review Committee; in such event, the unsightly articles will be required to be appropriately screened from view from other portions of the Property. *Whether an article is unsightly and is required to be appropriately screened shall be determined by the Design Review Committee in its sole discretion.*”

The Design Review Committee is committed to creating a neighborhood we can be proud, whose neighbors know each other and have respect for the lands they steward. Notice of any failure to remove unsightly articles when requested to, or submit an application for the temporary location of a trailer, storage shed, storage container, etc., shall be governed by the consequences noted above and in the Fourth Amendment to the Declaration of the BLR CC&R's, 4. Article VI: Enforcement.