

SETTLERS BAY OWNERS ASSOCIATION ARCHITECTURAL CONTROL COMMITTEE

Rules

The following lots are subject to Settlers Bay Owners Association rules; Unit 1 Plat Number 1975-61 and Unit 2, Plat Number 1977-17 of Palmer Recording District, Third Judicial District, State of Alaska.

Settler's Bay Subdivision, Unit 1

Block 1: Lots 1-35 Block 2: Lots 1-47

Block 3: Lots 1-39 Block 4: Lots 1-17

Settlers Bay Subdivision, Unit 2

Block 6: Lots 1-14 Block 7: Lots 1-37, 42-49 and 52-69

Block 8: Lots 1-17 Block 9: Lots 1-63 Block 11: Lots 1-51

Block 12: Lots 1-18 Block 13: Lots 1-47 Block 14: Lots 1-41

Block 15: Lots 1-6 Block 16: Lots 1-11 Block 17: Lots 1-27

Block 18: Lots 1-33 Block 19: Lots 1-16 Block 20: Lots 1-38

Block 21: Lots 1-24 Block 22: Lots 1-43 Block 23: Lots 1-31

Block 24: Lots 1-51 Block 25: Lots 1-21 Block 26: Lots 1-23

Block H1: Lots 1-5 Block BI: Lots 1-8

To include: All combined "A" lots within block and lot numerical sequence in Unit 1 and 2.

1. All properties in Unit 1 and Unit 2 are governed under the current revised and amended Covenants, Conditions and Restrictions (CC&R's) and Settlers Bay Owners Association (SBOA) Architectural Control Committee (ACC) Rules.
 - *There is no Grandfathering of any properties under previous versions of the CC&R's.*
2. Actions and duties of SBOA Board of Directors and subcommittees of SBOA are governed by the By-Laws of the Corporation.
3. All Board of Director, ACC and other subcommittees meetings are open to all SBOA members.
4. The ACC:
 - a. The ACC will conduct periodic meetings for testimony to review, approve or disapprove building applications, as needed.
 - b. Notice of meeting date, time and location will be posted on SBOA website at settlersbayhomeowners.com or posted at other appropriate locations designated by SBOA.
 - c. Prior to the start of excavation or construction, the ACC must have approved an application and permit for the project to be built.
 - d. Applicants have the right to appeal to SBOA Board of Directors of any adverse decisions or recommendations of penalties.
5. Building guidelines:
 - a. The use of T-111, OSB or similar sheet siding on the front of a house is prohibited; lap siding or lap-like siding is acceptable.
 - b. New homes should have staggered rooflines and be complimentary in design to other homes in the area.
 - c. All new construction and/or additions must meet the minimum square footage for that specific property.
 - d. All exterior colors must be approved prior to painting.
 - i. Exterior colors can not be primary or secondary colors.
 - ii. Exterior body colors are to be subdued not brilliant or bright in nature
 - iii. Trim colors are to be complementary to the body color and not primary or secondary colors.
 - iv. All exterior colors are to be complementary to the roofing material color.
 - e. Minimum garage size is 440 square feet.
 - i. Exceptions considered by the ACC on a case by case basis:
 - (1) Detached garage if there is a minimum 440 square foot garage in the main structure.
 - (2) Homes built prior to April 1, 2005. Renovations on the garages may require the garage to be enlarged to the 440 square feet minimum requirement.

6. Certificate of Compliance: Upon satisfactory completion of new construction and delivery of necessary permits and inspections, the ACC will issue a "Certificate of Compliance" to the Settlers Bay Building Rules. Failure to obtain a "Certificate of Compliance" prior to first occupancy may lead to sanctions being taken against the Owner.
7. Outbuildings and other structures:
 - a. Must be complimentary in design and the same color as the main residential structure and approved by the ACC before construction.
 - i. *Exceptions considered, by the ACC on a case by case basis:*
 - (1) Prefabricated metal or composite storage units on a case by case basis.
 - b. No canvas or tarp structures are allowed except to protect construction material during the exterior building phase of structure.
 - c. No outbuildings or fences are to be located in front of the main residential structure.
 - i. Exceptions considered by the ACC on a case by case basis:
 - (1) Properties where the back yard is adjacent to the golf course.
 - (2) Properties where back yard area can not topographically accommodate a structure without infringing on the property setbacks. (i.e., sloping (more than a 30% grade), no feasible access, rocky (large boulders), cliffs, spring or swamp areas etc.)
8. Fences:
 - a. All fences and fence material must be approved, by the ACC, prior to installation.
 - b. Fences can not exceed 6 feet tall.
 - i. Exceptions considered by the ACC on a case by case basis:
 - (1) Commercial property enclosures
 - c. No barbwire or razor wire fences.
 - i. Exceptions considered, by the ACC, on a case by case basis:
 - (1) Commercial property enclosures
 - d. No fences in the front yard.
 - i. Exceptions considered by the ACC on a case by case basis:
 - (1) Ornamental type fences
 - (2) Electronic (Invisible)
9. Landscaping:
 - a. A minimum amount of planted and maintained grass and/or other ACC approved landscaping material is required to cover all areas cleared for construction which are visible from the road.
 - b. Landscaping must be completed within one year of occupancy.
 - c. Landscaping must be maintained:
 - i. Lawns cut and groomed regularly.
 - ii. Lawns watered regularly (per water utility restrictions if applicable).
 - iii. Lawns fertilized annually.
 - iv. Lawns must be maintained to avoid an excessive amount of weeds.
 - d. No ornamental well or water garden maybe installed that might cause a safety hazard.
10. Gardens:
 - a. All garden areas must be maintained.
 - b. No traditional or row like garden areas in front of home.
 - c. Unused garden areas must be landscaped or returned to natural vegetative state.
 - d. Water garden must be maintained and kept free of debris and used for specific design purposes.
 - i. Water garden depth shall not to exceed usual and customary depth for design.
11. Driveways:
 - a. All homes in Unit 2 must have a paved (permanent hard surface) driveway from the house, garage or other ACC designated and approved point of origin to the street.
 - i. Paved: i.e. asphalt, concrete, and/or brick pavers.
 - ii. Asphalt Rapp which is used for temporary repairs is not considered a permanent hard surface.
 - b. If home was approved, completed and occupied by owner prior to January 1, 2004, the driveway must be paved prior to the sale of the property or arrangements made to have the driveway paved by the owner at time of sale or transfer of ownership of the property.
 - c. All driveways must be approved by the Mat-Su Borough and have a driveway permit issued prior to installation or to alterations made which may affect the egress onto the street.
12. Renovations:

- a. Renovations which affect the exterior design, shape, size, or façade of a structure must be approved by the ACC prior to the changes or before construction begins.
 - b. Any home that does not meet the current square footage requirements, when undergoing a renovation, must be enlarged to meet the minimum square footage requirement and must be approved by the ACC prior to implementing changes.
 - c. Any garage that does not meet the current 440 square feet minimum requirement, when undergoing a renovation, must be brought up to the minimum requirement and be approved by the ACC prior to implementing changes.
13. Animals:
- a. Total number of dogs allowed on property is three (3).
 - b. Total number of cats per household is three (3).
 - c. All animals must be licensed and vaccinated according to the Mat-Su Borough Regulations and Animal Control laws.
 - d. No animals may be tied or chained to the front or side portion of the house or garage.
 - e. No animal care or housing facilities i.e. kennel, dog house, dog run etc., shall be located on the front or side of the home.
 - i. Exceptions considered by the ACC on a case by case basis:
 - (1) Back yard conditions that topographically do not allow for a safe environment for such facilities.
 - f. No animals are allowed to be off property unless on a leash.
 - g. Excessive dog barking (20 continual minutes) is prohibited.
 - h. No animals may be used for commercial purposes.
 - i. No dog teams.
 - ii. No dogs raised or groomed for dog team purposes.
 - iii. No animals not considered usual or customary household pets are allowed, (i.e. cows, horses, pigs, chickens, wolves, hawks etc.)
14. Snow:
- a. Shoveling, snow blowing or plowing snow into the street is prohibited.
 - b. Pushing or depositing snow across the street into a ditch is prohibited.
 - c. Covering fire hydrant with snow is prohibited.
15. Trash:
- a. No trash is to be stored on property.
 - b. No trash cans or receptacles are to be stored in front of house or garage.
 - c. No trash cans or trash receptacles are to be left on the street after garage collection day.
16. Fire pits, portable grills or built-in grills:
- a. Fire pits are not to exceed a 3 foot by 3 foot area (a 9 square foot area).
 - b. Portable cooking grills stove or like item are not to be stored in front of home when not in use.
 - c. No built-in cooking grill, stove or like item is to be built in the front of home or garage.
17. Clothes lines:
- a. In back of home only and retractable.
 - b. Clothes must be removed the same day they are hung.
18. Burning
- a. Burning of leaves, branches, logs etc. is not allowed from April 1 through October 1.
 - b. Garbage/trash burning is prohibited.
19. Vehicle Parking and Storage:
- a. All vehicles (truck, cars, motor homes and trailers etc.) must be licensed and operational.
 - b. Vehicles, trailers, boats, snow machines, ATV's etc. must be parked on a designated parking pad, with a minimum of 4 inch gravel surface or paved, beside or in back of home in an orderly fashion or in a garage or suitable structure for such purpose.