

Settlers Bay Architectural Control Committee Application for Plan Approval

The following procedures must be followed in applying for construction approval within this subdivision.

1. Submit a Plan Package for approval. Plan Package must be submitted and approved **prior to starting construction or excavation**. The Application is to be delivered by mail:

**Architectural Control Committee
Settlers Bay Owners Association, Inc.
PO Box 877658
Wasilla AK 99687**

2. Notification of approval or rejection of the building plan will be made in writing within 30 days of receipt of a complete Plan Package.
3. Upon completion of the structure, the builder/owner must present to the Architectural Control Committee a copy of the "As Built Survey" and a copy of the final inspection report. If all is in order, the committee will then issue a "Certificate of Compliance" with the plan approval.
4. Enforcement of these procedures will be governed by Article VIII, Section of the CC&R's.

Please call ACC (voice mail) at 352-3534 if you have questions.

Settlers Bay Architectural Control Committee Application

1. New Construction Home Improvement
2. Single Family Residential.
 Multi Family Residential. Number of Units per Complex _____
 Commercial Building. Type of building _____
3. Building Location: Block: _____ Lot: _____ Unit: _____
 - Attach a copy of the front elevation for the proposed structure including **any** modifications. Include a footprint of the building(s) showing outside dimensions with the dimensions of garage
 - Attach a plot plan drawn to scale showing placement of structures including decks, fences, driveway, and other paved areas or planned changes affecting drainage on the lot.
4. Describe siding. (No T-111 allowed on front side of building)

5. Identify roofing materials and colors to be used

6. Exterior Wall and Trim Color - **Attach Color Samples.**
Wall Color Name: _____ Brand: _____
Trim Color Name: _____ Brand: _____
7. Specify square footage of living area. _____
 - See CC&R's for minimum square footage for this specific lot.
8. Specify square footage of the garage (440 Minimum). _____
9. Are any outbuildings or fences planned? Yes No
Type of outbuilding: Shed Detached Garage Other
Size of Building: _____
 - Note: All outbuildings must compliment the main residential building.
10. **Attach** a copy of the builder's current *Residential State of Alaska Contractors License*. (New Construction)
11. **Attach** a copy of *Mat-Su Borough Land Use Permit*.
12. **Attach** a copy of *Mat-Su Borough Driveway Permit* or receipt of application. (New Construction or if driveway is being moved)
 - **All driveways in Unit 2 must be paved.**
13. Enclose a check in the amount of \$100.00 payable to Settlers Bay Owners Association, Inc. for each permit applied for. (New Construction)
 - Incomplete applications will not be reviewed.
 - No excavation or building shall begin without Architectural Control Committee (ACC) approval of the plans.
 - Notify the ACC to any changes from approved plans.
 - By signing this checklist, owner/builder acknowledges and accepts responsibility for compliance to Borough, State and Federal building codes (as applicable to this specific building), SBOA CC&R's and ACC Rules.

I /We have reviewed and will comply with Articles VII, VIII and XI of the Amended Covenants of the Settlers Bay Subdivisions, as recorded 12-30-2003 and the adopted 2007 ACC Rules.

Builder / Owner: _____

Mailing Address: _____

Contact Number: (____) ____-____ Cell Number: (____) ____-

E-Mail Address _____

Signature of Property Owner: _____

Signature of Builder/Contractor: _____

Settlers Bay Plat Notes Unit 2

Notes on the Plat of Settlers Bay Subdivision Unit No. 2 as follows:

1. Building shall be set back 25 feet from R.O.W. and 10 feet from side lot lines.
2. No part of a subsurface sewage disposal system shall be closer than on hundred (100) feet from any body of water or watercourse.
3. Structural Setback – Structure shall not be closer than seventy-five (75) feet for the normal high water mark of a watercourse or body of water in a shore land.
4. No structure may be placed upon any lot which shall have an elevation of the lowest floor, including a basement of less than three (3) feet above the highest known water elevation.
5. The lot corners adjacent to creek for lots 1 thru 27, Block 17, lots 30 thru 33 Block 14, and lots 19 thru 23, Block 26 are marked with meander corners as shown. The actual boundary adjacent to creek for the above lots is the high-water mark of Crocker Creek.. There is a 20-foot wide maintenance Easement on both side of Crocker Creek.
6. On site sewer disposal is prohibited for lots 1 thru 14, Block 6 and Lots 52 thru 69, Block 7.
7. All Lots to be served by public water.
8. Pedestrian Easements are walkway for non-motorized traffic only.
9. Direct vehicular access to Settlers Bay Drive is prohibited from Lots 21 thru 30, Block 14.
10. All temporary cul-de-sacs have a 50' radius and are to automatically vacate once road is continued and platted and/or dedicated.
11. No septic tanks or solid absorption systems allowed with 200' of well. Ductile iron sewer mains only are permitted outside a 100 foot radius and within the 200 foot radius.
12. No individual sewage disposal system shall be permitted on any lot unless such system is located, constructed and equipped in accordance with the requirements, standards and recommendation of the Alaska Department of Environmental Conservation. Approval of such system as installed shall be obtained from such authority.

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.