

Glenshire Devonshire Residents Association Rules



* Updated and approved by GDRA Board of Directors January 9, 2013

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Glenshire Devonshire Residents Association Right to Enact

In compliance with Article VI, Article II and Article III section 3.05 of the Glenshire Devonshire Subdivision Covenants, Conditions, and Restrictions, (CC&Rs) the following rules and regulations governing and controlling the construction and modification of improvements on lots in the Subdivision as well as certain procedural rules have been adopted by the Board of Directors of the Association and are effective April 30, 2013. These rules and regulations are subject to change; for an update, please contact the Glenshire Devonshire Residents Association at 587-6202. These rules do not conflict with the existing CC&R's and/or Bylaws and are intended as a supplement to those regulations.

The Design Review Committee (DRC) goals are to enhance the natural beauty and property values of the community, and to foster quality of construction and architectural compatibility among neighboring structures, and to promote a harmonious relationship between structures and the landscape. The distance between, and the design of, existing houses and the topography of a lot will influence the DRC's decision for approval, conditional approval or denial. These rules and regulations are taken, in part, from the Subdivision CC&Rs, and reference to these documents should be made prior to the purchase of a lot or construction of an improvement.

Section 1.01 Design and Review Committee Rules

Any building, addition, fence, wall, deck, shed or exterior structural alteration, unless noted must be approved in writing as to the harmony of external design and location in relation to surrounding structures and topography by the DRC. Two copies of all construction plans, specifications, and such further data as may be requested, showing the nature, kind, shape, height, materials, colors, and locations, of the same shall be submitted to the DRC. One approved copy will be returned to the owner and one copy will be retained by the Association Office. The DRC may require a reasonable inspection fee for review of plans and specifications and adopt reasonable rules and regulations.

To discourage the appearance of tract-type housing within Glenshire Devonshire, the DRC reviews submitted designs for similarity with adjacent structures and requires separation by elevation appearance for houses with the same or very similar design as viewed from the street. On a case-by-case basis, the DRC may require modification to street elevations to avoid local duplication of design.

Upon submittal of a completed application package, the DRC inspector will conduct a preliminary site inspection to determine the compatibility of the proposed improvement with neighboring dwellings and terrain. The DRC will then review the application package at their next regularly scheduled meeting.

The DRC may, at its sole discretion, require more detailed elevation drawings. Elevation views and designs in which the DRC finds aesthetically incompatible with the physical site, adjoining properties or the environment of the development, may be denied approval.

When additional information is required by the DRC to evaluate any application, such information must be submitted within 30 days of notification. If requested information is not received within 60 days from such notice, the application will lapse and all application materials will be returned to the owner and the owner's application fee will be forfeited.

The issuance of a DRC permit, which, in no event, will be granted prior to approval of the site stakeout inspection, will precede any excavation, grading, placement of fill, tree removal, or construction of any type. Any violation of this rule will result in the automatic forfeiture of all deposits, as well as possible legal action to compel compliance with the CC&R's, Bylaws, and DRC Rules & Regulations.

Changes to any plans require prior approval of the DRC. Any deviations from the original application's materials, plans, or specifications must be submitted to the DRC office for review and approval. Requests for approval of changes shall be submitted in writing and, if necessary, revised plot

plans and elevation drawings shall be submitted to the DRC for review and approval. *All structures shall be built in conformity with the plans, as amended and as approved. Non-approved changes or modifications are subject to fines of a minimum of \$50 for each modification and are not limited to the amount of the deposit. Fines will be assessed and deducted from the improvement deposit.*

Section 1.02 Residential Dwellings Only

- a) All lots within the properties shall be used for residential purposes provided, however, that the incidental uses permitted by the CC&R's shall be permitted. In no event shall a residence be occupied by more uses than permitted by applicable law, zoning or other local governmental regulation. If a person owns two adjacent lots and has constructed a residence on one of the lots, the adjacent lot can be utilized as additional yard area without violating this use restriction. This residential use restriction is not intended to preclude construction of an ancillary unit.
- b) Businesses permitted under Nevada County and Town of Truckee residential zoning are the only business or professional activity that may be carried on or conducted upon any portion of the Properties covered by these Restrictions. This paragraph shall not preclude an owner from renting or leasing said dwelling or residence so long as said tenant or lessee does not conduct any prohibited activity on the property.
- c) No guest house, garage, shed, tent, trailer, or temporary structure of any kind shall be erected, constructed, permitted, or maintained on any portion of the Properties prior to commencement of the erection of a principal dwelling. A motor home, trailer, recreational vehicle or other temporary living quarters may be maintained at a construction site, pending approval from the Association during the plan check process. The living unit must be connected to sewer, water and power and shall be in accordance with applicable government laws, ordinances, statues and/or building codes and should not become a nuisance to the neighbors.

Section 1.03 Submittal procedures

- a) The application form, the required fee, and two sets of plans and specifications shall be delivered to Glenshire Devonshire DRC, 15726 Glenshire Drive, Truckee CA 96161. The application form must be signed by the owner certifying that the owner has read, understands and will comply with the requirements as outlined in the DRC Rules and CC&R's, including, but not limited to, the notice requirements as set forth in paragraph (c) below. It is the responsibility of the owner to ensure that the builder complies with all of these requirements.
- b) The DRC shall meet at least once every month to perform its duties. The vote or written consent of a majority of the DRC shall constitute an act by the DRC unless otherwise required by the CC&Rs or this declaration. The DRC shall have 30 days to respond once a complete application is received. In the event the DRC fails to approve, disapprove, or conditionally approve the owners application within thirty (30) days after said plans and specifications and any subsequent data requested by the DRC have been submitted to it, weather conditions permitting, approval will not be required and this Article will be deemed to have been fully complied with.
- c) The owners of lots on the either side of, in front of, and behind a lot on which work is to be done which requires DRC approval shall be entitled to notice of the work to be done before said work is considered for approval by the DRC. This notice shall be accomplished by requiring the owner of the lot on which work is to be done to mail notice of his intention to perform such work to each of the affected neighbors described above within 10 days of the DRC meeting at which that owners' application to conduct such work on his lot is to be considered. As part of the DRC application process, the owner of the lot on which the work is to be done shall certify on his DRC application that he has provided the required notice. Failure of the applicant to provide such notice will result in denial of his DRC application.

- d) If plans are disapproved, the DRC shall indicate the reasons for such disapproval. An owner may appeal to the Board of Directors of the Association in accordance with Section 4.04 of these Rules and Regulations.
- e) An applicant must resubmit modified plans within 90 days from the date of the disapproval letter or appeal hearing, whichever is later, or the application will lapse and all materials will be returned to the owner and the owner's application fee will be forfeited.
- f) The Design Review Committee reserves the right to require approval and compliance for any project that does not meet the DRC rules and guidelines, regardless of when or who did the improvement.

Section 1.04 Plans and Specifications Required

Two complete sets of working drawings, including plot plan, floor plans, elevations and 8 ½ x 11 color digital or color photos of existing site and or structure must be submitted. Photos should show 3 elevations plus any elements of special concern. (See item 4 below) Plans should represent actual construction that will take place on proposed site. Mirror image plans are not acceptable. The name, address, business license number, and telephone number of Contractor or owner/builder should be noted on submitted plans.

a) Plot plan should include:

1. Scale, north arrow, lot dimensions and bearings, and contours at 2-foot intervals.
2. Lot lines, front and side curb lines, easements, edge of pavement of all adjacent streets.
3. Setback lines, including distances from setbacks to buildings. A maximum leave encroachment of 2 feet will be permitted on all setback lines.
4. Location of all trees greater than 10" in diameter, (specifically indicating all trees to be removed with an X) and other natural features such as rock outcrops. Extreme care shall be taken to protect all remaining trees outside of the building footprint and ground cover on the property, to minimize erosion, resulting from cuts, fills and extensive grading beyond building site.
5. Location of water, sewer and gas or propane lines, utility pole and method of service (overhead or underground), with distances from property line.
6. Outline location of adjacent homes or other buildings.
7. Location and size of driveway and sidewalks, and clearly showing the dimensions for the off-street parking area (minimum 700 sq. ft., including the garage), and paving material to be used.
8. Height of all cut and fill banks and proximity to existing trees. Submit a temporary and permanent erosion control plan, including, but not limited to, retaining walls, riprap banks, and proposed vegetation plan. Erosion control and drainage plan must meet the requirements of any existing town, county, state or federal agency.
9. Exterior lighting plan, to comply with CC&R section 6.10 and rule 3.10 locations of lights to be shown on plans and an accompanying example of the type of lights to be used included.

b) Floor plans should include:

1. Net livable square footage (excluding garages, decks, accessory buildings, etc.).
2. Square footage of garage and dimensions of decks, fences and accessory buildings.

c) Elevations should include:

1. Profile grade with floor lines and dimensions.
2. Roof slope or pitch, overhang, materials, grade of materials and color.
3. Shade of stain or paint color for building siding, trim, foundation, deck footing, entrance doors, Garage Doors and all vents. Colors should be soft earth tones on the main body of the house and trim. Foundation, footings and vents must compliment the main body of the house and/or roof color.
4. Window and door material and color.
5. Height in feet of the building. The average height of a home may not exceed 35 feet.

6. All utility panels and PVC vents/piping must be boxed with matching siding. The DRC reserves the right to require boxing/screening for any vent.

d) Photos required with application: 8 ½ x 11 color photograph

1. New House Construction

- a. View of vacant lot from street.
- b. View of vacant lot from rear of lot.
- c. View of vacant lot from each side.

2. Additions/Garages

View of existing structure from front, rear and sides of the property. View from street

3. Fences, berms, decks, sheds & miscellaneous projects

View of front, rear and side of location where improvement will be constructed. View from street.

Section 1.05 Building Areas of Structures, Parking, Setback Lines.

a) Setbacks for any building or permanent structure that shall be erected or permitted on any lots are:

1. 20 feet from the front and rear property lines of any lot (30 feet from street is encouraged)
2. All other setbacks are the same as required by Town of Truckee building codes for residential structures and accessory structures.
3. In all cases, the DRC has final control over placement of the dwelling on the lot, in accordance with the provisions of the Declaration of Protective Restrictions

b) Principle dwelling houses shall have a living area, exclusive of garage, patio, terraces, and porches of 1200 square feet or more.

c) Off street parking (including garage) must be a minimum of 700 square feet of asphalt, concrete or other acceptable solid-stationary material. Additional parking areas of a prepared surface (i.e. gravel, wood chips) may be constructed and maintained by the property owner and must be functional as such. At no time may a parking area become overgrown with vegetation or eroded to bare soil. At no time is "track off" of dirt allowed.

d) At no time after groundwork is complete may parking or driving occur on bare soil.

Section 1.06 Permitted Hours of Construction and Duration of Project

a) When construction of any building has begun, the work thereon must be prosecuted diligently, and must be completed within a period of 24 months from the date of DRC approval.

b) Without prior written consent of the Association, construction activities and equipment maintenance shall take place only between the hours of 7:00 AM and 8:00 PM Monday through Friday and 9:00 AM to 7:00 PM on Saturday, Sunday and Federal holidays. Non-noise generating construction activity, such as interior painting, etc., shall not be subject to these restrictions.

c) Permitted hours of construction and duration of project applies to all homeowners, renters and guests.

Section 1.07 Site Review Requirements

After the DRC has received the plans and specifications, an owner in good standing, with all assessments paid current according to the CC&Rs Article V, Section 5.05(b) & 5.06 (g) may proceed to prepare his site for the required stakeout inspection. A site stakeout inspection will be made prior to the next scheduled DRC meeting.

- a) Property Stakeout: All property corners, easements and side property lines, and building footprint must be identified by an appropriate staking and shall be visible above vegetation or snow when viewed from the street. The tops of these stakes must be flagged by brightly colored ribbon or cloth. The measurements as staked out on the site must be consistent with those shown on the submitted
- b) Lot owners are responsible for locating their property corners.
- c) All trees or groups of trees proposed to be removed must be flagged or encircled with flagging with brightly colored ribbon tires around the trunk. Trees are not to be marked by blazing or painting the trunk.

Section 1.08 Excavation

- a) Provided there are no appeals to the project, excavation may commence 48 hours after plans have been approved by DRC. (See section 4.04 for appeal procedure).
- b) The limit for vehicular access on a building site is to be the area of the intended driveway. Work area and heavy equipment movement is limited to the footprint and an additional 15 surrounding the footprint. Underground utility trenches shall be dug so as to minimize damage to adjacent natural vegetation.
- c) Any grading that exceeds the footprint of submitted plans must be accompanied by a landscape design and must comply with the Town of Truckee erosion control guidelines. All excavation outside the 15 feet project footprint that is not included in the landscape project must be seeded with grass or wild flowers to reduce erosion and dust.
- d) Excavation for landscape projects on a developed lot do not require a permit from the Association with the exception of landscape beams or have a total of less than a 4' total change in elevation.
- e) Excavation or clearing of a vacant lot requires approval from the DRC. This does not preclude clearing associated with defensible space.

Section 1.09 Roofs

Roofing materials must meet aesthetic standards for non-glare, color compatibility with building scheme, substantiality of thickness and similar factors. Other roof materials will be taken into consideration for DRC approval in accordance with all applicable provisions of the Declaration of Protective Restrictions.

- a) All roof material must be approved by the Town of Truckee, DRC and/or Nevada County.
- b) Acceptable material:
 - 1. baked and glazed tiles
 - 2. metal roofing
 - 3. Architectural grade, Class A composition shingles.
- c) Flat top roofs are permitted providing they are compatible with immediate surroundings, and have been engineered to meet the Town of Truckee requirements.
- d) Roof overhang must be a minimum of 12" on all sides. If a roof pitch is less than 5 to 12, the overhang must be a minimum of 18".
- e) Avoid roof designs that shed snow onto front and rear entries of the house and garage entry.
- f) All siding must meet Town of Truckee building specifications.

- g) All exterior metal, including windows, doors, garage doors, flues, flashing, etc., shall be finished and maintained with approved colors, engineered or aged to a non reflective complimentary tone or dressed with wood trim and stained or painted with approved colors. Vinyl finish window, siding and doors are acceptable but are subject to color approval.
- h) All exterior siding and all trim shall be of approved colors and maintained.
- i) Solar Energy Collection: The DRC encourages the utilization of any renewable resource such as solar energy, including green houses.

Section 1.10 Construction Materials, Construction Equipment and Site Condition

- a) Storage of motorized construction equipment used for the approved project, and their accessory parts, may be stored outdoors on any lot where it is being used only on a temporary basis during active construction.
- b) All construction debris, stumps, trees, etc., must be periodically removed from the lot or at the request of the Association.
- c) Temporary storage of building materials is permitted only after DRC approval of plans.
- d) Owner builder/contractor is responsible to clean up all mud, dirt or debris from the lot that is a direct result of the construction process on the same day. This includes but not limited to all employee vehicles, subcontractor vehicles, construction equipment and delivery vehicles.
- e) Temporary toilets, (porta potty) may be kept on site only during active construction under a current GDRA permit.

Section 2.01 Decks, Sheds, Enclosures, Lean-tos, Walkways, Play Structures, Trash Enclosures, Moving Containers, Storage Containers and Screening

Any structure over 120sqft may be defined as an Addition, Carport, Barn, Garage or House. All decks, sheds, Enclosures, Lean-tos, play structures / houses, walkways and screening require approval from the DRC with the following restriction:

- a) Sheds, Enclosures, Lean-tos and play structure limits: One (1) acre parcels may not exceed four (4) units or a total of 480 square feet of area. All other lots may not exceed two (2) units or a total of 240 square feet. This does not include approved barns or detached garages.
- b) Moving and temporary storage containers may be stored on an owner's property for no more than 14 days by any one owner in any given year. No more than two containers shall be present at any one given time. Locations containers may be placed are the same as those for vehicle parking.

Section 2.02 Projects That do Not Need DRC Approval

The following projects do not require DRC approval providing they are built with approved material and in accordance with the DRC rules and regulations:

- a) Decks less that 30 inches in height and within designated building setbacks.
- b) Screening below an existing deck or deck structure. Above deck screening is not to exceed 6 feet in height. Screening may be wood or vinyl lattice, finished nylon or solid siding that matches or compliments the house.
- c) Staircase to or from an existing deck or decks.

- d) Cement brick or wood walkways (less than 10 inches in height).
- e) Temporary green houses less than 120 square feet (from May 1 – November 1).
- f) Trash enclosures that are of an animal resistant construction as approved by TTSD. Colors other than those that match house may be approved by summary approval of the GDRA General Manager.
- g) Any full or partial replacement of any existing structure so long as replacement meets original plans approved by Glenshire's Design Review Committee.
- h) Solid surface walkways, patios or landscaping not exceeding 400 square feet.
- i) Yard art, play and other structures that are less than 6 feet from the ground in height, less than 60 square feet in coverage and less than 3 in quantity.
- j) Clothes line erected in a back or side yard not exceeding 7' height.
- (k) Landscape berms less than 36".

Section 2.03 Fences, Walls, Berms, Hedges, Kennels and Horse Corrals

- a) All fence, wall, and horse corral locations, materials, and heights must be pre-approved by the DRC and built according to the Town of Truckee codes.
- b) An application and plans must be submitted to the DRC including;
 - 1. proposed location in relationship to lot and easement lines and existing structures
 - 2. existing structures
 - 3. drawing or photo of the design style, i.e. solid, split rail, picket, corral
 - 4. description of materials to be used.
 - 5. Photos as required in section 1.04(d)(3)
- c) Location & Height
 - 1. Owners are responsible for having property surveyed and corners of property marked prior to submittal of improvement plans.
 - 2. Fences, walls, or corrals constructed or maintained on easement areas as defined in the CC&R's, require approval from the respective government and/or utility agencies (Town of Truckee, PUD, TSD, etc).
 - 3. The DRC encourages the placement of all fences to be 6 inches inside your property line unless project is a joint neighbor effort.
 - 4. Front or street side fences built in setbacks will have a height of no more than 3 feet unless they are of open fence design. Open fences in front and side street setbacks may be built to 4 feet in height.
 - 5. Back yard fences, walls, and hedges may be constructed to a maximum of six feet in height. The six feet height limit is not to extend past the front or side of the house or garage respectively in a line parallel with any adjacent street.
 - 6. Fences may not be constructed as or construed to be constructed as a spite fence and as being so any approved fences are normally asked to enclose an area or serve a purpose other than as one that could be defined as being placed for spiteful reasons.
 - 7. Fencing adjacent to open space areas should be of a wood-rail or open wire type.

d) Materials & Construction

1. Metal gates and metal fencing are permitted provided that all galvanized metal is painted or coated except as provided by in this section under horse corrals. Chain link fencing will not be approved for any new fence or kennel construction.
2. Exposed Galvanized poles or piping of any kind must be painted or vinyl coated. Wood, galvanized field / no climb fencing, and lattice are ACCEPTABLE materials.
3. All posts wood and pipe must be spaced in Accordance with the load bearing capability of material used.
4. All fences must be framed with post and top and bottom rail.
5. Wood fences that face any street must be constructed entirely in the "good neighbor" style (panels on the exterior) or of an approved open wire type material.
6. Common property line fences are encouraged to alternate each panel in the "good neighbor" style.
7. Privacy slats in existing chain link fences must be approved by the DRC or association staff before installation.

e) Kennels

1. Dog kennels constructed with approved (see section 2.03 (d) 1.) material and less than 120 square feet may be 6 feet in height.

f) Horse Corrals

Galvanized horse corrals are permitted with the following restrictions:

1. Galvanized pipe corrals may not be used for perimeter fencing and are limited to a stall area and one turn out area.

g) Landscape Berms

All landscape berms and mounds will be considered a fence and subject to the same location and height restrictions. Type of seed planting and erosion control will also be part of the approval process. Variances for location and height restrictions may be granted by the DRC on a case-by-case basis.

Section 3.01 Conduct of Association Members

- a) Obnoxious or offensive activity will not be allowed on any property or any portion thereof, nor shall anything be done which shall be or become an annoyance or a nuisance to the neighborhood.
- b) No improper conduct, obscenities, verbal or physical threats by owners, residents, tenants, family and or guests will be tolerated. Actions by any person of any nature, particularly in the common area, which may be dangerous, create a health or safety problem, create a hostile environment, or disturb others are not permitted. These include noise, intoxication, quarreling, harassment, threats, picketing, fighting, offensive or abusive language or rowdy and mischievous behavior.
- c) GDRA Staff members are to be treated in a courteous and considerate manner at all times. No staff member shall be reprimanded, threatened, or harassed in any way by an Owner, his or her residents, tenants, family and or guests.
- d) The Association considers a violation of any of the foregoing rules a serious violation that will subject the violating Owner to immediate disciplinary action. Said disciplinary action shall include possible imposition or a monetary penalty, suspension of voting and or suspension of privileges for use of the common area association facilities.

Section 3.02 Smoking and drug use on Common Areas

Smoking of any type is not allowed on any GDRA Common Areas. The illegal use of prescription or non-prescription drugs is not allowed at any time on GDRA common areas.

Section 3.03 Refuse

- a) All lots shall be clean and orderly. Refuse piles, garbage, obnoxious, or offensive material shall be removed immediately.
- b) Garbage or trash containers shall be visible on collection days only. All such containers shall be protected from vandalism or upset.
- c) Location of oil or propane tanks shall comply with applicable local, state and federal regulations and be screened from view.

Section 3.04 Posting of materials on Common Space

In order to preserve the aesthetics throughout the common area in the community and to inhibit littering within the community any posted materials on property owned by GDRA must have permission prior to posting. The board of Directors, the Design Review Committee or the Association management staff shall determine if items may be posted based upon: Location, duration of time, size, community benefit and any special consideration specific to proposed posting.

Section 3.05 Garage / Yard Sales

- a) Garage / Yard Sales may not exceed more than one weekend in any one month period. Sale must be attended at all times by a person responsible for the event during advertised hours not to be prior to 8:00am or later than 7:00pm.
- b) At the end of the advertised event or three days, whichever occurs first, all items associated with the sale must be removed from a location that would place items in violation of CC&R 6.15, "Storage of Personal Items"
- c) At no time other than during an active Garage / Yard Sale may personal items that include but are not limited to , washers, dryers, refrigerators, exercise equipment, mattresses, bed frames, automotive parts, and others, be left in a visible location with or without a for sale sign.
- d) At anytime personal items left in a visible location, fines may be imposed per item per day until violation is corrected. Pursuant to CC&R Article XIII.

Section 3.06 Defensible Space

- a) No Owner or resident shall permit any condition to exist on his or her Lot, including and without limitation; trash piles, excessive piles of pine needles / tree / yard debris or weeds, which create a fire hazard, is in violation of State or Local Fire Department regulations or is unsightly.
- b) Weeds and grasses shall be maintained to a height of no more than 6" on any lot.
- c) The Burning of organic debris shall be permitted on Lots only in compliance with all local governmental fire safety regulations. Owners are responsible to ensure conditions exist that minimizes the amount of smoke that is produced and that the drift of the smoke has minimum effect on their neighbors.

Section 3.07 Use of Motorized Vehicles

The use of any motorized vehicle(s) is not permitted at anytime on any Association owned property other than designated parking areas. This includes but is not limited to the use of motorbikes, ATV and snowmobiles. Parking areas are limited to currently registered street legal vehicles operated by a licensed driver.

Section 3.08 Vehicle Parking and Storage

All properties are required to have 700 square feet of asphalt surface available for off street parking, which includes the garage. Should the minimum requirement for "off street parking" not be met or if found to be insufficient for the parking and storage of personal and recreational vehicles, the requirement to develop and limit the amount of additional "off street parking" areas will be at the discretion, requirement and guidance of the Association. The guideline for enforcement will be if the amount of vehicles constitutes an "eye sore" while considering their location, operability and appearance to the surrounding neighborhood.

- a) **Vehicle Definition:** All passenger, non commercial vehicles and trailers, including but not limited to all recreational vehicles, such as boats, personal water craft, snowmobiles, motorcycles, airplanes and their respective trailers.
- b) **Vehicle Repair:** Motor vehicle construction, reconstruction, or repairs on the property in view of the street or neighboring properties shall be limited to no more than 14 days in a given month. Work area is to be cleaned up daily while work is in progress.
- c) **Inoperable Vehicle:** Any dilapidated, unlicensed or inoperable vehicle, trailer, boat, airplane, recreational or commercial vehicle, including without limitation, a vehicle without wheels or engine, shall be stored on the property within a fully enclosed area (garage) or fully screened location approved by the DRC (fenced area). Any operable or non-operable vehicle in good physical condition may be stored in a visible location on a suitable surface with a current CA state registration. GDRA has the right to ask for a copy of current registration for any vehicle stored in a visible location.
- d) **Commercial Vehicle and Storage:**
Commercial vehicles over 14,000gvw and their trailers shall be parked within a fully enclosed garage or screened from view using a DRC approved method. On a case-by-case basis, the Board of Directors reserves the right to determine a commercial vehicle.
- e) **Ownership of Vehicles:**
Vehicles, trailers, etc. not owned by GDRA property owners may only be store in an enclosed garage. GDRA reserves the right to ask for registration of vehicles to determine ownership and ask that vehicles not owned by property owners be removed.
- f) **Parking Surfaces:** Additional parking and driving surfaces may be asphalt, compacted gravel / rock, wood chips or other non-bare dirt surface. All areas must be free of weeds, brush and excess storage items. At no time may vehicles be parked or regularly driven on bare dirt or lawn surfaces. Vehicles may not be regularly parked on lawns. The Board of Directors reserves the right to require additional surface material if area becomes a mud/dirt nuisance.
- g) **Parking Locations:** In addition to the garage and driveway, appropriate additional "off-street parking" locations are the back and sides of the house. Back and side yard areas may acceptable on a case-by-case basis, but all areas are subject to screening or surface improvements by the DRC. On a case-by-case basis, the Board of Directors reserves the right to limit the amount of additional parking locations and consolidate multiple parking areas. No vehicle shall be parked in such a manner as to impede or prevent ready access to any other driveway or common area entrance or exit.

- h) **On-Street Parking**: On street parking is not intended for vehicle storage or long-term parking. Enforcement will be addressed under "nuisance" and/or on case-by-case basis.
- i) **Parking on Unimproved Lots**: A vehicle may only be stored or parked on an unimproved lot only if it is screened and/or incorporated into the adjacent developed lot, which has been approved by the Design Review Committee.
- j) **Vehicle Covers**: All tarps and covers for all vehicles must be maintained in good condition. Blue or other bright colored tarps are not allowed.
- k) **Fluid Leaks**: Members must keep their driveways, Common Area, and streets in front of their lots free of fluids such as oil, radiator coolant, brake fluid, power steering fluid, transmission fluids, etc. Members who fail to do so may be fined or may be subject to a reimbursement Assessment for the cost of cleaning the affected areas.
- l) **Variances**: The Board of Directors has the power to grant variances for special circumstances that may or may not be addressed in the above guidelines.

Section 3.09 Animal Raising and Keeping

Pets that may be kept within the properties are those allowed by Glenshire CC&R's and The Town of Truckee's ordinance that pertains to Animal Raising and Keeping provided that:

- a) Pets are of such nature as not to interfere with the safety and comfort of neighboring residents. This includes but is not limited to: unreasonably loud noise, noise at unreasonable hours, trespass and destruction of landscaping or personal property.
- b) Pets are not to be bred or maintained for any commercial purpose.
- c) Any violation of the Town of Truckee's code describing Animal Raising and Keeping can be enforced as a violation of GDRA's rules and regulation. The violation may also result in a formal complaint being filed to the Town of Truckee by GDRA management or board of directors.
- d) Pet owners are responsible for clean up and removal of all fecal matter deposited by their pet on land owned by GDRA. Owners may be fined for violation and charged for clean up.
- e) All Town of Truckee leash laws apply on land owned by GDRA and may be enforced by GDRA, the Town of Truckee Animal Control Department and any government agency with the authority to enforce violations of the law.
- f) Horses may only be kept on lots in unit one that are one acre or larger.

Section 3.10 Signs

No permanent signs of any kind or character including commercial signs shall be permitted on any single residential lot in the Properties, with the following exceptions:

- a) Owner or occupant name and address sign not to exceed 864 square inches.
- b) For Rent or For Sale sign, not to exceed 2 feet by 3 feet in dimension and is not a visual nuisance. Such "For Rent" or "For Sale" signs may only set forth the name, address, and telephone number of the owner or Agent, the offered price if desired, and the fact that the property is "For Sale" or "For Rent" or "For Lease".

Section 3.11 Exterior Lighting

All exterior lighting shall be directed downward and the light source shall be fully shielded with opaque material(s).

Illumination of all exterior lighting shall not exceed property boundaries or become a nuisance to adjacent property owners. All outside lighting, if determined to create light trespass or nuisance may be required to be shielded, relocated or removed.

For the purposes of section the word "light trespass" means being able to see a shadow produced by any one source anywhere on the neighboring property or public right of way.

Section 3.12 Outdoor Antenna/Satellite Dish

The Association follows the guidelines of the Federal Communications Commission. (47 C.F.R. Section 1.4000)

The rule (47 C.F.R. Section 1.4000) has been in effect since October 1996, and it prohibits restrictions that impair the installation, maintenance or use of antennas used to receive video programming. The rule applies to video antennas including direct-to-home satellite dishes that are less than one meter (39.37") in diameter, TV antennas, and wireless cable antennas. The rule prohibits most restrictions that:

- a) unreasonably delay or prevent installation, maintenance or use;
- b) unreasonably increase the cost of installation, maintenance or use; or
- c) preclude reception of an acceptable quality signal.

Forgoing the above stated:

1. Satellite dishes larger than one meter require approval from the DRC and are subject to location and screening requirements.
2. Masts higher than 12 feet above the roofline may be subject to local permitting requirements for safety purposes.
3. Satellite dishes or antennas and not attached to the main body or deck of the house may require screening / painting and can be approved by the Association office or DRC committee.

Section 3.13 Mail Boxes

Mailboxes that are U.S. Postal Service approved and not offensive in nature do not require DRC approval. Location of mailbox is to be determined by the Postal Service. Neither the Association nor the Postal Service is responsible for damage to any mailbox.

- a) Installation must comply materially with the Rules & Regulations.
- b) Moveable/portable mailbox containers must be aesthetically appealing and appropriately stable for all seasons. Containers not acceptable are: plastic/metal construction/paint buckets, plastic/metal landscape shipping buckets.
- c) All mailbox structures must be maintained and repaired.

Section 3.14 Foundations

Foundations must be painted to match the house and / or complement the house color. Exposed foundation walls may be covered with approved stone/rock or similar material that complements the construction and colors of the house.

Section 3.15 Tarps

All visible exterior tarps shall be of a natural or neutral color. Recommended colors include: Camouflage, and brown. Colors not allowed include: Blue, Orange, Red or other bright colors that have sharp contrasts the surroundings or adjoining residences

Section 3.16 Trees

Trees with a trunk larger than 10" in diameter, measured 36" above grade, shall only be removed with prior DRC or GDRA General Manager approval. An application may be required to be submitted for tree removal on all lots, developed or undeveloped. A plot plan showing existing structures, easements and plot lines should be submitted with a cover letter stating reasons for tree removal. Because of Fire and Safety reasons, removal of any tree within ten (10) feet of the house foundation will be grounds for approval. Replacement tree(s), on or off property sight, may be required by the DRC or GDRA staff on a case-by-case basis.

Section 4.01 Variances

Variances, regarding set-back lines, fences and walls, and any provisions defined in the CC&Rs, from these rules and regulations will be considered by the DRC upon receipt of a written request from the owner outlining his specific reasons for the variance request in accordance with the CC&R titled "Variance" No variances may be granted to

rules that are defined in the CC&R's. A variance granted to one individual shall not be considered a precedent for other such requests. Each case will be considered on its own merit.

Section 4.02 Projects Eligible for Expedited Approval

In order to expedite the processing of applications for minor projects or projects designed in accordance with specifications of the Guidelines, the following categories of improvement may be approved pending notification to neighbors, by the Association staff.

- a) Split rail and/or landscape fences less than 4 feet in height.
- b) Owner/Occupant name/address signs larger than 864 square inches.

- c) Sheds/play structures (120 square feet or less), windows, small decks.

- d) Small retaining walls.

- e) Tree removal

Section 4.03 Transferability of DRC Permits

If there is a change in ownership at any time between submittal of the DRC application and commencement of building, the new owner must submit a new application for the issuance of a DRC permit, even though the same plan may be proposed to be used by the new owner. New periods of commencement and completion shall begin with the new approval. Any changes would require a new application, fees and review process.

Section 4.04 Appeal Procedures

- a) By Applicant. In the event that the DRC disapproves or conditions plans and specifications, the lot owner may appeal the decision of said DRC to the Glenshire Devonshire Residents Association Board by filing a petition in writing within ten days after being notified of disapproval or conditioning stating reasons for the appeal. Said Board shall, thereafter, and within thirty days, conduct a review of the matter de novo. The Board shall have an additional thirty days within which to consider the matter and will advise the appellant of its decision within ten days after the expiration of said thirty-day period.
- b) By Neighbor. If the DRC does not render its decision at the meeting at which the neighbor who has made comments is present, then a written notice of that decision shall be posted by the DRC at the Association's Offices. Such neighbor shall be deemed to have received notice of Decision.
 1. at the time of the meeting, if the DRC announced its decision in the neighbor's presence, or
 2. at the time of the posting of the notice. In the event that an affected neighbor objects to a decision of the DRC, such neighbor may appeal the decision of said DRC to the Glenshire Devonshire Resident's Association Board by filing a petition in writing with the General Manager of the Association within 48 hours of actual knowledge of the decision; provided, however, that such neighbor shall not be entitled to appeal the decision unless such neighbor submitted oral or written comments to the DRC at or prior to the first DRC meeting for which the neighbor received notice. The appeal petition shall describe briefly the reason or reasons for the appeal. The Board shall, no sooner than five (5) days and no later than fifteen (15) days thereafter, conduct a review of the matter de novo. The General Manager shall provide the appealing neighbor and the lot owner 72-hour prior posted notice in the manner previously described in these Rules of the Board meeting at which such review shall occur. The Board shall issue a brief written decision and shall post a copy of the decision at the association's offices within five (5) days of such decision. If a neighbor appeals a decision of the DRC, the lot owner shall cease all construction until the Board has rendered a decision.

Section 5.01 Election procedures

Certain aspects of Election procedures in common Interest Developments are required by Civil Code 1363.03 This section is not to preclude the section on voting established in the Glenshire Bylaw or as required by any new or existing laws.

Section 5.02 Equal Access to Association media

- a) Upon nomination to run for the GDRA board of directors all qualified candidates will have access to publish a standard biographical sketch, not to exceed 150 words, in the August addition of the official GDRA news publication at this time known as "The Shire". This may be accompanied by a single photo of the nominee. The layout of the biography and photo shall be chosen by the Association Management and equal to all candidates.
- b) Candidates shall also have one time access to publish the same biographical sketch and photo in an official electronically distributed newsletter. GDRA management has the right to electronically distribute this information a single time, at a time of their choosing, to be the same for all candidates, between the times the candidates are nominated and the annual election.
- c) The content of the candidate's biographical sketch may not be edited or redacted so long as the content is reasonably related to the election and is not in violation of the Associations Conduct rules.

- d) In order for Candidate to have their names printed on the ballot they must have nomination papers filed at the association offices by the Friday proceeding the normally scheduled July GDRA board meeting.

Section 5.03 Candidate access to Association common area

- a) All qualified candidates shall have a single time access of use of the Clubhouse for campaigning purposes at no charge. This is in addition to the "Candidate meeting" normally scheduled in August. Rules and terms of use apply during candidate use of Clubhouse.
- b) Candidates may place no more than 25 campaign signs on GDRA common space during any one election. Signs may not exceed 18"X24" in size. Signs may not be placed more than 45 days preceding an election and must be removed within 15 days after the election. Signs may not interfere with the daily operations of the Association.
- c) Candidates may place one campaign poster, not to exceed 8.5"X 11" in a bulletin board maintained by the Association. Location must be approved by GDRA management staff.

Section 5.04 Campaign funding

As described in CA Civil Code 1363.04 Association funds shall not be used for campaign purposes in connection with any association board election.

Section 5.05 Nomination of Directors

- a) In order to be eligible for nomination and election to the board, the Association secretary must certify that the candidate is a Member is in good standing with the Association and is current in the payment of his or her Assessments, both at the time of nomination and election.
- b) Candidate Qualification & Eligibility: The Board of Directors shall consist of five (5) persons who shall be Owners of Lots who:
 - 1. Must be a property owner of the GDRA Association.
 - 2. Only one Owner per lot or multiple lots may serve on the board at the same time.
 - 3. Owner must be documented on the Grant Deed and own at least 25% of interest.
 - 4. Married couples may not serve on the board at the same time.
 - 5. Property is in compliance.
 - 6. Is not engaged in legal action with the Association.
 - 7. Submitted an Application before designated deadline advertised in "The Shire or Association web site.
 - 8. Member must be in "good standing". "Good Standing" is defined as; all annual assessments, special assessments, fines are paid in full and the member is not subject to any suspension of membership rights based on the above.
- c) Nomination Process: Any member that meets the qualifications stated in section (b) is eligible to run for a vacancy in the annual board of director election.

The Association will announce to membership through association media when applications are available and the deadline to submit an application. The announcement will not be less than 45 days of the deadline to submit for candidacy.

- d) Voting Material: The ballot or proxy is not to be signed by the owner, but is to be placed in the "ballot envelope", which is then seal and placed in the envelope address to the Election Inspector.

If voting owner is concerned about Identity Fraud and does not want to sign the outside of the Election Inspector Envelope, the owner may sign the ballot or proxy and release the Association of any "Secret Ballot" liability. Membership should know ballots will only be viewed by the Election Inspector(s) unless so ordered by legal action.

Section 5.06 Election Recount:

Only the board or candidate may request a recount. In order for a recount to occur the differential between candidates must be twenty (20) votes or less. A \$500 deposit by the candidate must be paid to cover the cost occurred by the inspectors. If the recount changes the outcome of the election the deposit will be refunded in full.

Section 5.07 Selection of Election Inspectors:

The GDRA Board of Directors will appoint one or three election inspectors at an open meeting and prior to the distribution of the ballot material to membership. The Board may appoint the Association manager, Administrative Assistant, legal counsel or the associations CPA or any other party the Association has a contract with providing they are not a board member, nominee, or related to a nominee running for the board. Any accountant retained to perform such services shall have the full powers of an inspector of elections appointed by the Board pursuant to section 7614 of the California Corporations Code.

The voting power of the Association is 1357. The inspectors shall determine the number of voters entitled to vote. One ballot is permitted for each lot owned. Cumulative voting is not allowed. One vote is allowed for each board vacancy or ballot measure. No minimum quorum is required.

- a) Record Date: The record date for members entitled to receive notice of any election, as well as entitled to vote shall be twenty-four (24) hours before the election. It will be the owner's responsibility to provide proof of ownership if the Association has not received documentation from the title company regarding a change in ownership. Any owner who has not paid their annual assessment or is not in "good standing" their ballot will not be counted.
- b) Tabulation of votes: The tabulation and counting of the votes by the inspectors of the election shall be conducted at a properly noticed meeting of the board of directors. No person, including any member of the association shall open or otherwise review any ballot or proxy prior to the time and place at which the ballots are counted and tabulated by the inspectors of the election.

Section 5.08 Member Voting Rights

On each matter submitted to a vote of the Members, whether at a meeting of the membership called and held pursuant to the provisions of the GDRA Bylaws or otherwise, each Member shall be entitled to cast one vote for each Lot owned by such Member. Single memberships in which two or more persons have an indivisible interest shall be voted as provided in the GDRA Bylaws.

Section 5.09 Eligibility to Vote

Only Members in good standing shall be entitled to vote at any membership meeting. In order to be in good standing, a Member must be current in the payment of all assessments levied with respect to the Member's Lot to which the assessment obligation is appurtenant and the Member cannot be subject to a suspension of voting privileges or other disciplinary measure (such as a suspension of rights to use recreation amenities) as a result of any disciplinary proceeding. The Association shall not be obligated to conduct a hearing in order to suspend a Member's voting privileges on the basis of the nonpayment of assessments, although a delinquent Member shall be entitled to request such a hearing in accordance with the Declaration. When a person owns more than one Lot within the Properties, that person's eligibility to vote may be suspended as to any Lot for which assessments are delinquent, however the right to vote memberships appurtenant to Lots that are not delinquent shall continue. In addition, an Owner who is

delinquent as to some Lots owned may be suspended from all use of recreational Common Facilities until the delinquencies are cured, even if the same Owner is current in the payment of assessments on other Lots.

Section 6.01 Severability

Invalidation of any one, or any part, of these rules and regulations shall in no way affect any other provisions, which shall remain in full force and effect.

Section 6.02 Enforcement and Attorney's Fees

Enforcement of GDRA's Covenants and Restrictions and rules and regulations shall be by any proceeding law or in equity to restrain violation and/or to recover damages, and/or applicable fines and to enforce any lien. In the event an action is maintained to enforce any of the deed restrictions or rules provided herein, a person found in violation thereof, shall be required to pay such sums as the court may fix as reasonable attorney's fees and costs. The Board of Directors is authorized to impose a fine or penalty (see schedule) in an amount based upon but not limited to the damage schedule. The fine may include the amount expended by the Association including administrative costs and attorney's fees, in bringing the owner's lot into compliance.

In cases of egregious violations or violations that have not been resolved in a reasonable period of time, (as defined by the GDRA board of Directors) fine amounts may exceed the amounts listed in the damage schedule.

The Bylaws stipulate that the rights of membership are subject to compliance with the Rules as adopted and amended from time to time, including rules requiring that each member maintain his lot and all improvements thereon in good condition and repair.

If Rules, the CC&R's and/or Bylaws are violated, the member is entitled to a hearing before the Board of Directors prior to suspension of membership rights. Membership rights would be suspended for the period from hearing date until correction of subject violation. (See Article XIII of the Bylaws.)

Section 6.03 Limitation on Liability and Non-Waiver

Neither the Association, the DRC, the Board of Directors of the Association, the Manager, the Assistant Manager, Association staff nor any member thereof shall be liable to any persons or entities for any damage, injuries, loss or prejudice suffered or claimed on account of:

- a) The approval or rejection of, or the failure to approve or reject any plans, drawings, or specifications, whether or not defective.
- b) Construction or performance of any improvement project, whether or not pursuant to approved plans, drawings or specifications.
- c) The development of any Lot within the properties.
- d) The execution of a compliance certificate pursuant to Article V Section 5.14 of the CC&R's.

The approval of the DRC of any plans, drawings, or specifications for any work done or proposed, or in connections with any other matter, shall not be deemed to constitute a waiver of any right to withhold approval as to any similar plan, drawing, specification, or matter. Failure by the DRC to enforce any Covenant or Restriction or any rule or regulation shall in no event be deemed a waiver of the right to do so thereafter.

In no way does the Design Review approval process eliminate the requirement of obtaining a building permit from the Town of Truckee and/or the County of Nevada.

Section 6.04 Final Note

It is the responsibility of all lot owners or potential lot owners to obtain a copy of the Subdivision Covenants, Conditions, and Restrictions, and such persons may contact the Association for additional information or to answer questions. Please write:

Glenshire Devonshire Design Review Committee
 15726 Glenshire Drive
 Truckee CA 96161
 Or call the Office at: (530) 587-6202

GLENSHIRE DEVONSHIRE RESIDENTS ASSOCIATION
DRC BUILDING PLAN CHECK FEE SCHEDULE

| <u>PLAN CHECK FEES:</u> | FEE | DEPOSIT | TOTAL |
|--|---------------------------------|----------------|--------------|
| House | \$ 400 | \$ 1,000 | \$ 1,400 |
| Garage/Addition/Barn/Carport | \$ 250 | \$ 1,000 | \$ 1,250 |
| Sheds, structures over 120sq.ft. | | | |
| Sheds& structures (up to 120 sq. ft.) | \$ 50 | \$ 100 | \$ 150 |
| Fences/Decks/Kennels | \$ 50 | \$ 100 | \$ 150 |
| Miscellaneous | \$ 50 | \$ 100 | \$ 150 |
| Permit Extension* (project must be started) | \$ 100 | | |
| Re-Inspections | \$ 25 | | |
| Tree removal | \$ 50 | \$ 100 | \$ 150 |
| Non-Compliant Work Sites | up to \$50 per incident per day | | |
| Submission for variance | \$ 50 | | \$ 50 |

Improvement Fee/Deposit/Permit Extension Policy

Improvement fee includes administration processing, one preliminary site inspection and one final site inspection. Additional onsite inspections will be a \$25 charge and deducted from the deposit.

***PERMIT EXTENSION: A Onetime extension may be granted for one year providing the project has been started. CC&R 5.09 If project has not been started the applicant must resubmit and pay the current administration fee. The Deposit will be not be forfeited.**

If fines or damages exceed the sum of the deposit the property owner is responsible for all additional costs or fines. The financial responsibility for all charges and/or fines is not limited to the deposit amount.

Approvals of projects are contingent on the entire property being in compliance with Glenshire's CC&R's and rules.