

Design Review Guidelines

for

MILL IRON ESTATES

11-3-17

A subdivision of Crook County, Oregon

The Mill Iron Estates Design Review Board (“DRB”) adopts the following Design Review Guidelines pursuant to Article 6 of the recorded Covenants, Conditions and Restrictions for Mill Iron Estates (the “CCR’s”). Terms not expressly defined herein shall have the meaning prescribed in the CCR’s. Owners are advised to review the CC&R’s (Section 6) for the rules governing the DRB.

ARTICLE 1

Fees/Deposits/DRB Discretion

1. Initial Review Fee. An Owner shall submit an initial review fee of \$300 in connection with any proposal that is submitted to the DRB for review (the “Initial Review Fee”). The Initial Review Fee shall be retained by the DRB and shall be entirely non-refundable to the Owner.
2. Completion Deposit. In connection with any proposal to the DRB, each Owner shall submit a \$1,000 deposit (the “Completion Deposit”) to the DRB to insure the Owner complies with all terms and conditions of the DRB decision, these Design Guidelines and the CC&R’s. The Completion Deposit shall be retained by the DRB through permitting, construction and final clean-up of the building site. The Completion Deposit shall insure the Owner cleans up, repairs and restores its Lot, any lot frontage and/or any damage to community amenities and/or roadways caused through the construction process. The DRB shall be authorized to utilize the Completion Deposit, or any portion thereof, to clean up and or repair and damage caused in connection with the construction process. Any remaining portions of the Completion Deposit, not utilized by the DRB, shall be returned by the DRB after it has inspected the completed Owner project site. The Completion Deposit may also be utilized by the DRB to install any required landscaping not installed by the Owner.
3. The DRB, in its sole and absolute discretion, may withhold its consent with respect to any specific improvement proposal if the DRB finds a proposal to be inappropriate for the particular lot or incompatible with the quality and design standards of Mill Iron Estates. In its

evaluation of a proposal, the DRB will consider color, design, views, effect on other lots and any other factor or issue of concern to the DRB.

ARTICLE 2

Required Plans/Approval Standards

An Owner or applicant must submit all of the following materials to the DRB in connection with its review of any proposal to construct an improvement within Mill Iron Estates. Submissions are subject to any approval standards provided in this Article 2. Each submission must include two full sets of the following information (with one plan set returned to the applicant following completion of the DRB review):

1. **Topographical site plan** prepared and signed by a licensed surveyor or architect. The scale of the site plan shall be a minimum 1 inch equals ten-feet. At a minimum, the site plan shall include the following:

Site Plan Submittal:

- Property boundaries
- Building envelope showing home placement on lot. Building envelope is to be approved by DRB to maximize views from all lots.
- Topography of the site sufficient to satisfy local government ordinances, minimum of 1' interval height changes noted
- Dimensioned location of the building(s) in relation to boundaries
- Walkways and decks
- Foundations
- Driveways and parking areas
- Proposed underground utilities (including propane tanks and lines)
- Water lines
- Septic and drain field placement measurements from house and property lines.
- Barns and corrals if any.
- Height limitation 30' to the height of the ridge and or the local building codes.

2. **Building elevations.** Four elevations of the proposed structures (all sides) at a scale of $\frac{1}{4}''=1'$ shall be provided showing the elevations of the proposed improvements(s), reflecting definition and character (Basic box shaped elevations will not be accepted). A floor plan showing living square footage. The drawings will need to show the following:
 - call out siding type and location (minimum of 2 styles)
 - masonry/stucco
 - roofing style and color (sample or brochure showing color choice)
 - Railings detail on decks or exterior stairs
 - Exterior trim including style of exterior window & door trim or any other exterior trim detail. Belly bands are preferred
 - Elevations must match topographical plan and note heights of roof lines.
 - Location of exterior lights

3. **Dwelling size.** All dwellings and other buildings shall be constructed on site and in accordance with the building requirements of the State of Oregon and Crook County. Home sizes in Mill Iron will be 1,800 square foot minimum. Some exceptions will be made for this if approved at DRB's discretion. The calculation of home size/square footage does not include open porches, patios, breezeways, garages, carports and other non-living space.

4. **Floor Plans.** Submit floor plans at a scale of $\frac{1}{4}''=1'$ showing livable square footage.

5. **House Design Originality.** Duplication of a house design within Mill Iron Estates will be allowed only with a minimum of 3 lot separation in any direction. With a total home duplication of 4 homes in the entire subdivision (all planned phases 1 through 3).

6. **Landscaping Plan** should consist of dimensions of lot showing areas to be landscaped. Landscaping to show specific placement of trees and their height & type. 20' maximum

tree height. Any swale or berm over 2' must be noted. Landscaping must be completed within 1 year of certificate of occupancy.

7. **Lighting.** Lighting styles and locations shall be approved by the DRB.

8. **Paint options** Exterior paint colors shall be neutral or subdued in muted earth tones, and require DRB approval. Sample color sheets must be turned in with each application showing paint colors and how they will be used on the structure.

9. **Property Views** will be considered in reviewing new building or structure.

10. Review, Response and Appeal Procedure.

- If the plan application is “Approved-with Conditions” the Owner/Applicant must respond to the Mill Iron Estates DRB review conditions in writing prior to any excavation work being done on the site regarding condition compliance. If there are specific areas of concern, the Owner/Applicant may be required to provide further information to the DRB to discuss any issues prior to beginning construction. The DRB has the right to require and Owner/Applicant to make modifications to its architectural plans to insure compliance with the CC&R's and these Design Guidelines.
- Construction may begin after all issues (if any) are resolved and final approval is issued by the DRB.
- Outstanding issues or items which are subject to DRB approval hereunder and are missing from the original submittal (paint colors, drawings or catalog cuts of light fixtures, etc.) must be provided for review by the DRB prior to the start of construction of those items. It is preferred that everything be submitted at the same time.
- A completed revised plan must be submitted for review and approval prior to execution of any such work.

ARTICLE 3

DEVELOPMENT RULES AND DESIGN GUIDELINES

1. Utilities and services

- Electric power: Central Electric
- Telephone: CenturyLink
- Sewer services: Approved septic system approved in writing from Crook County Health authorities. No cesspools or outside toilets shall be permitted.
- Water services: Avion
- Service connections provision. Conduit has been extended to the property boundaries of each home site for power, phone & water. All services connections on the Lots of Mill Iron Estates shall be placed underground.
- Propane tanks to be placed underground or, if placed above ground, location must be screened from adjoining properties and roadways. The location of propane tanks must be shown on site plan submitted to the DRB. The DRB shall approve location and screening of any above ground tanks.

2. **Utility Meters.** All utility meters (gas and electric) shall be installed according to the guidelines available from the utility companies. The gas meter and the electric meter housing must conform to all applicable electrical and plumbing codes. Water and sewer hookups must be approved by the appropriate inspectors. All areas of excavation for site utility work must be restored.

3. Accessory Building/structures.

- Only buildings to be used as temporary construction shelter (not as a dwelling) may be placed on a home site prior to construction of the main residence.
- Structures such as doghouses, tool sheds, and wood storage, areas need to be designed as part of the residence.
- Besides the primary dwelling two detached buildings per lot shall be allowed, provided only one building is utilized as a dwelling. The buildings shall be of the same or similar architectural style including

siding, roofing and blends with the natural surroundings. Detached building height shall not exceed 30' and out buildings must be proportional to residential home. Size may be restricted by DRB. One additional shed under 100 sq ft with style and color to blend with the house would be allowed in addition to your 2 permanent structures above.

4. **Adjacent Private Property.** Adjacent property means property which borders the lot in question. Adjacent property may not be used for access to any construction site under any circumstances. Adjacent property also may not be used as a parking lot or for the storage or staging of construction materials or construction debris by any contractor or subcontractor working on the home site.

- It will be imperative to keep adjacent property free of construction litter.

5. **Animal Runs, Animal Restraint Areas and Dog Houses.** All animal runs and animal restraint areas shall be situated on a lot so that their appearance is minimized from view of roadways and neighboring lots. Landscaping and or fencing for screening must be approved by the DRB. When allowed, the doghouses must be painted a color to blend or match the owner's home. Pets are to be restrained by leash whenever outside the owner's property. Owners must clean up after the pets in all common areas, including streets, margins, round-a-bout, bus stop and postal area. Failure to comply with these pet restrictions will result in a fine designated by the HOA.

6. **Community Water System.** Avion is the water source and their rules will apply.

7. **Construction Period.** No more than twelve (12) months construction time shall elapse for the completion of a permanent dwelling once construction has begun. All buildings or structures shall be completed, and the exterior thereof shall be finished within one (1) year of the time that construction is commenced. No dwelling shall be occupied until such time as the exterior shall have been completed and Crook County has given final inspection. No temporary dwelling may be used to live in on the lot during construction.

8. **Corner lot Development.** Improvements built on lots which are adjacent to perpendicular streets or a street and alleyway shall be designed and constructed in such a manner as to create architectural features of interest on the respective building, elevations, fencing and landscaping which face each street or alley.
9. **Chimneys.** All exterior chimneys must be wood, stone or brick and any metal flu or shroud must be painted to match the house. All visible metal (including metal chimneys within the flue shrouds) must be painted to blend with roof or wood chimney colors. All chimneys constructed of wood, composite product or metal pieces must be painted or stained to match the house color.
10. **Decks, Porches, and Deck/porch Skirting.** Decks and patios must have foundation stem walls or framed skirt walls to match the house siding. The skirting below all decks and / or porches shall be designed to alleviate the appearance of massive under deck/porch walls. Deck/porch skirting should be made of the same materials as the home and be applied in the same direction, unless otherwise approved by the DRB.
11. **Driveways.** All driveways shall be designed in compliance with DRB rules and regulations. Driveway widths shall be kept to one car width (8' minimum and 14' maximum). Driveway material shall be asphalt, concrete, masonry, or $\frac{3}{4}$ minus Gravel. No driveways or parking areas of asphalt, concrete or pavers of any kind are permitted closer than 15' to any side of property line without DRB approval. Cinders are not acceptable. Gravel pads around house or shop/barn must be kept weed free. Gravel must be kept current so as not to create excess dust and must be approved by the DRB. All native ground that is disturbed is to be shown on site plan. Large overhead drive through entry ways will not be allowed.
12. **Excavation.** Each home site shall be developed with minimal modification of the existing topography as practicable. All dirt and debris resulting from excavation must be incorporated in the landscape or removed from the site. All areas disturbed during construction must be restored to their original appearance or in accordance with an approved landscape plan.

13. Exterior lighting. All exterior lighting shall meet applicable requirements and codes. The object is to eliminate glare, upward light, and annoyance to adjacent property owners.

- Location of all exterior lighting must be submitted with initial construction or alteration submittals. Catalog cuts or drawings must be provided for review and approval.
- All exterior lighting on the home is to have a maximum of 60 Watts and be approved by DRB. Colored light sources are prohibited.
- Exterior wall mounted flood lights must be shrouded or directed so as not to direct light towards a neighboring property. Flood lights are to only be used as needed and cannot stay on for extended periods of time. All exterior lighting must have DRB approval.
- From the Thanksgiving weekend through January, a variance is granted for the use of exterior decorative lights.

14. Exterior Walls and Trims. Exterior material treatment used on the building walls shall be continuous and consistent on all elevations for a residence in order to achieve a uniform and complete design and to avoid a “veneer” look. All exterior trim and fascia must be of cedar or better with no substitutes unless received approval by DRB. Exterior siding material must be carried down to within eight inches of grade and slope, or stepped. No excessive amounts of exposed foundation are permitted. T1-11 type siding and single wall construction is not allowed. The following materials are suggested for use on exterior walls and trims; subject to approval by the DRB:

- Wood (treated with semi-transparent or solid body stains and paints)
- Lap and cement based siding materials
- Board and batten type siding
- Brick, natural and cultured stone
- Textured masonry block units
- Stucco and synthetic stucco

- Steel or tin siding is not allowed on homes as the main wall siding. It can be used for accent walls or roofs.
- Out Buildings can be sided and roofed with metal wall panel but must similarly match the home.

15. **Fencing.** There is only one type of fencing allowed along Mill Iron Circle, Dally lane, Yates Road, Riggs Road in Mill Iron Estates. The allowed fence at the above road frontage locations is 6x6 pt posts @ 8' o/c with 3 -2x8 pt rails evenly spaced. Rails are to be on opposite side of post as the road way. Fence is to remain unstained or painted. This road frontage fence is also required to turn into your driveway 20' min.

- Road frontage fence is to be as specified above.
- On the interior of the property at all locations not specified above any type of fence will be allowed except for the use of Metal "T" posts, Barbwire. The use of monofilament line or electric fences for the protection of any part of the landscape area, individual beds or along property perimeters is prohibited.
- Dog runs are subject to approval by DRB.
- It will be allowed to install heavy gauge metal mesh fence on the interior side of the required road frontage fence if desired.
- Fences are not a requirement.

16. **Fire Protection.** All dwelling owners must comply with the laws of the State of Oregon, County of Crook, as to fire protection.

17. **Firewood.** Firewood must be neatly stacked.

18. **Garages and Carports.** Garage/carports shall reflect and relate to the design of the residence. Carports shall be enclosed to provide screening of autos from neighboring views and roadways. When the garage stalls face the street, and there are more than two stalls, the additional stalls must be recessed back at least 2 feet. Garages may be attached to or separated from the dwelling.

19. Garbage and Trash.

- No lot shall be used or maintained as a dumping ground for rubbish.
- No garbage or refuse may be buried upon the premises.
- Construction Phase: Owners are responsible for their own garbage and trash removal during and after construction. Construction sites must be kept clean from trash and debris daily, with weekly haul away if not all fully contained in trash receptacles.
- Post Construction Phase: Trash cans must be stored in an area that is not visible from the street, alleyway or adjoining home sites.
- Burning or dumping of garbage, landscape debris or trash anywhere in Mill Iron Estates subdivision is prohibited. Use of burning barrels is limited as provided in applicable DRB rules, Crook County criteria and applicable fire regulations.

20. Gutters and Down spouts. All gutters and down spouts shall be designed as a continuous architectural design feature. Exposed gutters and down spouts shall be colored or painted to blend in with the surface to which they are attached.

21. Heating and Cooling Systems. All exterior elements of heating and/or cooling systems must be screened from the view of neighboring property and roadways. Heat pump exterior elements must be screened with the siding that matches the residence. All exhaust and duct work on roof must be painted to match roofing.

22. Landscaping.

- A landscaping plan must be submitted for review by the DRB prior to site construction.
- Landscape to be completed 1 year from receiving the certificate of occupancy.

- All home sites shall be constructed and maintained in such a way as to present a neat and pleasing appearance from all off-property vantage points (roadways and other home sites). To minimize fire danger in the area, minimize weed and windblown dust owners must remove dead plant material and refuse from the site in a timely manner.

23. **Animals.** Animals shall be permitted within Mill Iron Estates subject to the limitations and requirements of this section. No commercial livestock operations shall be allowed in Mill Iron Estates and no livestock shall be raised for commercial purposes. An owner may raise animals for 4-H or FFA (Future Farmers of America) programs provided such use is restricted to one animal per year for each individual child. Up to 4 grazing animals, and 10 chickens, but no roosters will be allowed permanently per lot outside the 4H and FFA variance. Any fences, pens, corrals or other animal enclosures shall be of sufficient height and strength to retain the intended animals. All pens, barns, corrals, animal enclosures, tack rooms and feed storage structures shall be built to match and blend with the Owner's Home and shall be approved by the DRB. Additional screening and/or landscaping may be required as mandated by the DRB. All grazing animals shall be kept and retained in pre-approved (by the DRB) runs or corrals so as to preserve natural vegetation and to minimize dust impacts on surrounding Lots. All fencing and corrals shall be designed and approved by the DRB under applicable fencing standards. All allowed animals must be kept in pre-approved runs or corrals to try to preserve the natural vegetation and so as not to graze the land to dust. Exterior corrals are not to exceed 6,000 square feet. Lot owners will be responsible to control the dust created from activities on their lot. Each Owner shall provide for the regular pick-up and disposal of horse and/or other animal waste so as to minimize or eliminate the impact of animal odors on other Lots within Mill Iron Estates. Owners whose animals cause damage to other Owners' Lots or personal property shall reimburse such other Owners for reasonable costs actually incurred by such other Owners in repairing such damage. Owner's shall ensure that all dogs are leashed when on the Property and outside of such Owner's Lot. An Owner may be required to remove an animal on the receipt of the third notice in writing from the Board of a violation of any rule, regulation, or restriction governing animals within the Property.

24. Mailboxes, Newspaper Receptacles. Group mailboxes and all newspaper receptacles, will be located on the designed right-of-way at the entrance round-a-bout and installed by the developer.

25. Street Addresses Marker. All address markers in Mill Iron Estates must be 6x6 pt post 4' tall with a 45 degree sloped cut on top with the county metal address marker bolted to the post. Top of the address marker should be 4" below the short point of the miter cut. This post and address marker will be at the home owners expense. If you have a fence on your property it can be mounted to the fence post. The intent is for them all to be the same.

26. Maintenance of Property. Each Owner shall be responsible for maintenance of his/her Lot in a clean, sanitary and attractive condition and shall keep free from rubbish and litter and maintain such Lot as not to create a fire hazard. Each Owner shall be responsible to repair and adequately paint, stain or otherwise finish all improvements located on their lot. Landscaping must be maintained in attractive condition and areas with natural landscaping must be kept free of weeds.

27. Masonry products used on homes must wrap around corners minimum of 16". When masonry is used on walls it must be extended to below grade levels so as to appear that it is structural.

28. Metals and Plastics. All exterior metals or plastics (vents, flashing, etc.) must be painted to blend in with surrounding materials. The exception would be approved metals used as a decorative feature, such as copper, oxidized metals, etc.

29. Mobile, manufactured or modular homes. No single, double, or triple wide trailers, manufactured homes or modular homes shall be allowed.

30.Oil and Mining Operations. No part of the property shall be used for the purpose of exploring for, taking thereof or producing there from gas, oil or other hydrocarbon substances.

31.Outdoor Play Equipment. Colors and textures shall be harmonious with landscape guidelines. Painting or staining to blend with the natural surroundings is recommended and thoughtful use of landscaping to screen from adjoining properties is appreciated.

32. Parking and screening. Rules pertaining to parking and screening of vehicles are provided in Section 4.8 of the CC&R's.

33. Roofs. Slate and concrete tile, concrete and wood-simulated shakes, and layered fiberglass or composition roofing with at least a 240 lb shingle are considered as acceptable roofing applications for Mill Iron Estates. Wood shakes and wood roof shingles are discouraged and subject to approval. Roofing applications will be reviewed on an individual home/home site basis. Even though the product is approved, some colors may not be permitted on homes in Mill Iron Estates. Dwellings shall have a minimum of (5) roof planes at the discretion of DRB. All roof penetrations must be painted to match the roof colors with exceptions to the chimney.

34. Service Yards. When not provided by other structures, each residence shall have a screened service yard enclosing garbage and trash containers, firewood, clothes drying apparatus, bicycles, landscape debris and outdoor maintenance and dog house or run. Service yards must be attached to the home or garage and gated to screen the areas from view of other home sites and roadways.

35. Setbacks. From the main road each home site must sit back a minimum of (75') seventy-five feet. Any exception to this rule must be approved by the DRC.

36. Staging area. Each construction approval submitted must designate at least one staging area for a home site, subject to approval by the DRB. Each staging and

construction area must be kept cleared weekly of trash, debris, dust, and odor causing items or substances.

37. **Subdividing Lots.** Once platted No lots shall be re-subdivided except for the purpose of combining two (2) or more lots into one (1) home site providing that no additional or smaller lot is created thereby.
38. **Tarps and other weather protective Materials.** Tarps used for covering firewood or other usage and which are visible from roadways and other home sites must be brown in color. Orange or blue tarps will not be permitted.
39. **View Preservation.** Construction or installation of improvements and/or growth of owner-planted vegetation on a home site shall not reasonable impair the view of other home site owners, as planted or when mature. The DRB, in its discretion, shall be the sole judge of such impairment. Lots 12, 13, 14, and 15 have specific zone areas of height restrictions as depicted on the Plat.
- If an owner perceives that his view is being impaired by vegetation, whether native vegetation or vegetation placed by the homeowner, the following procedure will take place:
 1. Complainant Owner (Complainant) shall submit a written complaint and the requested remedy to the DRB.
 2. The DRB committee will decide if Mountain View is being unreasonably impaired and will rule accordingly. If height restriction has been violated on lots 12, 13, 14, and 15 the violator must either meet the height restriction by pruning, or removing, or pay the expense to have this restriction corrected.
 3. This decision may be appealed to the Association in accordance with procedures provided in the CC&R's.