

VIRGINIA CITY HIGHLANDS PROPERTY OWNERS ASSOCIATION

Unit 1

ARCHITECTURAL GUIDELINES

These guidelines shall supersede all previous documents and shall apply to any and all Improvements from the date set forth below.

February 11, 2020

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I. **GENERAL**

Property in the Virginia City Highlands Unit 1 is subject to recorded subdivision restrictions and/or individual deed restrictions, as well as Storey County zoning ordinances. These restrictions provide that the design for any building or for any improvements, storage shed, fence, wall or other structure whatsoever to be erected on or moved upon or to any lot, and the proposed location thereof on any lot or lots, the roofs thereof, any later changes or additions thereto after initial approval thereof, and any remodeling, reconstruction, alterations, or additions to any building or other structure on any lot (herein collectively referred to as "Improvements") shall be subject to these Guidelines and shall require the approval in writing, before any such work is commenced, of the Architectural Control and Planning Committee (herein referred to as "the Committee"), as the same is from time to time composed.

If you are contemplating construction in the Highlands, it is strongly suggested that you first contact the Storey County Building Department and obtain the current local and state regulations regarding well and septic system permits as well as current building regulations, other necessary permits and related fee schedules. The Building Department's current address and telephone number are:

Storey County Building Department
PO Box 526
Virginia City, Nevada 89440
(775) 847-0966

The Board of Directors of the Virginia City Highlands Property Owners' Association (herein referred to as "the Board") and the Committee strongly discourage the scheduling of construction activities between the months of November and April. Winter road conditions may result in the inaccessibility of lots to construction contractor personnel, construction equipment and construction supplies deliveries.

II. PROCEDURE FOR PLAN SUBMISSION OR APPEAL

A. MEETING TIME AND LOCATION

The Committee generally meets at 6:30 pm on the first Tuesday of each month at the Virginia City Highlands Fire Station located east of the intersection of Lousetown and Cartwright Roads (herein referred to as "the Meeting.") The date and time of the meeting may from time to time be changed. Current meeting information is available on the VCHPOA website at: www.virginiacityhighlands.com.

B. COMMITTEE REVIEW PROCESS

1. The Committee meets monthly or as warranted by the number of submittals received, to review proposed projects. All plans must be reviewed for approval in person at the meetings only. No online/electronic submissions are permitted. Before any Improvements are commenced, approval in writing by the Committee is required.
2. Proposed Improvements are reviewed to determine compliance with these Guidelines. Plans of Improvements must be brought to the Meeting by the property owner or the agent thereof. Any active Committee member involved in any way with planned improvements submitted must abstain from voting on said submittal.
3. The following shall be submitted to the Committee:
 - a. A minimum of two (2) complete sets of planned improvements, both of which are to be printed on 8 ½" x 11" paper. One (1) set will be signed and returned to the party submitting the planned improvements.
 - b. Each set of planned improvements shall include as a minimum the following:
 - 1) A plot plan showing the following:
 - a) Location of the structure(s) on the lot(s), setbacks from the front, sides, and rear.
 - b) Location of all planned improvements proposed to be constructed, altered, placed, or maintained on the lot(s).
 - c) Side views, end views, and roof pitches of all the structure(s).
 - 2) Each sheet shall show at a minimum the owners' name, the physical street address where the construction shall take place, the lot number and the block number.
 - 3) Floor plans for residences and additions to residences shall indicate total living area square footage. Plans for barns, detached garages, and outbuildings shall show the square footage of each such improvement. Outbuildings will be considered for approval only after the residence has been completed.
 - 4) Brochures showing or samples of exterior colors and siding or roofing materials must be provided for approval.

4. The Committee shall, within thirty-one (31) days of the submission of planned Improvements, return the plans either with a signed approval form or with a listing of required modifications, conditions, or necessary clarifications (if any).
5. It is the owners' responsibility to submit planned improvements to the Committee that adhere to these Guidelines. Considerable time can be saved and confusion and misunderstandings avoided if the planned improvements are checked against these Guidelines prior to submittal.
6. The Committee shall have the right, after giving reasonable notice, to inspect any improvements placed upon any lot.

C. Decisions and Appeals

The Committee shall have the right, at its sole discretion, to disapprove any planned improvements submitted in the event such plans are not in accordance with the provisions of the CC&R's or these Guidelines, if the exterior design and/or colors of the proposed Improvements are not in harmony with the general surroundings of such lot(s) or with adjacent Improvements. If the plans submitted are incomplete, or in the event the Committee deems any part of the planned improvements to be contrary to the interests, welfare or rights of all or any part of the real property subject thereto, or the owners thereof. The decisions of the Committee may be appealed in writing to the Board.

III. GUIDELINES

A. SPECIFICATIONS - GENERAL

1. Every residence constructed on the lot(s) shall contain a minimum of 1,200 square feet, measured from the outside of the exterior walls. Garages, decks and sun porches, shall not be considered in calculating the 1,200 square feet.
2. Each lot shall have the following setbacks:
FRONT: Thirty (30) feet from the front line of each lot fronting on a publicly dedicated road or **Thirty (30) feet** from the easement line for lots fronting private roads on which road or utility easements are imposed.
SIDES: Fifteen (15) feet from each lot side line.
REAR: Forty (40) feet from the rear line of each lot.
Such Setbacks shall apply to the exterior perimeter of the contiguous and adjacent lots when such lots have been consolidated into one (1) parcel.
3. These setbacks shall limit the extent of the portion of such lot upon which any structure may be constructed without a variance. For purposes of determining the rear line of each lot, the shortest road frontage on a corner lot shall be deemed the front. Corner lots shall be reviewed in a case-by-case basis.
4. Every building, dwelling, or other improvement on which the construction or placement has begun on any lot (s) shall be completed within twelve (12) months after receiving the Committee approval. Extensions may be granted upon the request by the homeowner and approval by the Committee.
5. All structures constructed on any lot(s) shall be constructed on site with a substantial quantity of new material. No structures shall be relocated or placed on any lot

without prior Committee written approval. No Modular or Manufactured Homes are permitted.

6. No residence shall be occupied until: (1) the residence has been completed in accordance with its approved plan, and (2) A Certificate of Occupancy has been obtained from the Storey County Building Department.
7. No live trees in excess of four (4) inches in diameter shall be removed from any lot without first obtaining the written consent of the Committee, with the exception of trees that are within thirty (30) feet of the footprint of an approved structure. Trimming of Pinion trees from March through October is discouraged to minimize the probability of beetle infestation.
 - a. Defensible Space: All trees and brush within a 30 foot radius of the building area must be trimmed to a minimum of four (4) feet from the ground.
 - b. Lot Preparation and Condition: Trees and brush that are removed from the building area and the 30 foot defensible space area must be removed from the subject parcel within 10 days from clearing said trees and brush. This is required not only to protect the adjoining trees from the spread of bark beetles but to reduce the fire fuel in the area.
8. Duplication of plans is discouraged. In not even shall the same plan (regardless of exterior treatment and/or reversal of layout) be approved within 2,500 feet radius of the proposed building lot.
9. Storey County governs the allowance of living in a travel trailer or motor home that is connected to permanent well and septic during the construction of a residence. Storey County requires a permit and fee for such requests. Contact Storey County Building Department for more information.
10. Once plans have been approved, any changes to approved plans, i.e., roof type, paint color, siding, etc., should be resubmitted to the Committee for approval at their next meeting before moving forward.

B. ARCHITECTURAL STYLE

1. The exterior design and building materials used for all improvements must be in harmony with the western Nevada mountainous terrain. Styles allowed shall include: log cabin, mountain, ranch, barn/gambrel, A-frame, chalet, and Spanish Style homes. Alternative home styles shall be considered on a case-by-case basis.
2. Foundations exposed more than two (2) feet shall be finished in such a way as to blend with the surrounding area or the home exterior.
3. All roofing materials must be Class "A" fire rated, in earth tone colors of brown, black tan, green, or copper.

C. EXTERIOR MATERIALS

1. Exterior siding materials permitted shall include:
 - a. Fire resistant building materials such as: Hardy board, stucco, stone, textured masonry and brick.
 - b. Wood
 - c. Other exterior materials as long as they maintain the appearance of wood grain or stone and have a natural, harmonious texture.

- d. Any exterior materials used must be in harmony with the surrounding area in style, color and general appearance.
2. Exterior Colors and Finishes: The exterior color of all structures and fences, excluding metal corral fences, shall be in subdued flat earthtone, woodtone, and/or natural colors that are in harmony with the natural surrounding area. Earthtone colors are considered to be medium to dark shades of reddish-brown, brown, tan, umber, and green. Anything that appears to be outside of these basic color guidelines shall be subject to the discretion of the committee. Pastel colors, white, or other colors that are not earthtone or woodtone shall not be allowed. The exterior colors of structures and fences shall be compatible with their surroundings and blend rather than contrast, with the existing vegetation and site. This amendment does not require structures and fences in existence as of July 26, 2003 to change their existing colors.
3. Fences:
 - a. The following types of fencing construction materials are permitted: Natural wood posts, boards, rails, native rock, a combination of natural wood and metal mesh lining, and vinyl posts and rails. Metal pipe corrals may be used for livestock enclosures provided that they are well maintained.
 - b. Fences or corral constructed with barbed wire or strand wire and metal posts are not permitted. Decorative Metal fencing more than three (3) feet tall is prohibited. Metal gates are allowed.
 - c. Open-rail type fences located between the front house line and the front road or utility easements line shall not exceed the height of six (6) feet. Picket and/or closed in solid, decorative-type fences located between the front house line and the front road or utility easements line shall not exceed the height of three (3) feet. On corner lots, open-rail type fences located between the front house line and the front road or utility easements line shall not exceed the height of four (4) feet and shall be placed back at least twenty (20) feet from corner.
 - d. Chain link fencing may be used only for dog runs and shall not be visible from directly adjacent roads.

IV. PERMITTED HOURS OF CONSTRUCTION

- A. When construction of any building has begun, the work thereon must be prosecuted diligently. Without prior consent of the Committee, construction activities and equipment maintenance shall take place only between the hours of 7:00 am to 7:00 pm Monday thru Friday, and 9:00 am to 6:00 pm on Saturday and Sunday. Non-noise generating construction activities such as interior painting, etc., shall not be subject to these restrictions. Permitted hours of construction apply to all homeowners, renters, and guests.
- B. Construction/Equipment parking shall not impede traffic on any road.

V. VARIANCES

- A. The Committee may, at its discretion, allow reasonable variances and adjustments to these conditions and restrictions in order to overcome practical difficulties and prevent unnecessary hardships in the application of the Guidelines. Requests for variances shall be considered only with respect to setback, size, and lot configuration.

VI. FEE SCHEDULE

- A.** The fee schedule is established to offset the Committee operating costs and costs associated with damage caused to Association roads by deliveries of heavy construction equipment and construction materials. Payment of fees shall be by cash or check made payable to the VCHPOA and shall be due upon approval of planned improvements by the Committee.
1. Residences, including attached garages: A total fee of \$500, \$450 of which is payment for the impact of construction upon the roadways and \$50 of which is an application fee to cover the expenses of the Committee.
 2. Additions, Barns, Detached Garages, and Outbuildings: Flat fee of \$75
 3. Decks, covered porches, open-sided horse shelters and sheds, solar and wind structures. Flat fee of \$30.
 4. All other Improvements including but not limited to outbuildings smaller than 100 square feet, re-siding, re-roofing, fences, corrals, breezeways, window greenhouses, gazebos, awnings, and repainting of Improvements with new or existing colors must be submitted to the Committee for approval. No fee shall be levied.
- B.** The above fees structure is applicable to rebuilding of improvements following destruction by fire or by other causes.

Revisions approved by the Board of Directors – February 11, 2020