

ARCHITECTURAL DESIGN COMMITTEE (ADC) MANUAL



Sun Valley Elkhorn Association, Inc.

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ADC MANUAL REVISIONS

- April 13, 2001**
SECTION 2.2 SUBMITTALS
Prohibiting review when violations are pending
SECTION 3.0 FINAL SITE PLAN AND ARCHITECTURAL REVIEW
Requiring a cut sheet for exterior lighting fixtures
SECTION 5.0 TERM OF DESIGN REVIEW APPROVALS
Prohibiting extensions
- July 6, 2001 Board Meeting (Rev. August 13, 2001)**
SCHEDULE A REVIEW FEES
- July 3, 2003 Board Meeting (Rev. July 30, 2003)**
SECTION 2.3 SUBMITTAL REQUIREMENTS
Changing the submittal deadline
SECTION 2.3.2 PLAN PACKAGE
Removing the requirement of 2 copies of plans
SECTION 2.3.6 VARIANCE APPLICATION
Requiring ADC Administrator to prepare and mail notices
SECTION 2.3.7 NOTIFICATION
Requiring ADC Administrator to prepare and mail notices
SCHEDULE C NOTICE
Revised
SCHEDULE A-1 COMPLETION DEPOSIT
New Requirement
- July 1, 2004 Board Meeting (Rev. July 1, 2004)**
SECTION 2.3.7 NOTIFICATION
Requiring notice area be extended to 100' from any property line
SUBMITTAL PACKET
New Requirement
- October 1, 2004 Board Meeting (Rev. October 1, 2004)**
SCHEDULE D – SIGNS
Revised real estate sign regulations
- February 13, 2006 Board Meeting (Rev. February 13, 2006)**
SECTION 5.0 TERM OF DESIGN REVIEW APPROVALS
Granting extensions to completion deadlines
- January 27, 2010 Board Meeting (Rev. January 27, 2010)**
SECTION 2.0 ADC DESIGN STANDARDS AND GUIDELINES OBJECTIVES
New section detailing 'Legal Standards and Guidelines'
OVERALL CLEANUP OF DOCUMENT
- March 13, 2013 Board Meeting**
SCHEDULE D – Sign Guidelines
Revised real estate sign regulations
- January 2, 2015 Board Meeting**
SECTION 9.0 – DEFINITIONS
Moved to SECTION 1.0 and added definition of 'revegetate'
ALL SECTIONS
Renumbered to adjust for moving 'Definitions'
SECTION 6.0 (NOW SECTION 7.0)
Expanded and clarified the appeal process
SCHEDULE B, Number 7
Added "liquidated damages" language
SCHEDULE C
Revised and added a second notice (C-1) for Administrative Approval Projects
SCHEDULE E
Removed this schedule referring to Sun Valley Municipal Code 382
OTHER MINOR EDITS THROUGHOUT DOCUMENT
- March 25, 2016 Board Meeting**
SECTION 3.8 Landscaping
Revised to prohibit planting of Yew (genus: Taxus)
SCHEDULE G
Adopted Schedule G – SVEA Solar Panel Installation Guidelines
Added basic solar panel installation to minor project application
- July 18, 2016 Board Meeting**
SECTION 4.3.6 Notification – Amended allowing for Owners to send notice for Minor Alterations
SCHEDULE C-1 – Notice by Applicant form adopted
- January 6, 2017 Board Meeting**
SECTION 3.5.2 – Color of Exterior Walls – Be of an earth tone color – browns, tans, beige, etc.
SCHEDULE G – Solar Panel Guidelines – Allow for administrative approval on all applications

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WELCOME TO ELKHORN

Elkhorn is an area of unique natural beauty, combining the environment of the mountains and high desert in a secluded valley setting. It is the common desire, intent, and purpose to create a community of high quality development, design, and construction in which the natural character of the area is preserved and complimented.

DESIGN PHILOSOPHY

Elkhorn is a community where differing architectural designs and styles merge and where the efforts of one architect or owner is not adversely affected or devalued by the incompatible design of a neighbor. The Architectural Design Committee (ADC), sometimes referred to as The Committee or Design Committee shall be the judge of compatibility and the overall appropriateness of the design. Since there are many individuals involved, standards and guidelines are necessary and useful in attaining the desired level of consistency and quality of community appearance.

SECTION 1.0 - DEFINITIONS

Unless the context otherwise specifies or requires, the following words and phrases, when used in the Architectural Design Committee Manual, shall have the meanings hereinafter specified:

1. ARCHITECTURAL DESIGN COMMITTEE (ADC) - shall mean the Committee created pursuant to Article VIII of the Master Declaration, sometimes referred to as the DESIGN COMMITTEE or the COMMITTEE.
2. ATTACHED - any structure, which shares a common wall with the main structure on the property or is connected to the main structure on the property by an enclosed walkway, corridor, or other structure.
3. BOARD - shall mean the Board of Directors of the Sun Valley Elkhorn Association, Inc.
4. BUILDING ENVELOPE - shall mean that area of a platted lot designated to contain the building footprint of any single-family dwelling proposed for or constructed on any lot. For purposes of determining the maximum total area of the lot, which the building envelope and building footprint may occupy, the owner must refer to the applicable portions of the Sun Valley Municipal Code 382.
5. BUILDING FOOTPRINT - is that area of a lot or parcel, which is within the perimeter created by a vertical extension to the ground of the exterior walls of all enclosed portions of a building, including attached garages and enclosed decks, porches, solariums and similar enclosed extensions, attachments, and accessory structures. Not included in the footprint are unenclosed portions or extensions of buildings, including but not limited to, unenclosed decks, porches, porte-cocheres, eaves, and roof overhangs.

The Committee may allow up to one-third of the building footprint to be built out of the envelope if it deems that the proposed improvement will not be detrimental to the surrounding area. Any building footprint more than one-third out of the envelope will require the granting of a variance by the Committee in accordance with Article VIII, Section 8.08, Master Declaration of Covenants, Conditions and Restrictions of Elkhorn at Sun Valley.

6. CONTIGUOUS - shall mean properties sharing a common property boundary.
7. DISCRETION – shall mean the power and authority to decide based upon the judgment of the ADC members and the Board unconstrained by any standard or criteria, including any standard of reasonableness.
8. DWELLING, SINGLE FAMILY - shall mean a building including attached or detached carports and automobile garages, and designed to be occupied by and occupied not otherwise than by one family.

9. ENCLOSED – shall mean the area substantially surrounded on at least two sides by walls and on the top by a roof or similar covering, or an area covered of at least 50 percent by a roof or similar covering.
10. IMPROVEMENT - shall mean all structures and appurtenances thereto of every type and kind, including by way of example but not limited to, buildings, outbuildings, garages, carports, roads, driveways, parking areas, fences, screening walls, retaining walls, stairs, decks, landscaping, hedges, windbreaks, trees and shrubs, poles, signs, solar equipment, antennas, satellite dishes, recreational structures and equipment, light fixtures or structures, landscape berms, enclosures, play structures, and swimming pools.
11. PARKING SPACE - shall mean an automobile-parking stall containing a surface area of not less than 9' by 20' together with a means of ingress and egress from said stall. The dimensions of said ingress and egress for required parking spaces shall not be less than those specified in the latest edition of Architectural Graphic Standards.
12. REVEGETATE – shall mean to produce a new growth of vegetation on disturbed or barren ground.
13. SATELLITE DISH/ANTENNAS - ADC Manager may review and approve satellite dish/antennas no larger than 24" in diameter. Larger satellite dish / antennas shall require formal ADC approval.
14. SITE COMPATIBILITY - Plans are evaluated by the Sun Valley Elkhorn Association Architectural Design Committee according to, among other things, the proposed structures compatibility to the site. This means taking into account significant existing site features such as, but not limited to, outcroppings, steepness, narrowness, water or wet areas, vegetation, access, orientation, and planning the improvement whenever possible in concert with those features.

By way of example, a building site with a stream or wet area may require planning the structure in a way that avoids disturbing this characteristic. A sloped site may require a stepped foundation and different floor levels for the plan to remain compatible and in harmony with the existing topography.
15. STRUCTURE - includes buildings, signs, fences, and other improvements, or portions thereof, constructed, erected, built, installed, or placed upon a lot or parcel of ground.
16. SUBASSOCIATION - any individual condominium association within Elkhorn.
17. SVEA - shall mean the Sun Valley Elkhorn Association, Inc.
18. VARIANCE - shall mean a modification of the requirements of the SVEA Master Declaration or Sub-association covenants, including restrictions upon height, size, footprint, floor area, placement of structures, or similar restrictions, where circumstances such as topography, natural obstructions, hardship, aesthetic, or environmental considerations might require. The Committee pursuant to Article VIII, Section 8.08, of the Master Declaration, may authorize such variances.
19. VIOLATION HEARING BOARD (VHB) - shall mean the Violation Hearing Board created by Elkhorn Resolution #18

SECTION 2.0 - ARCHITECTURAL DESIGN COMMITTEE OBJECTIVES, POLICY, AND RESPONSIBILITIES

2.1 COMMITTEE OBJECTIVES

Set forth in this ADC MANUAL are those policies, procedures, standards and guidelines developed to assist both The Committee and Owners through the ADC Design Review process. The ADC Manual details the procedures for construction of, and alterations to, structures and lots in Elkhorn.

2.2 COMMITTEE POLICY

All property in Elkhorn is subject to the Master Declaration together with any and all Supplemental Declarations and Elkhorn Rules. THESE RULES AND RESTRICTIONS PROVIDE THAT LANDSCAPING, NEW CONSTRUCTION, OR ALTERATIONS OF IMPROVEMENTS OF ANY KIND SHALL REQUIRE ADC APPROVAL.

No construction shall commence on any new or existing structure, fence, sign, or related improvement, nor shall any addition, alteration, or change to the exterior of any existing structure, fence, sign, or related improvement occur until the ADC Committee has reviewed and approved the proposed plans and specifications for the improvement, even if such improvement is to be constructed in accordance with preapproved plans. **The removal or planting of any vegetation requires ADC approval, as does any modification or alteration to any improved or unimproved lot in Elkhorn.**

We welcome landscape additions and some may not require formal ADC review approval or plan preparation, but only administrative approval. It is, however, **always** a requirement that you contact the SVEA offices to discuss plant selections and locations in order to obtain required authorization.

2.3 COMMITTEE RESPONSIBILITIES

The Committee is charged with reviewing all plans and specifications, and granting variances if necessary, for **landscaping, new construction, or alteration of improvements** in Elkhorn to determine architectural compatibility, site compatibility, and compliance with Elkhorn Restrictions. Specifically, the Master Declaration provides that:

The Committee shall consider and act upon any and all proposals or plans and specifications for action to be taken pursuant to Article III hereof, and perform such other duties as from time to time may be assigned to it by the Board, including inspection of construction in progress to assure its conformance with plans as approved by the Committee. The Committee shall approve such proposals or plans and specifications only if it deems that the construction, alterations, or additions contemplated, in the locations indicated thereby will not be detrimental to the appearance of the surrounding area or Elkhorn as a whole and that the appearance of any proposed improvement will be in harmony with the surrounding improvements. (Article VIII, Section 8.02, Elkhorn Master Declaration)

The Committee shall review and approve or disapprove all plans submitted to it for any proposed improvement, alteration or addition, solely on the basis of aesthetic considerations and the overall benefit or detriment which would result to the immediate vicinity and Elkhorn generally. The Committee shall take into consideration the aesthetic aspects of the architectural designs, placement of buildings, landscaping, color schemes, exterior finishes, materials and similar features. ... (Article VIII, Section 8.07, Elkhorn Master Declaration). See also Article X, Section 10.06, Paragraphs A and B, Elkhorn Master Declaration.

The Committee does not consider and assumes no responsibility for the following:

- 2.3.1 The structural capacity, drainage or building code compliance of the proposed improvement.
- 2.3.2 Whether or not the location of the proposed improvement on the building site is free from possible man-made or natural hazards occurring either on or off the property.
- 2.3.3 The internal operation or functional integrity of the improvement.

NOTE: General land use requirements and building codes are established and enforced by the City of Sun Valley and other governmental agencies. ADC approval is required in addition to the approvals of the city and other governmental agencies.

SECTION 3.0 – ADC DESIGN STANDARDS AND GUIDELINES

The following standards and guidelines apply to all construction and improvements on a Lot within Elkhorn, subject to further restrictions contained in the Master Declaration and any Supplemental Declarations. These standards and guidelines are established for the purpose of defining certain aesthetic guidelines of architectural designs, placement and scale of buildings, landscaping, color schemes, exterior finishes, materials, and similar features designed to maintain harmony with surrounding structures and prevent the construction of improvements which may be detrimental to Elkhorn and the surrounding area. These standards and guidelines may not be amended except at the direction of the Board.

3.1 VIEW CONSIDERATION

Distant views perceived from a site by forming view corridors and views originating from off site and projecting through a site to significant features beyond should be preserved. The objective is to maintain as many opportunities for views as possible, within the constraints imposed by the site. The ADC shall have discretion in approving, disapproving or conditionally approving an application for construction of improvements on a Lot based upon view considerations.

3.2 SITE CONSIDERATION

Because no two lots are alike in Elkhorn, the Architectural Design Committee will review each proposed building plan in relation to the specific characteristics of the subject lot and its surroundings. For this reason, the Elkhorn Master Declaration of Covenants, Conditions and Restrictions, Supplemental Declarations, and these guidelines permit flexibility essential to reaching appropriate use under varying site conditions. The basic objective is to achieve compatibility of the building, and other improvements, with the subject lot and the immediate surroundings. The site consideration review is, in summary, specific to the site itself.

Positioning of the structure(s) upon the lot shall be reviewed and consideration given to the following:

1. Natural and proposed final grade contours.
2. Pre-existing finished street grades and contour elevations.
3. Presence of vegetation, rock out-croppings, and other pre-existing natural features.
4. Driveway alignment and off-street parking.
5. Appearance of building(s) from adjacent open space, streets, and adjacent lots.
6. Architectural design shall result in masses that are generally parallel to natural terrain. If building masses are perpendicular to natural contours, the building shall accommodate the natural terrain through use of stepped foundation elevations and rooflines.
7. Site grading and drainage shall minimize required natural grade alterations. Drainage from lots shall not cause soil erosion or impede drainage flows on adjacent lots.
8. Site grading involving cut and fill on adjacent lots, streets, easements, r.o.w, driveways, or open space will not be allowed.

3.3 EXTERIOR LIGHTING

It is recognized that Exterior lighting is essential for safe movement, however, "good lighting" is often mistaken for large amounts of lighting, which can detract from site quality by obscuring night views and interfering with quality of life. The objective is to provide exterior lighting that illuminates only what needs to be specifically lit. Light sources shall be shielded and directional. Source of light should not be visible from off site. Lighting of large areas should only occur where absolutely required by safety considerations. Type of exterior fixture, location, and quantity will be subject to committee approval. All exterior lighting shall meet the requirements of the City of Sun Valley Dark Sky Ordinance # 414.

3.4 ROOFS

- 3.4.1 Pitch. Roof slope is a major element of a building form. Roof slopes in Elkhorn should be between 5:12 and 8:12. Roofs with greater or lesser slope may be permitted with the approval of the committee.
- 3.4.2 Forms. The following roof forms are encouraged in Elkhorn: Partial hip, gambrel, gable, full hip, and joined shed roofs. Other roof forms may be permitted with the approval of the committee.
- 3.4.3 Overhangs. Roof overhangs greater or less than 36 inches may be permitted with the approval of the committee.
- 3.4.4 Assembly. Due to the climatic conditions in our area, cold roofs are recommended.
- 3.4.5 Roof Materials. Final specification of roof materials helps buildings relate to their surroundings. The objective is to choose roof materials that help the building blend with the site and climatic conditions, and are functionally appropriate. All selected materials shall meet current City of Sun Valley ordinances.
- 3.4.6 Roof Appurtenances. Skylights, solar collectors, satellite dishes and other appurtenances will be evaluated according to quantity, quality, and roof location. Impact of these devices on adjacent properties shall also be considered.
- 3.4.7 Snow Retention Devices. Snow retention devices may be necessary on roofs. They should be incorporated as an integral part of the roofscape.
- 3.4.8 Roof vents and chimneys. Wood, stucco, concrete and masonry finished flues are permitted. Exposed metal chimneys are not permitted.

3.5 EXTERIOR BUILDING FACADES

- 3.5.1 Exterior Wall Materials. Variations in exterior wall material can lend visual interest to a building; too many changes can make the wall visually discordant. The objective should be to create walls that are interesting, but not in competition with their surroundings. Exterior walls generally should incorporate one or two different materials.
- 3.5.2 Exterior Wall Color. Exterior wall colors should harmonize with the site and surrounding buildings and in general be of an earth tone color.

3.6 RETAINING WALLS AND FOUNDATIONS

Poured in place, exposed concrete 'foundation walls' over 8 inches are not allowed to remain unfinished. Concrete walls that are a part of the finished exterior shall be viewed as an architectural element.

3.7 FENCING

Fence location, design, and materials shall be approved on an individual basis.

3.8 LANDSCAPING

All disturbed areas shall be revegetated. All permanently landscaped areas shall be irrigated by an adequate automated underground irrigation system. Irrigation systems shall meet all current City of Sun Valley code requirements. Landscaping shall be designed and installed so as to reduce or eliminate the blocking or potential blocking of solar access and scenic views from adjacent property. Care should be taken when selecting and planting trees or shrubs which are known to be toxic to wildlife. The use of toxic landscape planting materials is discouraged. The planting of "Yew" (genus: Taxus) is prohibited.

3.9 DRIVEWAYS

All driveway design and materials shall be reviewed and approved on an individual basis.

3.10 DOG RUNS

All dog runs shall be reviewed and approved on an individual basis.

3.11 SUBDIVISIONS – Compliance and Density

Subdivision of any lot, parcel, condominium, townhome or other property in Elkhorn, is subject to the contents of the Master Declaration and any applicable Supplemental Declarations. These rules may not be amended except at the direction of the Board.

All Subdivisions shall comply with applicable ordinances of the City of Sun Valley.

No Subdivision may increase the density in Elkhorn unless the increase is consistent with the Sun Valley Comprehensive Plan and Zoning Map. Development rights, not used at the time of the original Subdivision of a lot or parcel of land, may not be transferred or used. Adjustments in the location of boundary lines which do not increase density are permitted.

SECTION 4.0 - DESIGN REVIEW PROCEDURE

4.1 COMMITTEE MEETINGS

The Design Committee typically meets at least once every month at the Harker Center to review plan submittals. The Committee conducts a site inspection, if necessary, of agenda items generally one (1) hour, prior to the scheduled meeting. The owner or their representative may be requested to attend such site inspection for the purpose of answering any questions, which might arise, regarding their proposal. Special meetings of The Committee may be considered and arranged, at the applicant's expense.

4.2 SUBMITTALS

All Elkhorn owners applying for ADC approval shall also submit an application to The City of Sun Valley Planning and Zoning for site plan and architectural review. When applicable, owners shall also receive approval from their individual subassociation. The approval by the Architectural Design Committee of any proposal shall not be deemed to constitute a waiver of any required approval or consent from any other agency.

No consideration shall be given to any owner/applicant with unresolved SVEA violations and until all SVEA assessments, liens, fees, and charges are fully paid.

4.3 SUBMITTAL PROCEDURE

Request for either preliminary design review or final architectural design review shall be accompanied by all of the following and shall be received in completed form at the SVEA office no later than 5:00 p.m. on the Monday before the Wednesday two weeks prior to the ADC meeting for which review is scheduled.

The ADC Manager, upon receipt and determination of completeness of submittal documents, may require that the applicant participate in a preliminary design review process, based on but not limited to the plan package proposed, design, neighborhood conflicts, or variance requests.

4.3.1 APPLICATION FOR ARCHITECTURAL DESIGN REVIEW - This document may be obtained at the SVEA offices located in the Harker Center or on line at www.elkhorn-assoc.org.

4.3.2 PLAN PACKAGE - The submittal plan package for preliminary or final approval shall be prepared and stamped by an architect licensed in the State of Idaho.

The requirement that plans be stamped by a licensed architect may be waived when the proposed improvement, for which approval is sought, is minor or consists of a fence, privacy screen, sign, open or uncovered deck, porch or patio, landscape walls or plantings, hard surfaces, lighting, or other landscape items. The Manager of the ADC may determine if in some instances it is necessary for the above listed improvements to be prepared by a licensed professional.

4.3.3 REQUIRED FEES - The fee schedules for any review by the ADC are found at the back of the ADC Manual (Schedule A and A-1). These schedules are subject to change from time to time. For good cause, the ADC in its discretion may waive fees.

4.3.4 CONSTRUCTION AGREEMENT - Prior to the start of any construction, landscaping, site clearing or building activity of any kind, other than surveying and staking on an Elkhorn property, a Construction Agreement shall be completed. This agreement shall be signed by all owners of the property, notarized and returned to the SVEA office. The ADC Manager may waive this requirement in appropriate cases of administrative approvals.

The Construction Agreement for Landscaping, Additions, Alteration or Improvements in Elkhorn (Schedule B) is found at the back of this ADC Manual.

4.3.5 SUBASSOCIATION APPROVAL - Written approval from the subassociation Board of Directors or subassociation Manager where the alteration is being proposed is required and shall be part of any application submittal.

4.3.6 NOTIFICATION - Notification of neighbors, by certificate of mailing, of the meeting date and time is required. The applicant shall complete and submit Schedule C together with a list of the names and addresses of neighbors within 100'. The ADC Manager will then prepare and mail the notices via certified mail to each owner. The applicant may be required to reimburse SVEA for the cost of the mailing. Certified mail shall mean United States Post Office certificate of mailing.

For Minor Project Applications, where applicant is seeking administrative approval, notification of neighbors, by certificate of mailing may be required. Notice shall state the date administrative approval may be granted absent any objection from neighboring property owners. When notice is required, the applicant shall complete and submit Schedule C or C-1 together with a list of the names and addresses of neighbors within 100' of the property corners. The names and addresses for owners within 100' of the property corners can be obtained from the ADC Manager. The applicant has the option to complete the required notice process (Using Form C-1) and certified mailing requirements, upon prior approval by the ADC Manager, and have waived up to \$100 of any applicable approval fees, or, the applicant (Using Form C) can pay the stated fees and request the ADC Manager prepare and mail the notices via certified mail to each owner. Certified mail shall mean United States Post Office certificate of mailing.

4.3.7 VARIANCE APPLICATION – Is a written request for a modification or revision to any Master Declaration or Elkhorn sub-association regulations. This application requires completion, by the applicant, of Schedule C and the submittal of a mailing list of those property owners within 300' of any portion of the subject property. The ADC Manager will then prepare and mail the notices via certified mail to each owner. The applicant may be required to reimburse SVEA for the cost of the mailing. Certified mail shall mean United States Post Office certificate of mailing.

4.3.8 SIGNAGE - Temporary and/or permanent signage is only allowed within Elkhorn as defined by and subject to Schedule D.

4.4 PRELIMINARY ADC REVIEW

Owners are encouraged to submit plans for the purpose of preliminary review. This submission allows the Committee to comment on the proposed design, at a preliminary phase, regarding such planning concepts as site planning, compatibility, color and massing, and any variance applications and then advise the owner of any changes that may be required.

This provision is especially valuable in adverting excessive cost in fees and lost time if a design concept has deviated from the design standards herein or is in conflict with the interests of its neighbors and surroundings.

Such preliminary submittals should indicate the location of the proposed improvement on the Lot and contain plans adequate enough to demonstrate the exterior character of the improvement. This submittal may consist of informal presentation material since the review will be advisory in nature. This submittal does not require a signed Construction Agreement. A fee will be charged for preliminary plan review based on the most recent fee schedule (see Schedule A). This fee will be applied towards the plan check fee for final design review if and when such is requested.

4.5 FINAL ADC DESIGN REVIEW

Submittal for final design review shall include a completed APPLICATION FORM, ONE SET OF PLANS, PDF FILES OF ALL PLANS/MAPS ON ELECTRONIC MEDIA, SIGNED CONSTRUCTION AGREEMENT, REQUIRED FEES, AND APPROVAL (when applicable) FROM THE SUBASSOCIATION.

PROPERTY STAKING - the staking of building corners, driveway centerline, lot corners with witness stakes, building centroid, and a staking plan is required on all new construction.

4.5.1 PLAN PACKAGE - The PLAN PACKAGE for design review shall include, but not be limited to, the following:

4.5.2 VICINITY MAP - showing the location of the property within the City of Sun Valley

4.5.3 NEIGHBORHOOD MAP - at a scale of not less than 1" = 100' showing the location of the proposed improvement within the subdivision **and the impact of the proposed improvement on the principal view corridors of all neighboring dwellings or unimproved building envelopes located on any lots or parcels within 300' of the exterior boundaries of the premises for which approval is sought.**

4.5.4 SITE PLAN - at a scale of not less than 1" = 10' (with prior approval of the ADC Manager, a 1" = 20' may be used for other than single family residences) showing the building lot or parcel and including the following information:

- (a) PROPERTY LINES AND DIMENSIONS as shown on the recorded plat.
- (b) BUILDING CENTROID as shown on the recorded plat and dimensioned to property corners.
- (c) BUILDING ENVELOPE determined in accordance with the City of Sun Valley Ordinance 382. (See Schedule E attached).
- (d) PROPOSED LOCATION/BUILDING FOOTPRINT - is that area of a lot or parcel which is within the perimeter created by a vertical extension to the ground of the exterior walls of all enclosed portions of a building, including attached garages and enclosed decks, porches, solariums and similar enclosed extensions, attachments, and accessory structures. Not included in the footprint are unenclosed portions or extensions of buildings, including but not limited to, unenclosed decks, porches, porte-cocheres, eaves, and roof overhangs.

The Committee may allow up to one-third of the building footprint to be built out of the envelope if it deems that the proposed improvement will not be detrimental to the surrounding area. Any building footprint more than one-third out of the envelope will require

the granting of a variance by the Committee in accordance with Article VIII, Section 8.08, of the Master Declaration of Covenants, Conditions, and Restrictions of SVEA.

(e) GRADING OR TOPOGRAPHY PLAN

The Grading or Topography Plan shall be prepared by a LICENSED SURVEYOR and show existing and proposed grade and contours of the property as it relates to any new and/or existing structures. Such plan shall be at a contour interval not greater than two (2) feet when the slope is less than 25% and not greater than five (5) feet when the slope is 25% or greater. Show all existing and proposed drainage channels and patterns, swales, culverts, catch basins and subsurface drainage systems. **Clearly indicate any drainage that may be directed onto neighboring property by the proposed project and how such water will be handled to prevent encroachment on said property.**

(f) AN ELEVATION BENCHMARK shall be established by a LICENSED SURVEYOR on or adjacent to the subject property and shall be used to set all finish elevations of the proposed improvement. This benchmark elevation and location shall be clearly indicated on the grading plan.

(g) PROMINENT SITE FEATURES such as rock out-croppings, existing vegetation and watercourses or features shall be clearly delineated on the plans.

(h) SHOW DRIVEWAY location, width, grades, slope percentage and proposed surface material. Also show proposed turnarounds and parking areas and delineate all areas intended for removal or storage of snow.

(i) LOCATE all existing easements such as maintenance, utility, and snow storage on or adjacent to the subject property.

4.5.5 ARCHITECTURAL DRAWINGS - prepared and stamped by an architect currently licensed in the State of Idaho which shall include the following information:

(a) FLOOR PLANS at a scale of not less than 1/8" = 1', showing all floors, basements, lofts, and spaces intended to be used by occupants, or for storage, mechanical or other uses. Show Square footage of each floor.

(b) EXTERIOR ELEVATIONS at a scale of not less than 1/8" = 1' showing all elevations of the proposed improvement with texture and direction of surface materials clearly delineated. **Also show all proposed finish grades relative to each elevation as indicated on the grading plan.**

(c) CROSS-SECTIONS taken through the proposed improvement at its highest point indicating the height of the structure above both existing and proposed grade. Where pertinent, a section should be taken through the structure to the city street indicating grade differential that may exist and how that differential will be handled in gaining access to the proposed improvement.

(d) ROOF PLAN showing roof pitch, valleys, hips, and gables.

(e) EXTERIOR MATERIALS called out on the plans specifying color, type of material and finish of siding, trim, doors, windows, fascia, roof, exposed foundation, skylights, decking, handrails, and all attached or recessed lighting.

(f) OTHER - Pursuant to Article VIII, Section 8.02, Elkhorn Master Declaration, as it deems appropriate, the committee may require submission of additional plans and specifications or other information, including models, or computer generated modeling.

4.5.6 LANDSCAPE DRAWINGS - at a scale of not less than 1" = 10'.

Unless prior approval of the ADC or its designee is obtained, landscape plans shall be prepared and stamped by a landscape architect currently licensed in the State of Idaho. All Elkhorn property on which any improvement is constructed shall be landscaped in accordance with an approved landscape plan. The Committee shall decide whether the proposed landscape plan is adequate and in harmony with the proposed improvement and/or other similar improvements in the Elkhorn area. The preparation of plans by a professional may not be required when the proposed improvement or change is minor. The Manager of the ADC may determine the necessity of professionally prepared plans. Landscaping shall be designed and installed so as to minimize

the potential blocking of solar access and scenic views of adjacent properties.

The landscape Drawings shall include, but not be limited to, the following:

- (a) PLANTING PLAN - Landscape Plans shall clearly show the arrangement of all trees, shrubs, groundcovers, seeded lawn areas, sodded lawn areas, natural grass areas, and areas to be re-vegetated after final grading and construction cleanup. Identify all areas to be left undisturbed and delineate method (s) of protecting said areas. Included on the plan shall be a plant list or other method of clearly indicating species, variety, size, quantity, spacing, and location of all plant materials proposed for use on the project. Contour lines for final grades shall be shown on initial landscaping, major landscape changes, or where there is a change in elevations.
- (b) CONSTRUCTION FENCING - shall be required on all projects involving any site grading or excavation. The maximum area of disturbance or the property lines shall be delineated in order to limit unnecessary disturbance to natural areas, streams, vegetation, and to prevent encroachment on neighboring properties. Construction fencing shall be installed prior to any site grading or excavation.
- (c) IRRIGATION - shall clearly show the method and limits of irrigation for all landscaped areas. Irrigation systems shall meet all current City of Sun Valley code requirements.
IMPORTANT: An adequate irrigation system is required for all planted and re-vegetated areas on Elkhorn properties and all such irrigation systems shall be provided with an automatic controller.
- (d) LANDSCAPE FEATURES - such as decks, retaining walls, privacy screens awnings, canopies, gazebos, benches, steps, dog runs, etc., shall be clearly delineated on the plans in sufficient detail to adequately demonstrate finished appearance.
- (e) LANDSCAPE LIGHTING - shall be clearly delineated on the plan indicating location, type, height, material, and type of light source. All exterior lighting shall be designed and placed to minimize its impact on all neighbors
- (f) LANDSCAPE TIMING - The landscape plan shall be implemented as soon as physically practical and be completed by the project completion deadline.

SECTION 5.0 - ARCHITECTURAL DESIGN COMMITTEE INSPECTIONS

The Design Committee requires certain inspections during the course of construction. They are as follows:

5.1 SITE INSPECTION

Generally conducted on the day the proposed improvement is brought before the Committee for final approval. All members of the Committee in attendance that day may participate in the inspection. The owner may be asked, prior to or as a result of the inspection, to stake corners, centroid, envelope, and/or proposed drives to facilitate the Committee in visualizing the proposed improvement on the site.

5.2 FINAL INSPECTION

Performed after all work items indicated on the approved architectural, site and landscape plans for the purpose of determining whether such Work is in substantial compliance and conformance with the approved plans.

All inspections and/or operations required to be performed by persons other than ADC personnel shall be at the sole expense of the owner.

IMPORTANT NOTICE: Any change or deviation in the implementation of any improvement, or any portion thereof, from the approved plan **without prior written approval of the Committee** will result in the owner bearing the cost of corrections required to bring the work into compliance with the approved plans.

Upon failure of any improvement to pass the final inspection, such matter may be referred to the Board of Directors pursuant to Article VIII, Section 8.06, of the Master Declaration.

SECTION 6.0 - TERM OF DESIGN REVIEW APPROVALS

Site plan and architectural approvals, granted by the Architectural Design Committee, shall expire 365 days from the date of approval for new construction and alterations of existing structures. Construction shall begin within said 365 days. If construction has not begun in that time, plans shall be resubmitted to the committee for review/approval and an additional fee may be required.

For new construction, all work delineated on the approved plans shall be completed within two (2) years of initial approval and in accordance with accepted construction practices. For alterations to existing structures, all work delineated on the approved plans shall be completed within one (1) year of initial approval and in accordance with accepted construction practices. At the time plans are approved, the Committee may set a longer or shorter time period to complete construction.

The Committee may extend the project completion deadline, if deemed necessary, and upon written Owner/Applicant explanation of why completion within the original time frame could not be met. Owners/Applicants will be notified in writing of any ADC decision.

SECTION 7.0 - APPEAL OF ADC DECISIONS

Elkhorn property owners may appeal ADC decisions to the SVEA Board of Directors pursuant to the following:

- A. *Decisions of the ADC.* The applicant and all owners participating in the ADC process by attending a meeting or submitting written comments concerning an application shall be provided written notice of the ADC decision. Decisions of the ADC shall not be final until the time for appeal described below has expired. In the event that an appeal is filed with the ADC during the appeal period, such appeal shall toll the decision made by the ADC. In that event, the decision shall not be final until the date on which the appeal is finally resolved. All reasonable effort shall be made to hear and render a decision upon the appeal within 30 days after the date the appeal is filed.
- B. *Review and Appeal by Applicant.* In the event that a decision rendered by the ADC is unacceptable to the applicant, such person or his representative may appeal the decision to the Board of Directors. Such appeal shall be directed in writing and by certified mail to the Association and postmarked no later than thirty (30) days after the notice of the ADC decision was mailed. The notice of appeal shall explain the basis for the appeal in detail including citation to specific provisions of the Master Declaration and ADC Guidelines which the appellant believes have been violated. The Association shall determine if the appeal meets the criteria set forth herein. If the criteria is not satisfied, the appeal will be denied and the appellant will be so notified. Upon the mailing of such notification, the decision being appealed from shall be deemed final.
- C. *Review and Appeal by Owner Other than Applicant.* In the event that a decision rendered by the ADC is unacceptable to any owner other than the applicant, such owner or his representative may appeal the decision to the Board of Directors. Such appeal shall be directed in writing and by certified mail to the Association and postmarked no later than ten (10) days after the notice of the ADC decision was mailed. The notice of appeal shall explain the basis for the appeal in detail including citation to specific provisions of the Master Declaration or ADC Guidelines which the appellant believes have been violated. The Association shall determine if the appeal meets the criteria set forth herein. If the criteria is not satisfied the appeal will be denied and the appellant will be so notified. Upon the mailing of such notification, the decision being appealed from shall be deemed final.
- D. *Appeal Fee.* An appeal shall be accompanied by payment of an appeal fee in the amount \$250. In addition, hard costs, i.e., postage and legal fees may be assessed to the appellant. Copies of the Associations records, pursuant to SVEA Policy Relating to Access to Corporate Documents, will be provided at a charge of \$1.25 per page which will be paid in advance. Depending on the particular circumstances and the actual association funds and staff time required to hear an appeal, should the appellant prevail, the Board may consider a refund of a portion of the appeals fee and other associated costs as noted above.

Commented [EL1]: Is this long enough?

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E. Time and Place of Appeal. In the event of an appeal received in accordance with the requirements set forth above, notice of the appeal and its scheduled hearing date, time and place will be sent to the person or persons initiating the appeal and owners participating in the ADC process appealed from.

F. Board of Directors. The Board of Directors shall review the decision of the ADC where an appeal is received. The Board of Directors may review all findings, reports, minutes and material submitted by any party. The Board, at its discretion, can seek further information from the ADC, its advisors, the applicant and any other party. At the discretion of the Board of Directors, the appellant or his representative may make a presentation at the hearing. The Board of Directors may consider any aspect of the project, not just issues raised in the appeal. In rendering its decision the Board may affirm the ADC decision, reverse the ADC decision, conditionally affirm the ADC decision, or remand the matter to the ADC for further consideration. The decision of the Board of Directors shall be in writing and shall be final.

G. Miscellaneous Provisions. Members of the Board of Directors shall not discuss any appeal from a decision of the ADC until such time as the matter is scheduled for the formal hearing conducted by the Board of Directors. Members of the Board of Directors who participated in the ADC decision shall recuse themselves from participation in the appeal.

SECTION 8.0 - ASSUMPTION OF CONSTRUCTION AGREEMENT OBLIGATIONS

Upon the transfer of ownership of any property within Elkhorn at any point after the **Construction Agreement** has been executed, and prior to final inspection it is required that the seller obtain the buyer's notarized signature on the existing **Construction Agreement** thereby signifying the new owner's assumption of, concurrence in and understanding of the obligations, requirements, and liabilities contained in said agreement.

SECTION 9.0 - COMPLIANCE

Any alleged noncompliance of ADC rules, findings, determinations, policies, procedures, or any other facet of SVEA operations, which fall within the purview of the ADC, shall cause a violation notice, stop work order or other directive to be issued. Said violation notice, stop work order or other directive shall be dealt with by the appropriate authority (i.e., ADC, ADC Manager, SVEA Violation Hearing Board, SVEA Board of Directors, etc.) and said authority shall be taken within the guidelines established by the Master Declaration, any applicable supplemental declaration, Elkhorn Restrictions or other appropriate authority.

SCHEDULE A - REVIEW FEE

- 1. SINGLE FAMILY RESIDENTIAL PLANS \$750
When presenting plans for preliminary review, \$300 of the architectural review fee shall accompany the preliminary submittal; the \$450 remaining balance shall accompany the submittal for final plan review. If preliminary review is not required, the full amount is due at the time of submission for Final Design.
- 2. SINGLE FAMILY RESIDENTIAL REMODEL, ADDITION, OR ALTERATION \$450
- 3. DOG RUNS, FENCES, WALLS, SCREENS, LANDSCAPE ADDITIONS (depends on complexity of proposal), DECKS, MINOR EXTERIOR MODIFICATIONS AND ALTERATIONS\$100-\$150
- 4. REPAINTING EXTERIOR: SAME COLOR (Residential).....NO FEE
COLOR MODIFICATION (Residential).....\$100
- 5. COMMERCIAL OR MULTI-FAMILY REMODEL, ADDITION OR ALTERATION, INCLUDING EXTERIOR COLOR MODIFICATIONSVARIES
(Hourly fee @ \$750/hour)
- 6. COMMERCIAL OR MULTI-FAMILY PROJECTSVARIES
(The greater of: \$150 per dwelling unit or \$750 minimum fee plus \$750 per hour above one hour)
- 7. SPECIAL MEETINGS BY REQUEST.....VARIES
\$750 minimum fee plus \$750 above one hour
- 8. PROJECT EXTENSIONS..... \$100

NOTE: Fees shown above include the site visit, site plan and architectural review, and subsequent inspections by the committee or its duly authorized representative. Fees are for total agenda time not exceeding one (1) hour. Additional agenda time is \$750/hour billed in 1/4 hour increments. All fees are nonrefundable.

SCHEDULE A-1 - COMPLETION DEPOSIT

- 1. SINGLE FAMILY RESIDENTIAL NEW CONSTRUCTION.....\$1500
- 2. SINGLE FAMILY RESIDENTIAL ADDITION, REMODEL, LANDSCAPE.....\$1000
- 3. COMMERCIAL OR MULTI FAMILY PROJECTS (per unit).....\$1000

NOTE: All completion deposits will be refunded after final approval of compliance and completion of preapproved plan as per the Master Declaration Section 8.06. If at any time the project is in noncompliance, the completion deposit may be forfeited.

Sun Valley Elkhorn Association, Inc.
Box 1708, Sun Valley, ID 83353
(208) 622-7420 ~ FAX (208) 622-3215

AGREEMENT FOR CONSTRUCTION, LANDSCAPING, ADDITIONS, ALTERATION OR IMPROVEMENTS TO ANY LOT OR STRUCTURE WITHIN SUN VALLEY ELKHORN ASSOCIATION, INC.

1. As an Elkhorn property owner, I/we certify that I/we have read the Elkhorn Restrictions (including applicable subdivision declarations), and the ADC Manual pertaining to construction or alteration of improvements at Elkhorn and that I/we fully understand the requirements of this submittal.
2. I/we understand that all inspections and/or operations required to be performed by persons other than ADC personnel shall be at the sole expense of the owner.
3. I/we understand that any change or deviation in the building, site, or any portion of the improvement from the approved plans shall be resubmitted to the ADC Committee for approval prior to such change being made and that an additional fee may be required. I/we further understand that any deviations from approved plans in actual construction may result in an order for an immediate halt in construction and a restoration of the property and/or improvement to its original condition or to a condition in conformance with the approved plans.
4. I/we understand that it is the responsibility of the owner to bear the cost of any corrections required by the committee because of the failure of the owner to follow the plans as approved by the committee. I/we further understand that deviation from the approved plans is a violation of Elkhorn Restrictions which may cause, among other penalties more fully defined in said Elkhorn Restrictions, a special assessment of up to \$50 per day to be imposed for each day said violation continues, and/or loss of Elkhorn amenities and that all unapproved construction be brought into conformance with the approved plans.
5. I/we understand that all construction activities required to complete the work in accordance with approved plans shall be confined to the boundaries of the subject property and that I/we assume responsibility for any and all damage to adjacent properties caused by owner, contractor, subcontractor, or any persons connected in any fashion with work covered by this submittal.
6. I/we understand that approval for new construction or alteration of existing structures within Elkhorn is valid for 365 days unless a longer or shorter period is set by the ADC at the time plans are approved. If construction has not begun in that time, plans shall be resubmitted to the committee for approval and an additional fee may be required.
7. For new construction, all work delineated on the ADC approved plans shall be completed within two (2) years of initial approval and in accordance with accepted construction practice. For alterations to existing structures, all work delineated on the approved plans shall be completed within one (1) year of initial approval and in accordance with accepted construction practice. At the time plans are approved, the committee may set a shorter or longer time period to complete construction. Failure to complete the project within the required time is a violation of the Elkhorn Restrictions and may subject the owner to a special assessment of up to \$50/day and/or loss of use of Elkhorn amenities. Extenuating circumstances shall be brought immediately to the attention of the committee; as such circumstances arise, if an extension of the completion date is required. In addition, notwithstanding the above, if completion of the work is delayed beyond the times specified, the parties agree that the Association would suffer damages which are unknown and difficult to ascertain, and the Owner shall therefore pay to the ADC the sum of \$150.00 per day (Liquidated Damage) for each calendar day during which completion of the work, or portion thereof, is delayed beyond the time specified for completion.

**SCHEDULE C – SVEA NOTICE TO NEIGHBORS OF ARCHITECTURAL DESIGN REVIEW
(Full Committee)**

SUN VALLEY ELKHORN ASSOCIATION, INC.
P.O. Box 1708
Sun Valley, ID 83353
Phone (208) 622-7420
paul@elkhorninsunvalley.com

NOTICE

**NOTICE TO AFFECTED PROPERTY OWNERS OF AN APPLICATION FOR SITE PLAN AND
ARCHITECTURAL DESIGN REVIEW**

NOTICE IS HEREBY GIVEN that the SVEA Architectural Design Committee will hold a meeting _____
_____ to consider the application of _____ for Site Plan and Architectural
Review with regard to the following described property:

Applicant _____
Street Address _____
Legal Description _____
Submitted Project _____

Applicant is requesting a variance for: _____
Reasons supporting a variance: _____

NOTICE IS FURTHER GIVEN that the ADC meetings are held at the Harker Center, generally on the second Wednesday of every month. However, special meetings may be called when necessary. The meeting date as specified above may be postponed or changed to a later date. Please call to confirm the date and time. All interested parties should contact the SVEA office with questions, comments and requests for meeting details and agenda times. Written comments received prior to the meeting shall be made part of the record at the meeting. Plans, supporting documents, and written documents are on file for inspection by any member of SVEA, in the SVEA office, at the Harker Center. The committee shall have the ability to approve, disapprove or conditionally approve the project.

DATED this _____ day of _____.

Sue Ahern
SVEA ADC Manager

(Administrative Approval) - For a listing of projects that may qualify for Administrative Approval, please refer to the Minor Exterior Improvement Application @ www.elkhorninsunvalley.com or contact the office.

SUN VALLEY ELKHORN ASSOCIATION, INC.
P.O. Box 1708
Sun Valley, ID 83353
Phone (208) 622-7420
paul@elkhorninsunvalley.com

NOTICE

NOTICE TO AFFECTED PROPERTY OWNERS OF AN APPLICATION FOR ARCHITECTURAL DESIGN REVIEW (ADMINISTRATIVE APPROVAL)

Applicant _____

Street Address _____

Legal Description _____

Submitted Project _____

This application qualifies for **Administrative Approval**. If no objections or neighbor concerns are submitted, Administrative approval may be granted on _____. *Approval may be granted prior to that time should all notified neighbors express written support of the plan.* If objections or concerns are received prior to the above date, this project will be referred to the Architectural Design Committee for review on _____. The committee shall have the ability to approve, disapprove or conditionally approve the project. Applicable review fees will apply.

NOTICE IS FURTHER GIVEN that the ADC meetings are held at the Harker Center, generally on the second Wednesday of every month. However, special meetings may be called when necessary. The meeting date as specified above may be postponed or changed to a later date. Please call to confirm the date and time. All interested parties should contact the SVEA office with questions, comments and requests for meeting details and agenda times. Written comments received prior to the meeting shall be made part of the record at the meeting. Plans, supporting documents, and written documents are on file for inspection by any member of SVEA, in the SVEA office, at the Harker Center. Requested photo copies of information may be subject to the SVEA Production of Documents Policy (fees may apply).

DATED this _____ day of _____.

Sue Ahern
SVEA ADC Manager

SCHEDULE C-1 – SVEA NOTICE TO NEIGHBORS OF ARCHITECTURAL DESIGN REVIEW (Administrative Approval) - For a listing of projects that may qualify for Administrative Approval, please refer to the Minor Exterior Improvement Application @ www.elkhorninsunvalley.com or contact the office.

SUN VALLEY ELKHORN ASSOCIATION, INC.
P.O. Box 1708
Sun Valley, ID 83353
Phone (208) 622-7420
sue@elkhorninsunvalley.com

NOTICE BY APPLICANT

NOTICE TO AFFECTED PROPERTY OWNERS OF AN APPLICATION FOR ARCHITECTURAL DESIGN REVIEW (ADMINISTRATIVE APPROVAL)

Applicant _____

Street Address _____

Legal Description _____

Submitted Project _____

This application qualifies for **Administrative Approval**. If no objections or neighbor concerns are submitted, Administrative approval may be granted on _____. *Approval may be granted prior to the stated time should all notified neighbors express written support of the plan.* If objections or concerns are received prior to the above date, this project will be referred to the Architectural Design Committee for review on _____. The committee shall have the ability to approve, disapprove or conditionally approve the project. Applicable review fees will apply.

NOTICE IS FURTHER GIVEN that the ADC meetings are held at the Harker Center, generally on the second Wednesday of every month. However, special meetings may be called when necessary. The meeting date as specified above may be postponed or changed to a later date. Please call to confirm the date and time. All interested parties should contact the SVEA office with questions, comments and requests for meeting details and agenda times. Written comments received prior to the meeting shall be made part of the record at the meeting. Plans, supporting documents, and written documents are on file for inspection by any member of SVEA, in the SVEA office, at the Harker Center. Requested photo copies of information may be subject to the SVEA Production of Documents Policy (fees may apply).

DATED this _____ day of _____.

Sue Ahern
SVEA ADC Manager

Please Note: This notice has been prepared and sent to you by the applicant. If you have any objections to the project as proposed, please call 208-622-7420 or email: sue@elkhorninsunvalley.com. Please submit in writing the nature of your concerns. Absent any objections from owners, the project as submitted may be approved administratively on the date indicated above. Should the project be contested, it may be scheduled for full review by the SVEA Architectural Design Committee.

SCHEDULE D – SIGN DESIGN STANDARDS AND RESTRICTIONS

With the exception of “For Sale” and “For Lease” signs, and Temporary Site Development signs, all signs displayed to the public view require prior architectural design review and approval.

“For Sale” and “For Lease” signs may be displayed without Design Committee approval subject to the following requirements:

1. The sign shall not be more than 24 inches by 24 inches in size (including any name tags or brochure holders) and the top of the sign shall not be more than 36 inches above the surface;
2. Only one sign for each property is allowed;
3. The sign shall be placed on the property and not within road right of ways.
4. Brochure holders outside the 24 inches by 24 inches shall be mounted on the frame, perpendicular to the sign.
5. Support posts other than commonly used angle iron immediately surrounding the sign are not allowed.

“Temporary Site Development” signs may be displayed without Design Committee approval provided the following conditions are met:

1. Size – 32 sq. ft. maximum
2. Only one sign is allowed per development site, e.g., all subcontractor/ job/ trailer/ architect/ builder, etc., signs shall be made a part of the single 32 sq. ft. sign
3. Colors – subdued and unobtrusive
4. Duration – The sign shall be removed by the owner/developer of the property within 10 days after notification of the completion of final inspection of the property.