

JASPER VALLEY HOMEOWNERS ASSOCIATION

ARCHITECTURAL CONTROL COMMITTEE

Objectives, Guidelines and Procedures

Introduction –Objectives

1. The covenants created by Jasper Valley Development Corporation (“the Developer”) running by deed with all the land subdivided into home building lots and common ground in Jasper Valley set forth the purposes of architectural control for the community; The preservation of the values and amenities of the community and the maintenance of parks, open spaces and other common facilities for the benefit of Jasper Valley property and each owner thereof.
2. One of the mechanisms designed to insure this preservation is the Architectural Control Committee (ACC). Article VI of the Covenants specifies the role and powers of the Jasper Valley Homeowners Association Board of Directors or an architectural control committee formed by it:

Section 1. Review by Committee.

No building, fence, wall, swimming pool or other structure shall be commenced, erected, or maintained upon The Properties, nor shall any exterior addition to or change or alteration therein be made until the plans and specifications showing the nature, kind, shape, height, materials and location of the same shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by the Board of Directors of the Association or by an architectural committee composed of three (3) or more representatives appointed by the Board. In the event said Board, or its designated committee fail to approve or disapprove such design and location within thirty (30) days after said plans and specifications have been submitted to it, or in any event, if no suit to enjoin the addition, alteration or change has been commenced prior to the completion thereof, approval will not be required and this Article will be deemed to have been fully complied with.

3. The By-Laws of the Jasper Valley Homeowners Association further spell out in Article XI, Section 5, the duties of the ACC: “It shall watch for any proposals, programs or activities which may adversely affect the residential value of (Jasper Valley) Properties and shall advise the Board of Directors regarding Association action on such matters.”

4. The Homes Association was incorporated for the purpose, among other things, of administering and enforcing the covenants and restrictions pertaining to land in Jasper Valley. The Homes Association can, with the procedures provided in the Declarations, Covenants, Restrictions, and Conditions, Article VII, Section 2 alter the covenants. The Homes Association can establish procedures and guidelines for interpretation and enforcement of these architectural and land use covenants.
5. The covenant relating to architectural approval is quite specific in vesting in the Board of the Homes Association the power to enjoin any exterior property improvement within Jasper Valley not in harmony with surrounding structures and topography.
6. Jasper Valley was conceived as an open spaces community as its zoning reflects. Lot owners agreed in writing at the time of contract that any dwelling constructed therein would have comparable value to prevailing housing. Specific restrictions include:
 - a. Each visible roof shall be constructed of materials aesthetically equal to or better than (as determined by the ACC) to the homes presently in Jasper Valley which are predominantly red or white wooden cedar shingles. Heavy weight architectural shingles with at least 30-year warranty and Class A Fire Rating are also allowed, subject to samples being approved by the ACC.
 - b. All utilities must be underground.
 - c. Television and other antennas are banned with the exception that satellite dishes whose diameter does not exceed 18 inches are allowed on the most inconspicuous but serviceable location on the homeowner's property.

These conditions set the tone for construction within Jasper Valley.

7. The character of Jasper Valley has thus been established in keeping with the Amherst community and the preservation of its own amenities. These guidelines provide further criteria for construction of dwellings and appurtenances.
8. New construction or exterior changes require application to the Board or the ACC. Such application need not be in writing for minor changes, such as the addition of gutters, but in most instances a written application is desirable.
9. For new construction, a site plan showing the siting of the building(s) on the lot plan is required. Distances to lot lines should be indicated. Septic and drain field locations must be shown.

10. Materials and color samples should be submitted, or otherwise indicated. Siding, roof, and trim work should be included.
11. Architect's renderings or photographs of similar construction will enable prompt resolution by the Board or the ACC of the application. Landscaping plans are encouraged. Landscaping includes the proper disposal or dispersal of boulders and other construction debris. A grading plan showing fill to within 18" of the top of the foundation around its entire perimeter should be submitted and adhered to.
12. Preliminary approval in writing, pursuant to Article VI of the Covenants, will be made by the board or the ACC after the site and grading plans have been submitted.
13. Final approval in writing will be made by the Board or the ACC upon submission of material and color samples, architect's renderings and landscape plans, and upon the siting and staking of the lot in question pursuant to the site and grading plans preliminarily approved.
14. No Jasper Valley approval will be made unless there is Amherst Building Permit properly on file with the Amherst Building Inspector and duly approved. If unauthorized construction or alteration is brought to the attention of the Board or the ACC, the Board will take all steps within its powers to preserve property values within Jasper Valley.
15. The Board or the ACC may retain or hire an independent architect, using general Homes Association funds, to aid in evaluation of applications for major construction or alterations.
16. The Board, using general Homes Association funds, may retain counsel to seek enforcement of the covenants and by-laws and these provisions relating to architectural control within Jasper Valley.