

**FOX RUN AT GALACTIC PARK  
ARCHITECTURAL REVIEW GUIDELINES  
CHANGE #3**

**Feb 27, 2017**

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**EFFECTIVE DATE AND APPLICABILITY**

Change #1 of the *Fox Run at Galactic Park Architectural Review Guidelines (ARGs)* is effective upon the date it was signed by the Galactic Park Residential Homeowners Association (HOA) Board President for the HOA Board and the HOA and the Architectural Review Committee (ARC) Chair for the ARC, as indicated on the cover sheet of this document.

It shall be applied to any new improvements (e.g., new homes, modifications to existing homes, new or upgraded landscapes, etc.) not previously approved by the HOA Board and ARC prior to the Change #1 approval date. It shall not be applied retroactively to any improvement approved and completed before the effective date of this change. For any improvement approved before the effective date of this change but not yet completed, the remaining portions of the improvement effort shall be conducted in compliance with Section 1, *Architectural Review Committee Guidelines*, and Section 2, *Design Review and Approval Guidelines* of Change #1. It is highly desirable that any improvement approved prior to the effective date of this change but not yet completed, be in compliance with Section 3, *Building Guidelines*; Section 4, *Site Design Guidelines*; Section 5, *Landscaping Guidelines*; and Section 6, *Lighting Guidelines*, of Change #1; however, in these cases only compliance with the original version of the *ARGs* is required except in those cases where variances to the original guidelines have been granted.

The basic design guidelines in Sections #3 through #6 of Change #1 have not significantly changed from those in the original version of this document but in some cases have been expanded to include better definition, clarity, and guidance. Consequently, it is anticipated that few if any completed improvements will not be in compliance with the revised design guidelines. Improvements completed or approved before the effective date of this change shall not be required to be upgraded to the new design guidelines; however, if an Owner plans to submit an application for an upgrade improvement beyond the effective date of Change #1, that could reasonably encompass a noncompliance item and bring it into compliance in an economical and timely manner, then the Owner shall address the desirability, technical feasibility, and economic impact of including this change in the application for the improvement. If the Owner fails to include it, the HOA Board and / or the ARC may request that the Owner do so.

# FOX RUN AT GALACTIC PARK

## ARCHITECTURAL REVIEW GUIDELINES

### Vision Statement

The Galactic Park (GP) Residential Area, also named “Fox Run” by the developers, is a **unique** and **custom** development that blends the natural wildlife environment with modern lifestyle. Located near the Gallatin River and within the Galactic Park Subdivision, this location provides residential property owners, hereafter referred to as the “Owners”, and their guests an opportunity to experience the river wilderness environment and to live within the serenity of a unique, custom residential development. These Architectural Review Guidelines (ARGs) were established to help preserve, to the maximum extent practical, (1) this natural wilderness environment, (2) this serenity, (3) the uniqueness and integrity of this single-family, custom home development, and (4) the value of the existing homes and properties regardless of the change in the market, asking, or sales price of any specific vacant lots or homes.

Per Article II, *Concepts and Definitions*, of the *Declaration of Covenants, Conditions, and Restrictions for Galactic Park Subdivision Residential Property* (hereafter referred to as the “*Covenants*”), these ARGs define the procedures for implementing the requirements for an Architectural Review Committee (ARC) along with a design review process and procedures to control “**improvements on all lots**” in Fox Run including the “**building of all structures**” there upon. These requirements have been established by the Subdivision developers, the GP Residential Homeowners Association (HOA) Board of Directors (hereafter referred to as the “Board”), the HOA members, the Gallatin County Department of Planning and Community Development, and the Montana Gallatin County Commissioners in the most current versions of (1) the *Articles of Incorporation Galactic Park Residential Homeowners Association, Inc. A Nonprofit Montana Corporation* (hereafter referred to as the “*Articles of Incorporation*”), (2) the *Bylaws of the Galactic Park Residential Homeowners Association, Inc.* (hereafter referred to as the “*Bylaws*”), (3) the *Covenants* and any amendments thereto, (4) this document (hereafter referred to as the “*Architectural Review Guidelines (ARGs)*”), (5) the *Final Plat Galactic Park Subdivision*, hereafter referred to as the “*Final Plat*”, and (6) the *Galactic Park Residential Homeowners Association Design Review Request Form (DRRF)*, hereafter referred to as the “*Design Review Request Form (DDRF)*”. Likewise, in accordance with the GP Residential HOA *Bylaws* and Article II, *Concepts and Definitions, of the Covenants*, these ARGs (1) **set the standards for architectural design of residential structures** within the Subdivision, and (2) **contain the minimum standards for (a) the construction of all structures** within the residential area of the Subdivision, (b) **the landscaping of all residential lots** within the Subdivision, (c) **the fencing of residential property**, and (d) **other such guidelines as the ARC, in its judgment, deems appropriate** from time to time.

### 1. Architectural Review Committee Guidelines

1.0 ARC Composition. In accordance with Section 8, *Powers and Duties of the Board of Directors*, of the *Bylaws* the HOA Board has the power and duty to provide for an ARC for the Fox Run Residential Area. Likewise per Section 7, *Officers of the Board of Directors*, of the *Bylaws*, the President of the HOA Board shall appoint the members of the ARC. In accordance with Section 9.1, *Architectural Review Committee*, of the *Covenants* the ARC shall consist of at least three (3) but not more than seven (7) persons, who shall serve and may be removed and replaced at the discretion of the President of the HOA Board. The HOA Board President shall appoint the ARC Chair to that position. The ARC members with the approval of the ARC Chair shall elect a Vice Chair and Secretary for the ARC. The ARC Chair and Vice Chair must be HOA members. Other than the Chair and Vice Chair, the other members of the ARC need not be members of the HOA or representatives of members. They may, but do not have to, include architects, engineers, or similar professionals, who may be compensated in such manner and amount, if any, as the President of the HOA Board may establish.

Per the *Covenants* the ARC may also enlist on a case by case basis the assistance of other architects, engineers, or other professionals in the process of reviewing plans, designs, and specifications. Such professionals shall be referred to as the “Reviewers”. A reviewer may establish and charge reasonable fees for review of design review requests (hereafter, referred to as “applications”) and may require such fees to be paid in full prior to the review of any application. The GP Residential HOA Board may include the compensation of such persons in the

HOA's annual operating budget.

1.1 ARC Purpose. Per the *Covenants* the GP Residential HOA shall assume jurisdiction over architectural matters and shall exercise that authority by and through the ARC. In accordance with Article II, *Concepts and Definitions*, of the *Covenants* the function of the ARC is to review and approve or disapprove applications including building and landscaping plans, specifications, designs, and sites and locations of all improvements to be constructed or erected on any residential lot.

The ARC shall be responsible for the review of the construction, installation, and / or development of all structures and improvements on all of the Fox Run residential lots pursuant to the ARGs. The ARC shall strictly enforce the ARGs. **Any ARGs containing the word “shall” are mandatory.** In addition, **certain types of design elements are “prohibited”**. The ARC shall, however, have the right and the flexibility to grant variances to said ARGs when, in the majority opinion of all of the members of the ARC, a variance is deemed appropriate. However, any variances to any Gallatin County mandated covenants must also be approved by the Gallatin County Department of Planning and Community Development and the Gallatin County Commissioners. The ARC is not responsible for reviewing plans, specifications, and designs for Federal, Montana, and Gallatin County Building Code compliance; however, if it does discover any non-compliance, it shall notify the appropriate agencies and the property Owners.

1.2 ARC Establishment of Rules, Bylaws, Procedures, and Guidelines. The ARC may make such reasonable rules and bylaws and adopt such procedures and guidelines as it deems necessary to carry out its functions. Such rules, bylaws, procedures, and guidelines may not be inconsistent with the provisions of the *Covenants*. The ARC shall be governed by the following guidelines in its consideration of plans, specifications, designs, sites, and locations submitted for its approval:

- a) It must be recognized that this Subdivision is designated for the Fox Run Residential Property Owners and all improvements in the Subdivision must harmoniously combine, and be consistent with, the development of the Subdivision project, which will serve said purpose.
- b) In considering any plans, specifications, and designs, the ARC shall examine the suitability of the same to the site, including the materials of which the improvement is to be constructed, as well as the relationship of the same to the neighborhood.
- c) All plans, specifications, and designs shall be in full compliance with all of the terms and provisions of the *Covenants* and *ARGs*, except for any variances, which have been granted by the ARC for such plans, specifications, designs, site, and location.

1.3 Records Retention. The Fox Run design review process is mandated by Gallatin County; consequently, the design review records are official documents, which must be controlled and maintained. The HOA Board President and the ARC Chair shall ensure that all applications and review correspondence, review comments, review recommendations, approvals, rejections, and waivers for the final design review phase for each improvement are kept secure and safe by the HOA at least for the life of each improvement or for at least a year if an improvement is canceled. Applications and review correspondence, comments, and recommendations for earlier design review phases shall be retained in a similar manner at least until the improvement is completed or canceled. Likewise, exterior material samples shall be kept in a similar manner at least until the improvement is completed or canceled. These documents shall be secured in a container or room, that is protected from fire and water damage. Floor plans and elevation views for improvements could be helpful to emergency responders if and when a home is damaged by a fire or natural disaster. The HOA Board President shall notify Gallatin County emergency response organizations how copies of these plans can be obtained from the HOA in any emergency.

Owners shall be responsible for maintaining the final application, approvals, and waivers for all improvements. When a property is sold, the previous Owner shall provide a copy of such applications, approvals, and waivers to the new Owner.

## 2. Design Review and Approval Guidelines

2.0 Types of Design Review. Informal discussions between lot Owners, who are planning and designing improvements to their property and the ARC members early on in the design process, are strongly encouraged. These informal discussions along with the normal Stage 0 Preliminary Design Review, Stage 1 Schematic Design

Review, and Stage 2 Construction Drawings Review are extremely important in helping (1) ensure the Owners thoroughly and completely understand the ARGs and other design requirements, (2) ensure these Owners provide complete and accurate design review applications, (3) facilitate the design and design review efforts, and (4) enhance the chance of design approval. Builders, who are not the lot Owners, may assist the lot Owners in interacting with the HOA; however, the lot Owners shall be ultimately responsible for the completeness and accuracy of the applications.

These lot Owners should recognize that like the process for designing new homes, the total design review process for a new house may stretch out at least over several months as the design progresses. Consequently, they should not expect each phase of the design review to be completed in a matter of only a few days or even a few weeks especially if informal discussions, the Stage 0 Preliminary Design Review, and / or the Stage 1 Schematic Design Review have been skipped. Skipping these early interactions and reviews is strongly discouraged by the HOA. It should also be recognized that ARC and HOA Board members are not always readily available to conduct a design review due to business and personal reasons. In addition, time for interaction between the ARC and the HOA Board and these lot Owners is frequently required to ensure that complete and accurate design submittals have been provided to the ARC and HOA Board. Likewise, initial review efforts can result in ARC and HOA Board comments and recommendations that require time for the Owners to address and to prepare acceptable responses.

The design review process encourages a high degree of interaction amongst the applicant and the HOA Manager, the HOA Board, and the ARC, especially early on in the design process. Consequently, it is expected that the applicant shall submit an application, which meets or comes close to meeting all the requirements and guidelines with the initial application submittal. However, the HOA recognizes that it is often difficult to achieve perfection through the first submittal. Therefore, it is anticipated that some reasonably limited number of changes to the design and the application may be required for each phase; thus, a reapplication submittal to address any non-compliances or to improve the design and a follow-up review may often be required. In a rare number of cases another round of very limited changes and a second follow-up review may be required. Since the HOA Board and ARC do not have the time nor are the design review process fees sufficient to cover more than a limited number of reviews for the same home design, there shall be no more than three design reviews of the same type for relatively the same design. Failure to demonstrate success after three reviews indicates that the applicant does not understand the ARC requirements and guidelines, is not making a reasonable effort to achieve compliance, and / or has submitted a design and / or application, which shall never be deemed acceptable. If after a design review, the applicant submits an application for an entirely new home design or an application significantly different from the original application whereby most if not all of the design review will have to be re-accomplished, the ARC may charge the applicant up to the full amount for a new review.

Interior modifications and / or interior improvements, that do not alter the exterior appearance of a building, and minor landscaping changes, as defined below, shall not require the review and approval of the ARC or the HOA Board. There are four (5) types of design reviews to help tailor and expedite the design review process for a proposed improvement.

- a) Stage 0 Preliminary Design Review. In addition to informal discussions, a Stage 0 Preliminary Design Review while not required can be quite helpful. A prospective buyer or an Owner of a Fox Run residential lot may request a review of any preliminary plans, specifications, and designs for improving a lot and / or building or remodeling a structure on any lot. Prospective buyers shall obtain approval, as necessary, from the lot Owners or the real estate listing agents for (1) access for themselves, the ARC, and the HOA Board to the lots and (2) permission to stake out or mark the building envelope and proposed home footprint on the property. The intent of the Preliminary Design Review is to provide ARC and HOA Board feedback on proposed plans, specifications, and designs before significant funding is invested, such as in purchasing the property, further developing the preliminary plans, specifications, and designs, and / or purchasing building and / or landscaping materials and equipment. The Preliminary Design Review will focus primarily on (1) the general size and location of the building envelope within the building footprint and lot boundaries, (2) the general style of the house as it relates to the natural environment of the site and neighboring homes, (3) the general layout of rooms and approximate square footage for the first and second floors, and (4) general types of materials and colors for the exterior materials. The design review fee for a Preliminary Design Review is \$100. The ARC shall have fifteen (15) days excluding holidays to complete the review after it has determined that sufficient and accurate information has been submitted.

b) Stage 1 Schematic Design Review. Schematic Design Reviews are normally only conducted for the construction of new structures or the modification of existing structures. They shall address the conceptual design for the project. The review shall address the best information available at the time for site plans; schematic plans including the building floor plans, the building elevation views, and the building specifications; the architectural character of the design; the type and color of exterior materials; the ARC Checklist; the fire protection method; and, if available, the preliminary construction drawings, project schedule, and landscape plans and schedules. A Schematic Design Review is a logical step in the design of a new home to ensure that the plans, specifications, and designs are on the right track toward ensuring compliance with the ARGs and other requirements. While a Stage 1 Schematic Design Review may be combined with a Stage 2 Construction Drawing Review, such a combination is generally discouraged unless the builder has prior construction experience within the Fox Run Residential Area and has high confidence that the plans, designs, and specifications will be approved. Landscaping plans, specifications, designs, and schedules; project schedules; and construction drawings may be reviewed in the Stage 1, Schematic Design Review, but shall be reviewed in the Stage 2 Construction Drawing Review. The review fee for a Stage 1 Schematic Design Review is \$250. The ARC shall have fifteen (15) days excluding holidays to complete the Stage 1 Schematic Design Review after it has determined that sufficient and accurate information has been submitted.

c) Stage 2: Construction Drawings Review. A full set of construction drawings shall be submitted. In addition to this information, any corrections, updates, or refinements to the information submitted for the Stage 1 Schematic Design Review shall be provided. If not previously provided to the ARC, landscape drawings and schedules shall also be submitted at this time. The review fee for a Stage 2 Construction Drawing Review is \$350. The ARC shall have fifteen (15) days excluding holidays to complete the Stage 2 Construction Drawing Review after it has determined that complete and accurate information has been submitted. If the Stage 1 Schematic Design Review is skipped, the application shall be for a combined Stage 1 and Stage 2 Review. The review fee for a combined Stage 1 and Stage 2 Review is \$500. The ARC shall have thirty (30) days excluding holidays to complete the combined Stage 1 and Stage 2 Review after it has determined that complete and accurate information has been submitted.

d) Minor Design Review. This level of review generally applies to any exterior building remodels, renovations, and / or improvements, and “major” landscaping changes. The ARC shall be consulted prior to preparation of the application for a Minor Design Review to ensure that this type of review is appropriate for the proposed improvement. The Minor Design Review shall focus as appropriated on new or revised plans, specifications, and designs. Changes to the original application submitted for the Stage 2 Construction Drawing Review shall be clearly defined and provided to the ARC. The level of detail provided for the Minor Design Review shall be commensurate with the level of detail provided for the same or similar features or items during the Stage 2 Design Review. The review fee for a Minor Design Review is \$50. The ARC shall have fifteen (15) days excluding holidays to complete the Minor Design Review after it has determined that sufficient and adequate information has been submitted.

Minor landscaping changes do not require an ARC review. The following factors shall be used by the property Owner and the ARC in determining whether or not a proposed landscaping improvement could result in a “major” landscaping change:

- 1) Cost of the Improvement: A landscaping improvement, that is estimated to be very expensive, should generally be considered a major landscaping change since the homeowner does not want to spend a large quantity of money for the improvement only to be told after the project is completed that the landscaping has to be removed or changed.
- 2) Time to Complete the Improvement: A landscaping improvement, that is estimated to take a large number of hours to complete, should routinely be considered a major landscaping change since the homeowner does not want to spend a lot of their time or pay someone for a lot of effort for the landscaping improvement only to be informed that the result is unacceptable. Likewise, the Owner’s neighbors do not want to look at an unsightly landscaping project for long periods of time if the project culminates in unacceptable results.

- 3) Location of the Improvement: A landscaping improvement in the front yard or that is clearly visible from the main roadway should more readily be considered for a major landscaping change design review.
- 4) Size of the Improvement: A landscaping improvement, that encompasses more than 20% of the front yard, side yard, or back yard, should be considered for review since it will significantly alter the natural landscape.
- 5) Height of the Improvement: A landscaping improvement, which can significantly block a neighbor's view or can be seen from a long distance away, should normally be submitted for review.
- 6) Lighting: A landscaping improvement involving other than downward facing and subdued lighting or that can involve lighting, that can potentially be objectionable to neighbors, should normally be reviewed.
- 7) Noise: Any landscaping project generating noise other than running water should be reviewed. This also includes projects, that can attract a significant number of noisy birds or other animals.
- 8) Wildlife Attracting Vegetation: The *Covenants* state "Planting of wildlife attracting vegetation shall be prohibited." However, all plants can generally attract certain species of wildlife. Consequently, landscaping improvements, that have a significant potential to attract wildlife, should be reviewed.
- 9) Water Drainage and Flooding: Any landscaping improvement, which has a significant potential to affect water drainage or potentially cause flooding of a neighbor's property or a subdivision open area, should be reviewed.
- 10) Shade: Any landscaping improvement, which has the potential to significantly shade any portion of a neighbor's property, should be reviewed.
- 11) Other: Any landscaping improvement, which has a significant potential to diminish property values or significantly impact one or more neighbor's property, shall be reviewed.

e) Design Review of Changes to the Approved Final Design Application. The HOA recognizes that after the approval of the final design review application and after construction on the improvement has commenced, it is often desirable and necessary to make both major and minor changes to the design. The design review approval process shall be maintained through the completion of the improvement. Consequently, to the extent practical, the Owner with the support of the builder shall notify the ARC in writing or by email of any requested changes to the design of the improvement, which would cause a change to the final design review application and shall recommend whether or not the proposed change needs to be reviewed by the ARC. If the Owner and / or builder cannot reasonably provide notification prior to implementing the change due to construction constraints and timing, then notification shall be provided to the ARC as soon as possible thereafter. The Owner and / or builder shall schedule and conduct the improvement process such that adequate time is allowed for timely notification and design review of such design changes. In order to attempt to maintain the schedule for the improvement, the HOA Board Chair, the ARC Chair, or ARC Vice Chair may determine whether or not the proposed change does not need further review, is acceptable, or is not acceptable. These individuals may consult with other HOA Board members or ARC member or reviewers in making this determination; however, it is not required. Not every change will need to be reviewed. Minor changes to the interior of the house would normally not be reviewed. Significant changes in the floor plans, exterior views, and exterior material shall be considered for further review. The Owner, builder, HOA Board, and ARC shall use common sense in determining what needs to be further reviewed. The HOA Board Chair, the ARC Chair, or the ARC Vice Chair shall notify the Owner and / or builder, the HOA Board, and the ARC in a timely manner of their determination.

The Owner and / or builder and the ARC shall maintain a log of all such proposed changes and their disposition. This log shall be part of the permanent record for the improvement. The Owner and / or builder may elect to incorporate any approved changes into a revised application at any time in order to reflect the as built status of the improvement.

2.1 Design Review Process. The design review process shall be conducted in accordance with the following guidelines. The design review process is intended to be a cooperative interchange amongst the applicant, the HOA Manager, the HOA Board, and the ARC in order to ensure the best and most effective design review. While the guidelines below establish the recommended basic process for the design review efforts, they may be modified as necessary by the HOA Board members and ARC to better ensure these objectives. These guidelines shall be applied as appropriate for each of the five types of design review.

a) Contact with the Galactic Park Residential HOA Board, the HOA Manager, and the ARC. Any (1) requests for information, informal discussions, and / or design reviews; (2) applications for design reviews; and (3) information requested by the ARC, the HOA Board, and / or the HOA Manager shall be routed to the HOA Manager or Christopher Yearick depending on what is needed and/or being submitted unless directed otherwise by a member of the HOA Board or the ARC, to ensure that it is properly managed and delivered to and coordinated with the proper HOA personnel. Contact information for the HOA Manager has been provided to each of the residential property owners. Christopher Yearick can be reached at 406-570-7319 or [cjy@pilari.com](mailto:cjy@pilari.com). It is also printed on the *Galactic Park Residential Homeowners Association Design Review Request Form*. This information and form are available the HOA Management Company's web page. The HOA Manager shall ensure that requests and supplied information are forwarded in a timely manner to the proper HOA Board and / or ARC contacts, as designated by the HOA President and the ARC Chair, for review and / or action. **All plans and samples need to be delivered to Christopher Yearick at 54 Merlin Drive, Bozeman. Electronic plans are preferable, [cjy@pilari.com](mailto:cjy@pilari.com).** The HOA President and the ARC Chair shall provide the HOA Manager a list of contact information for the primary and alternate contacts.

Paper and /or electronic copies of the current HOA requirements and ARC review documents may also be obtained by the applicant from the HOA Manager. Electronic copies are also available on the HOA Management Company's web site.

b) Preparation, Submittal, and Distribution of an Application for a Design Review. The applicant shall ensure that the most current version of each requirements and / or guidance document is used to design the improvement and prepare each design review application or reapplication. The currency of these documents may be verified with a HOA Board member, an ARC member, the HOA manager, the Galactic Park Facebook Page, or the HOA Management Company's web page. The applicant shall also ensure that the application, including any drawings, photographs, and samples, is accurate and complete to the extent practical based on the type of review and the extent of the completion of the design. An application for a design review shall be submitted to the HOA Manager, who shall then distribute the application in a timely manner to the appropriate HOA Board and / or ARC contacts. The HOA Board or ARC contacts shall in a timely manner provide copies of the application to all other HOA Board members and ARC members and reviewers or designate the routing of the copies amongst the HOA Board and ARC members and reviewers if there are not enough copies for each individual.

c) Design Review. The ARC members and reviewers shall review each application to determine if it is complete to the extent practical and accurate. If the application is found to not be complete and / or accurate, it shall be provided to the HOA Manager who shall return it to the applicant along with a HOA Board provided request for missing information and / or correction of inaccurate information. The design review shall not be continued until the application is resubmitted with complete and accurate information and the design review time limit shall be reset with the resubmittal. The ARC members and reviewers shall then review the application to determine whether or not compliance with the all applicable requirements and guidelines of the Subdivision particularly those contained in the *Covenants* and *ARGs* are met. The ARC members and reviewers may use the *Homeowners Owners Association (HOA) Architectural Review Committee (ARC) Checklist* to help facilitate this review. The ARC members and reviewers shall exercise caution in providing suggestions to the applicant, especially with regard to non-compliances, since suggestions shall not be interpreted to be preapproved approaches to compliance. Each ARC member and reviewer shall provide, in a timely manner, the ARC Chair and other ARC members and reviewers with at least an electronic copy of their review comments. A hard copy of these review comments may also be provided. Each comment shall specifically address why a particular requirement or guideline is not met rather than just stating that the requirement or guideline is not met. As provided for in the *ARGs*, subjective judgment may be used as



appropriate. Even though the design may meet a particular requirement or guideline, an ARC member or reviewer may also include comments for information only, which would generally tend to improve the design. In addition, each ARC member and reviewer shall provide the ARC Chair and other ARC members along with their comments (1) a recommendation for approval, (2) a tentative recommendation for approval based on a follow up review and approval of corrections for non-compliances, or (3) a recommendation for rejection based on the number and severity of the non-compliances or the overall unacceptability of the design. The ARC members and reviewers may also provide these comments and recommendation to the HOA Board members in order to facilitate and expedite the review. The ARC Chair shall compile all of the comments into two groups, one for non-compliances and one for information only. The chair will then group the comments into consolidated lists by grouping related comments, combining similar comments, and resolving differing comments with the submitters. The ARC Chair may schedule one or more ARC meetings to help expedite the review. Other ARC members may request that the ARC Chair schedule a meeting if they deemed it is necessary. At this stage the ARC Chair may request that the applicant participate in part of the meeting solely for the purpose of the applicant providing additional information or clarification and not to negotiate resolution of any potential non-compliance, since the ARC comments and recommendations have not yet been approved. The ARC Chair shall distribute the consolidated lists of comments along with a recommendation for approval, tentative approval, or rejection to the ARC members. The other ARC members shall then provide the ARC Chair with their approval of the lists and recommendation or reasons for nonoccurrence. If necessary, the ARC Chair shall seek to resolve any differences until at least a majority of the ARC members concur with the lists and the recommendation. After a concurrence is obtained the ARC Chair shall forward the lists and recommendation to the HOA Board members. The HOA Board members may consult with the ARC members as necessary to clearly understand the ARC recommendation and comments.

The HOA Board Chair shall ask the other HOA Board members for their concurrence with the ARC recommendation and comments. The HOA Board members shall provide the HOA Board Chair with their approval or their comments on the ARC comments and recommendation and the design application. The HOA Board members may concur or they may recommend deletion of ARC comments, modifications to ARC comments, additions to the ARC comments, and / or a change in the ARC recommendation. If necessary, the HOA Board Chair shall then consolidate the HOA Board comments into revised lists of comments and a recommendation. If needed, the HOA Board Chair shall distribute the revised lists of comments to the other HOA Board members and the ARC. The HOA Board Chair may schedule one or more meetings of the HOA Board with or without the ARC to resolve any differences. If changes are made to the initial ARC comments and recommendation, the HOA Board Chair shall ask for approval of the changes by both the HOA Board and the ARC. The comments and recommendation shall have the approval of a majority of the HOA Board and a majority of the ARC members to be approved. The HOA Board Chair shall work with the HOA Board and the ARC as necessary to ensure such approval.

d) Notification of Review Comments and Recommendation. After approval of the ARC comments and recommendation by the HOA Board and ARC, the HOA Board President shall notify the applicant through the HOA Manager of the comments and recommendation of the HOA Board. If the application is not approved, the applicant shall review the comments and recommendation and shall notify the HOA Manager if the Owner plans to rectify the non-compliances and proceed with the improvement. Although the comments and recommendation should be written to be clearly understandable without further explanation, the applicant may ask for further clarification on any comments or the recommendation. The applicant may also request a meeting with the HOA Board and / or ARC to get additional clarification. While some discussion and negotiation over some requirements and guidelines may be appropriate and variances can be considered, the main purpose of such meetings is to provide clarification and to seek compromise and not to solely argue over whether or not a design aspect is a compliance issue.

While individual ARC or HOA Board members may provide written or verbal advice to lot Owners as to the accuracy and completeness of their submittal, only the HOA Board President or designee is authorized based on the consensus approval of the HOA Board and ARC to provide formal comments and recommendations to the applicants regarding the review of their submittal.

e) Conflicts of Interest. ARC and HOA Board members, who have a conflict of interest with a proposed improvement, shall generally not participate in the design review process and shall excuse themselves from the review. This shall include improvements for an individual Board or ARC member's property and improvements in which an individual Board or ARC member is being paid for labor and / or advice by the applicant. However, if the conflict of interest area can be clearly isolated from the rest of the improvement, then the ARC or Board member with the approval of the HOA Board President or Vice President may participate in the review of the rest of the improvement. If the HOA President or ARC Chair has a conflict of interest, then the HOA Vice President or ARC Vice Chair shall act in their behalf.

## 2.2 Design Review Application Submittal

a) Design Application General Guidelines Drawings for all submitted plans shall bear the stamp of a licensed architect and show all intended architectural details. No cross-outs, corrections, or notes as to intended changes for a drawing shall be accepted upon the first submission. Submittals shall be complete to permit approval. Incomplete submittals shall not be accepted.

b) Application Guidelines for Stage 0: Preliminary Design Review. The Stage 0 Preliminary Design Review for a new home shall focus primarily on (1) the general size and location of the building envelope within the building footprint and lot boundaries, (2) the general style of the house as it relates to the natural environment of the site and neighboring homes, (3) the general layout of rooms and approximate square footage for the first and second floors, and (4) the general types of materials and colors for the exterior materials. The purpose of the application is to convince the ARC and the HOA Board that the proposed home has a good chance of satisfying the design requirements and guidelines and will be acceptable for the proposed lot and the Subdivision. The Stage 0 Preliminary Design Review application shall as a minimum contain the following information on the Galactic Park (GP) Residential Homeowners Association (HOA) Stage 0 Preliminary Design Review Request Form (DDRF), as described on page 11 or the general DDRF in Attachment #1. As much additional information as is reasonably available should also be provided.

c) Application Guidelines for Stage 1 Schematic Design Review. The Stage 1 Schematic Design review addresses the conceptual design for the project. The review shall address the site, building floor plans and elevation drawings, architectural character, exterior materials, and drainage. The Stage 1 Design Review application shall as a minimum contain the information on the Galactic Park Residential Homeowners Association Stage 1 Design Review Request Form as described on page 12 or the general DDRF in Attachment #1. As much additional information as is reasonable should be provided.

d) Application Guidelines for Stage 2 Construction Drawings Review. The Stage 2: Construction Drawing Review: entails reviewing for any changes that may have occurred since the Stage 1 Schematic Design Review for the improvement and reviewing the construction drawings, project schedule, and landscape drawings and schedule. A full set of construction and landscape drawings shall be submitted. In addition to this information, any corrections, updates, or refinements to the information submitted for the Stage 1 Schematic Design Review shall be provided. The easiest way to accomplish this task is to provide all of the required information with the changes and additions highlighted.

Application Guidelines for a Minor Design Review. A Minor Design Review generally applies to any exterior building remodels, renovations, and / or improvements, and “major” landscaping changes. Changes to the original application submitted for the Stage 2 Construction Drawing Review shall be clearly defined and provided to the ARC. The level of detail provided for the Minor Design Review shall be commensurate with the level of detail provided for the same or similar features or items during the Stage 2 Construction Drawing Review.

e) Application Guidelines for Requesting Approval of Proposed Changes During Construction. For approval of any proposed changes during construction, the applicant shall provide notification to the ARC of any proposed changes and the associated changes to the original application. This may be accomplished in an email or in writing. A revised application shall be submitted in which the proposed changes are highlighted.

f) Design Review Request Certification and Agreement. In signing the *Galactic Park Residential Homeowners Association Design Review Request Form* the applicant certifies that the information submitted is complete unless noted otherwise therein and accurate. The applicant shall agree to comply with the current versions of the *Covenants* and the *Fox Run ARGs*. The applicant shall also agree to obtain additional ARC approval before any improvements or changes are made that are not in accordance with the application. The applicant further agrees to pre-arranged inspections by the HOA Board and / or the ARC during construction to ensure compliance with the application and HOA requirements and guidelines.

2.3 Variances. Per Section 8.12, *Variances for Size and Configuration of Building Envelopes*, of the *Covenants* the ARC may authorize variances from compliance with any of its guidelines and procedures, when circumstances such as topography, natural obstructions, hardship, or aesthetic or environmental considerations require, but only in accordance with duly adopted rules and regulations. No variance shall (a) be effective unless in writing; (b) be contrary to the *Covenants*; or (c) stop the ARC from denying a variance in other circumstances. The inability to obtain approval of any government agency, the inability to obtain the issuance of any permit, or the terms of any financing shall not be considered a hardship warranting a variance.

The ARC may accept appeals for variances in the size and configuration of building envelopes and for location of driveways (i.e., site access). Appeals shall be reviewed with the assistance of the Gallatin County Planning and Community Development Department and, if necessary, the Gallatin County Commissioners.

2.4 Application Rejection. The ARC shall have the authority to reject plans, designs, specifications, and / or materials, designs submitted with applications, or the applications themselves if they are not compatible with or suitable for the Subdivision.

2.5 Start of Construction and ARC Approval of Changes. Except as otherwise specifically provided for in the *ARGs*, nobody shall be permitted to commence any improvements on any portion of the Galactic Park Residential Area without prior written ARC and HOA Board approval of the plans, specifications, designs, location, and site. Likewise, any changes to approved plans, specifications, and designs shall be approval be the ARC and the HOA Board before they are implemented.

2.6 Completion. All work on any improvement in Fox Run, once started, shall be continued on a diligent and continuous basis until completion, which shall not exceed 12 months. Requests for a waiver to this requirement must be submitted to the HOA Manager, the HOA Board, and the ARC. These requests must include adequate justification and a revised schedule for completion. Fines as discussed in Sections 2.9, *Compliance Deposit*, and 2.10, *Enforcement*, for failure to comply with this requirement may be imposed by the ARC and / or the HOA Board if an adequate justification for delay and a revised schedule are not provided.

2.7 Construction Compliance. All improvements, construction, reconstruction, alterations, or remodeling requiring the approval of the ARC shall be completed in substantial compliance with the plans, designs, and specifications initially approved by the Committee.

2.8 Maintenance of Vacant Lots. Vacant lots shall be maintained by the Owner at the Owner’s expense in accordance with the *Covenants*, including mowing large expanses of wild grass, when necessary for fire safety, and the control of noxious weeds.

2.9 Compliance Deposit. As part of the application for a Phase 1 and / or 2 Design Review the lot owner shall deliver a Compliance Deposit to the ARC on behalf of the Association, as security for the owner’s full and faithful performance of construction in accordance with its approved final plans, the *ARGs*, and the *Covenants*. The amount of the Compliance Deposit shall be \$5,000 made out to Galactic Park HOA. The ARC, on behalf of the

HOA, shall administer each Compliance Deposit as follows:

- a) The ARC shall hold the Compliance Deposit as security for the lot owner's full and faithful performance of its construction activity in accordance with its approved final plans, the *ARGs*, and the *Covenants*. No interest will be paid by the ARC on this Deposit to the owner.
- b) The HOA may use, apply or retain all or any part of a Compliance Deposit to the extent required to reimburse the ARC for any cost which it may incur, by reason of a lot owner's non-compliance. The ARC shall be entitled to a fee in an amount equal to fifteen (15) percent of the amount of any cost it incurs to cure a non-compliance by a lot owner; the fee may be paid from the Compliance Deposit. If the amount of the Compliance Deposit is not sufficient to cure a non-compliance, the ARC may apply the Deposit in a manner which best mitigates the effects of the non-compliance. In addition, the ARC may use, apply, or retain the whole or any part of a Compliance Deposit to pay any fine imposed by the ARC, that is not paid, when due and payable.
- c) The Association's decision to use the Compliance Deposit as permitted shall be at its sole and absolute discretion.
- d) If the ARC use part or all of the Compliance Deposit as set forth in this document, the lot owner shall, within five days after written demand from the ARC, pay the ARC the amount used to restore the Compliance Deposit to its original amount. Neither the lot owner nor any other party shall have any rights of any kind or nature against the ARC, its officers, agents, and employees, the HOA Board or its members, or any attorneys arising out of ARC use of the Compliance Deposit, unless the ARC is grossly negligent or intentionally acts in bad faith.
- e) Any part of the Compliance Deposit not used by the ARC as permitted by this document shall be returned to the lot owner within thirty (30) day after the ARC has determined that all requirements have been satisfied.

2.10 Enforcement. The ARC shall have the power, authority, standing and right to enforce the *Covenants* and the *ARGs* in any court of law or equity when it reasonably believes the same have been violated and shall have the authority to order suspension or cessation of any construction or work in violation of the *Covenants*, the *ARGs*, or of any permit issued by the ARC. Failure to comply with the *Covenants* and the *ARGs* shall result in the Subdivision Declarant's denial of utility services (water and sewer) to the property owner until such time as violations are rectified. If a lot owner violates any terms or conditions set forth in the ARG or Covenants, the ARC shall have the following rights and remedies:

- a) Right to Cure. The ARC may, but is not obligated to, particularly if safety issues are involved, enter upon the construction site and cure each violation at the owner's cost and expense. If the ARC cures any such violation, the owner shall pay to the ARC the cost it incurs, plus an administrative fee of fifteen (15) percent of all such costs, within five days after the owner receives a written invoice therefore from the ARC.
- b) Right to Fine. The ARC may impose a fine of \$100 against a lot owner for the first violation of any term or condition including schedule commitments of the approved final plans, the *ARGs*, or *Covenants*. For each subsequent violation of that same term or condition, the ARC may impose a fine of twice the amount of the fine imposed for the last violation of that same term or condition. The lot owner shall pay any fine imposed within five days after the lot owner received written notice thereof.
- c) Right to Sue for Injunction Relief. The ARC may sue the lot owner to enjoin each violation.
- d) Right to Sue for Damages. The ARC may sue the lot owner for all damages, losses, costs, and expenses including, without limitation, reasonable attorney's fees and disbursements incurred by the ARC as a result of the violation.
- e) Lien. The ARC may have a lien against the site of any violation of the final plans, the *ARGs*, or the *Covenants* and all of the lot owner's other properties within Galactic Park to secure payment of any fee, charge, fine or other amount due from the owner to the ARC under this document. Interest on any unpaid amount incurs at the rate of eighteen (18) percent per annum from the date due until paid, including, without limitation, reasonable attorney fees and distributions. Any such lien may be foreclosed as a mortgage under the laws of the State of Montana.
- f) Other Rights and Remedies. The ARC shall have all other rights and remedies available to it at

law or in equity. All rights and remedies shall be cumulative and the exercise of one right or remedy shall not preclude the exercise of any other.

2.11 Inspection of Work. The ARC reserves the right to call for inspection of a construction site for compliance with the applicant's application and / or the ARGs. In addition, the lot owner shall ensure that the parts of the home for which fire retardant spray is required and has been applied is inspected by the ARC prior to any further construction on those parts. If the ARC finds that work on the improvement was not done in strict compliance with all approved plans, designs, and specifications submitted or required to be submitted for its prior approval, it shall notify the Owner and the Board of Directors of such noncompliance, and shall require the Owner to remedy the same. If, upon the expiration of seven (7) normal business days from the date of such notification, the Owner has failed to commence to remedy such noncompliance or reached agreement with the ARC on a plan for such remedy, the ARC and the Directors shall determine the nature and extent of noncompliance thereof and the estimated cost of correction or removing the same. The Directors shall notify the Owner in writing of the HOA's estimated cost of correction or removal. The Owner shall then only have five (5) days to commence such remedy and thirty (30) days to complete such remedy, unless the time period is extended by the ARC and the HOA Board. If the Owner still does not comply with the HOA Board of Directors' ruling within such designated periods, the HOA Board of Directors, at their option, may remove the non-complying improvement or remedy the noncompliance, and the Owner shall reimburse the HOA Board upon demand for all expenses incurred in connection therewith. If such expenses are not promptly repaid by the Owner to the HOA, the Directors shall levy an assessment and file a lien against such Owner and the improvement in question and the land on which the same is situated for reimbursement and the same shall be enforced and / or closed upon in the manner provided for by law for mortgages.

### 3 Building Guidelines

3.1 Intent. The plans, specifications, and designs for each improvement shall be reviewed individually with the following building criteria in mind. These criteria shall be of paramount importance in the review and approval process of residential building plans by the ARC.

3.2 Building Type. All buildings shall be of frame type construction. The following types of structures are **prohibited**: (1) mobile homes, (2) trailer homes, (3) manufactured homes, and (4) modular homes.

All residences shall be designed, built, and restricted to single family occupancy. Any variance to this design requirement shall be submitted to the HOA Manager, HOA Board, and ARC for approval.

Likewise, accessory living units are expressly **prohibited** including garage apartments and apartments within the main residence. The house shall not be designed and built as a rental property. Limitations on rental of part or the entire property are addressed in the *Covenants*.

Additional detached buildings and / or storage structures (e.g., storage barns and sheds) are **prohibited**. All storage structures shall be designed to be attached to or part of the house.

3.3 Building Design. A traditional architectural style and design for new homes that blend with the existing natural environment and existing homes shall be utilized. **To the extent practical each home shall be unique, i.e., being the only one of its kind in its design within the local area, and shall contain elements, which convey its distinctiveness from other homes in the Subdivision.** The building design shall avoid the appearance of "tract development". Each home design shall address the scale and massing not only of the particular residence itself to the property but also of adjacent residences within the Subdivision. The main structure shall be visually dominant over accessory structures such as garages through the use of architectural details and /or height. For example, see the building designs in *Figure #1, Figure #2, and Figure #3*.



*Figure 1*

3.4 Building Height. The maximum building height shall be equal to or less than 32 feet. Architectural accents, chimneys, and roof top vents may exceed this height to a reasonable extent as determined by the ARC.

3.5 Garages. Garages shall be visually subordinate to the main structure of the house. They shall be attached to the main structure of the house unless a variance is approved. All garage entrances shall be oriented to the side or rear of the building; however, a variance may be approved by the ARC if required to properly configure the house within the building envelope. Garages shall be either a two (2) or three (3) car garage.

With the approval of the ARC, the area over the garage may be used for extra living space (e.g., extra bedrooms and bathrooms, bonus rooms, hobby rooms, TV and video rooms, pool rooms, etc.) and storage space; however, the house shall be designed such that this area is integral to the main part of the home and not merely utilized to meet the minimum living area square footage requirements. The main stairs or entryway to this area shall be within the main structure of the home versus the garage. Secondary entry ways to this area may be provided by stairs or a ceiling access port in the garage or external stairs in the rear of the house.

Garages may contain additional space for mechanical equipment necessary for the operation of the house. They may also contain areas for storage, hobby, and sports equipment, home maintenance areas, workshops, and other purposes, as deemed acceptable by the ARC. Storage of vehicles, trailers, sports utility vehicles, and riding lawnmowers and snow blowers, etc. external to the house frequently can cause the lot to appear cluttered and detract from the overall appearance of the home and the wildlife environment of the Subdivision. Consequently, in the design of the home, the garage, attached storage sheds, and enclosed external storage areas careful consideration shall be given to minimize storage requirements external to the structure. The use of rental storage space outside the Subdivision may be required especially for large and / or multiple trailers and recreational vehicles. For a garage example, see the garage design and orientation in *Figure 2*.



*Figure 2*

3.6 Exterior Building Material Guidelines. Natural materials (e.g., wood, stone, brick and log) with subdued colors that harmonize with and complement the natural environment shall be used as the primary exterior building materials. Synthetic materials that meet the intent of the ARGs may be proposed and considered by the ARC. At least two types of exterior siding building materials shall be used in each dwelling and the use of more than two is strongly encouraged to make the house more unique. Vinyl siding is **prohibited**.

3.7 Roofs. Varied roof forms shall be used with a minimum of two roof lines per building front and rear façade. The roof shall use traditional, gable, hip, and / or shed roof designs in creative and aesthetically pleasing combinations. The traditional forms not only help establish the rural feel desired but also make the structures more practical for the Owners. Secondary roof forms are highly recommended in the designs. These forms are particularly useful to give proper scale to large roof masses. They can be particularly effective when special care is given to their massing and pattern. In addition, no roof ridgeline shall extend more than forty (40) feet without interruption by an intersecting roofline, secondary roof structure, or step down roof in order to break up the overall roof mass.

The minimum roof pitch shall be 6:12 for the major components of any roof. Minor component and secondary roof structures, such as shed roofs and dormer roofs may have pitches as low as 4:12 (3:12 if deemed appropriate by the ARC). Under certain special circumstances the roof design may incorporate as a minor component of the overall roof design a flat roof (<3:12 if deemed appropriate by the ARC.)

Skylights and chimneys are not considered secondary roof structures. Dormers and most other secondary roof structures are encouraged both to add interest and scale to major roof areas and to make habitable use of the space within the roofs. Dormers and other secondary roofs may have gable, hip, or shed forms and may be stacked in multiple forms. When designing the location of skylights, consideration should be given to the exterior appearance of the unit. Skylights shall be located away from valleys, ridges, and all other areas of the roof where drifting snow and ice may hinder the performance and safety of the unit. The use of solar collectors shall be approved by the ARC.

Acceptable roof materials shall be standing seam metal, asphalt or composite shingles and shake shingles. All roofing materials shall be Class A or Class B fire-rated. Wood shakes can achieve a Class B rating by using a foil-faced or equivalent substrate or underlayment of non-combustible material and shall be periodically treated with fire retardant. For an example, see the varied roof forms in *Figure 3*



*Figure 3*

3.8 Eaves, Soffits, and Facia. All major roof components shall have a minimum horizontal eave projection of eighteen (18) inches measured from the finished wall. Minor roof structures may have a reduced eave projection as necessary to maintain proper proportion or for a specific architectural effect if approved by the ARC. Eaves may have a horizontal or angled return to the wall. Soffits shall be required to cover all rafter tails and rough framing material except where framing members are finished and protected from exposure.

3.9 Equipment and Ventilating Roof Projections. Should roof-mounted equipment be needed in the design, it shall be integrated into the overall roof design and screened from view. All roof mounted heating, ventilation, and air conditioning (HVAC) equipment shall be screened from the street view with an architectural element consistent with the design of the building and oriented away from the street side of the building. Other non-roof mounted equipment shall be likewise screened from the street view of the structure either with architectural elements such as approved fencing and / or with the use of landscaping.

3.9 Gutters, Downspouts, and Flashing. Gutters and downspouts are allowed but they shall be of a color and finish that blends with the finished colors of the structure. Unpainted gutters, downspouts, or flashing is **prohibited**. Flashing materials shall be of copper or painted or anodized sheet metal.

3.10 Exterior Walls. The exterior walls are one of the most important aesthetic elements in the building design and shall reflect the image of the entire Subdivision. Elements of specific concern are scale, proportion, texture, and color. The scale and proportion of the exterior walls shall have inherent interest and diversity and shall harmonize with the high quality nature of the Subdivision. No exterior wall shall consist of a single finish treatment for more than fourteen (14) horizontal feet without interruption by a wall projection, wall corner, window, wall recess, porch, or other architectural form that adds interest.

3.11 Windows and Doors. Windows are an important architectural element and shall be designed in a manner consistent with the residential area of the Subdivision. Additionally, projections and recesses and divided light windows are encouraged to accentuate a residential feel to the building. The patterns, sizing, symmetry (or asymmetry) of windows and doors determines the scale and feel of a building. The ARC requires that the following aspects be carefully addressed in the window and door design: (a) consistency of types and shapes, (b) special shapes used for “feature” windows in appropriate areas, (c) use of window patterns consistent with the design and massing of the structure, and (d) consistent use of window frames in conjunction with adjacent window frames.

3.12 Utility Meters. Utility meters shall be placed in an unobtrusive location on the structure. The location shall be shown on the site and building plans. Utility meters are not allowed on the front elevation of the home.

3.13 Vents. Vents shall be located on the roof or the sides or back of the house as applicable. They are **prohibited** on the front of the side.

3.14 Porches and Entrances. Each dwelling shall have a clearly defined entrance within the front façade. Porches and entrances shall be an extension of or incorporated into the main structure. For examples, see the porches and entrances in *Figures 2 and 3*.

3.15 Exterior Material Colors. Exterior material colors shall be subdued and harmonize with and complement the existing natural environment. At least two distinctively different colors for the primary exterior materials shall be used. The use of three or more colors per dwelling is strongly encouraged to make the home unique.

3.16 Wood Burning Devices and Chimneys. Per Section 11.16, *Wood Burning Devices*, of the Covenants, all wood burning devices shall meet Environmental Protection Agency (EPA) certification standards. Spark arrester screens shall be installed on all fireplace and woodstove chimneys.

3.17 Finished Ground Elevation. The minimum Finished Ground Elevations for buildings constructed in Fox Run have been designated for each individual lot and are specified on the *Final Plat of the Galactic Park Subdivision*. The Finished Ground Elevation for each residential home shall meet or exceed these minimum values. See Attachment #2 to this document for a copy of the *Final Plat*.

3.18 Basements and Crawl Spaces. All types of basements are **prohibited** due to the high groundwater in the Subdivision. Crawl spaces are permitted where feasible.

3.19 Foundations. Exposed foundations are **prohibited**. The exterior of all exposed portions of the foundations shall be screened with landscaping and / or covered with appropriate building materials such as stone, rock, or textured stucco.

3.20 Refuse/Waste Collection. Recognizing that all Fox Run properties lie within existing wildlife corridors, care shall be taken to ensure that no adverse impacts are created in regards to human and / or wildlife safety. Per Section o of Article XIII, *Mandatory Covenants*, of the Covenants all garbage shall be stored in animal-proof containers or be made unavailable to animals in an enclosed area (e.g., garage). Regular garbage containers, such as those provided by Republic Services, or similar containers shall not be stored outside unless the garbage containers and lids are secured and protected in an appropriate manner.

3.21 Fire Protection Construction Requirements. In accordance with Section k of Article XIII, *Mandatory Covenants*, of the Covenants all dwellings shall be constructed in compliance with at least one of the following fire protection methods:

a. Method #1: All dwellings may install an automatic fire sprinkler system meeting the requirements of National Fire Protection Association (NFPA) 13D, *Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes, 2013 Edition*, . If this method is employed, the local Fire District and the ARC shall receive a stamped set of engineered sprinkler systems plans for review and approval prior to construction. Inspection by the local Fire District shall be scheduled, with 48 hours' notice, during construction and once after completion of the system.

b. Method #2: All dwellings may treat the building materials with a class A fire retardant that reflects the following standards:

1, All structural members, sheathing, roof decking, and sub flooring shall be treated with a fire retardant having a class A fire resistance rating, consistent with the requirements of NFPA 220, *Standards on Type of Building Construction*.

2. The builder shall be required to submit for approval the fire retardant product, a Manufacturer's Safety Data Sheet, and test criteria and results, for each product to be used to the local Fire District and the ARC.

3. Any product submitted for approval shall have a NFPA-Hazardous Material Identification System (HMIS) Rating:

(a). Health: 1 or less



- (b) Flammability: 0
- (c). Reactivity: 0
- (d). Special Hazard: none

4. No fire retardant products which produce toxic By-products in the process of combustion shall be allowed.

5. Prior to final occupancy of the dwelling, the builder shall be required to provide a sworn affidavit to the local Fire Department and the ARC stating the name of all fire retardant products used and that they were applied in a fashion consistent with the manufacturer's recommendation.

If the fire retardant method is utilized, the fire retardant shall be applied by personnel trained and / or sufficiently experienced in its application. The lot owner shall ensure that the parts of the home for which fire retardant spray is required and has been applied is inspected by the ARC prior to any further construction on those parts.

If a fire protection method other than the two methods described above is proposed, a description of the method shall be submitted to the ARC, the local Fire Department, the Gallatin County Department of Planning and Community Development, and the Gallatin County Commissioners for review and approved by them since the use of one of the two methods described above is mandated by Gallatin County in Article XIII, *Mandated Covenants*, of the *Covenants*.

3.22 Fire Protection Vegetation Reduction and Clearance Guidelines. Per Section 11.18, *Fire Protection Guidelines*, of the *Covenants* the vegetation reduction and clearance guidelines of the *Fire Protection Guidelines for Wildland Residential Interface Development* shall be met and adhered to at all times.

3.23 Compliance with Montana State Adopted Codes for Construction. In accordance with Section a. of Article XIII, *Mandatory Covenants*, of the *Covenants* all structures shall be constructed in compliance with Montana State adopted codes for construction, including codes for Seismic Zone 3 and the NFPA Codes.

## 4. Site Design Guidelines

4.1 Intent. Sites of improvements shall be designed to have a harmonious relationship with the existing natural environment while minimizing the impact and appearance to surrounding residences. Recognizing that all Fox Run properties lie within existing wildlife corridors, care shall be taken to ensure that no adverse impacts are created. Each site design shall be reviewed individually with the following site design criteria in mind. These criteria shall be of paramount importance in the review and approval process by the ARC.

4.2 Building Footprint. Per Section 9.4, *Minimum Residence Requirements*, of the *Covenants*, residences shall have a building footprint of 2,000 square feet or greater, exclusive of exterior parking spaces, garages, carports, porches and decks. The intent of the guideline is to help ensure that all new homes are commensurate in size with the existing homes and to help maintain the value of the existing homes in the Subdivision. In those cases, especially for smaller lots, where the size of the lot and / or building envelope significantly limit the building footprint, a variance to the building envelope requirement and / or the building footprint guideline may be requested from the ARC and HOA Board. Granting of any variance to the building envelope requirement shall also require the approval of the Gallatin County Department of Planning and Community Development and the Gallatin County Commissioners.

4.3 Minimum Living Area. Per Section 9.4, *Minimum Residence Requirements*, of the *Covenants*, the minimum living area for any residence shall not be less than 2,500 square feet. In determining the square footage of the living area the calculation shall exclude the following areas: the garage, any attached storage shed, the attic, and any unenclosed patio, porch, vestibule, or entryway under the main roof but outside the exterior walls of the house.

The intent of the guideline is to help ensure that all new homes are commensurate in size with the existing home and to help maintain the value of the existing homes in the Subdivision. Many of the existing lots in Fox Run will not support a building footprint of 2,000 sq. ft. or larger; consequently, a second floor to these houses is required. A two-story house is also more unique and has more character than a one-story home and is more commensurate with the style of the existing homes in the Subdivision. The requirement to have a "living area" of 2,500 square feet or larger is to also mandate that all of this living area be functionally designed and constructed and used on a reasonably routine basis. Utilizing the area over the garage merely for storage or for a seldom use living area merely to meet this guideline is not acceptable. The area over the garage shall only be included in the calculation if it designed and constructed to be an integral part of the main living area rather than primarily a storage area or unused space. If the area over the garage is

included in the calculation, this part of the living area shall have finished walls, finished flooring, lighting, and, if necessary, plumbing and a means for adequately heating and cooling the area. Its primary purpose (e.g., bedroom, playroom, hobby room, media room, etc.) shall be clearly identified in all building drawings.

4.4 Building Envelopes. Per Section x of Article XIII, *Mandatory Covenants*, no permanent structure, including roof overhangs, shall be located outside a building envelope as delineated on the *Final Plat for the Subdivision*. Building envelopes are defined on the *Final Plat Plan*. The building envelope defines the portion of each lot within which all improvements shall be located. Improvements shall include all buildings, garages and storage areas. No portion of decks patios, terraces, retaining walls, fences, and recreational facilities shall be located outside of the building envelope. No part of the driveway or parking areas shall be located outside of the building envelope except as reasonably necessary to access the main roadway.

To prevent flooding and stagnant water accumulation in no portion of a building envelope shall the ground slope exceed a 25% angle.

4.5 Residence Identification. All residences shall have identification signs or markers including street number and, if desired, street name. This is important not only to properly identify the property but also to aid visitors and emergency responders. This may be accomplished in a variety of ways such as bollard style lighting, signage, or other custom designs. All types of identification elements shall still meet the intent of the design guidelines, and shall not exceed 3 feet in height, 3 feet in width, and 3 feet in depth. All residence identification signs or markers shall be within the building envelope; however, waivers may be requested if a more appropriate location is situated closer to the road provided it is not on an easement. All resident identification signs must be clearly and easily readable from the road. For examples, see *Figures 4, 5 and 6* for types of identification signs and markers.



Figure 4



Figure 5



Figure 6

#### 4.6 Fencing.

Per Section m. of Article XIII, *Mandatory Covenants*, of the Covenants fencing along the exterior boundaries of a lot is **prohibited**.

Fencing is **prohibited** in the front yard or beyond the front plane of the dwelling. Fencing shall be permitted along the perimeter of the building envelope behind the front plane of the main dwelling. All fencing of this type shall be constructed of wood with wooden posts. Other materials for young child protection may be considered by the ARC. Chain link fencing is **prohibited**. Wire fencing shall be approved by the ARC.

Privacy screens and small area fences for screening or concealing of storage shall be allowed with the approval of the ARC. All fencing of this type shall be constructed of wood with wooden posts; other materials may be considered by the ARC. Chain link fencing is **prohibited**. Wire fencing shall be approved by the ARC.

The use of fencing and the type of fencing around gardens must be approved by the HOA Board and the ARC.

The height of any fencing, excluding small privacy fences and fences for screening or concealing of storage adjacent to the house shall be a maximum of 4 feet. The height of small privacy and storage fences shall be a reasonable height for the proposed use and approved by the ARG.

Any and all fencing shall be properly maintained. A fencing design application shall be accompanied by a

\$50 review fee if not part of another application.

4.7 Driveways. Driveways shall be constructed of concrete or asphalt and built to the standards of Section 7.G.2 of the Gallatin County Subdivision Regulations. Driveways shall be a minimum of 14 feet wide. All driveways shall contain culverts that are a minimum of 18 inches in diameter, with flared ends and that are integrated into the landscape. Driveways shall be properly maintained. To the extent practical, driveways should be kept clear of snow and ice for safety reasons, to allow access by emergency vehicles, and to indicate that the home is occupied.

4.8 Parking Areas. All parking areas, outside of the typical driveway, shall be located within the building envelope and shall be constructed of the same material as the main driveway and shall be a continuation of the driveway area. To the extent practical, parking areas shall be placed such that they are hidden from the streetscape and shall be screened from adjacent properties. At no time shall lawn or bare ground be used as a parking or storage area for vehicles, trailers, campers or the like.

4.9 Trailers, Boats, and Recreational Vehicle Storage. Any trailers, boats or recreational vehicles measuring over 18 feet in length shall be stored out of sight in a garage or in an off-site storage location. At no time may they be stored outside on a residential lot.

4.10 Walkways. All dwellings shall have a walkway from the driveway to the main entrance. The walkway shall be constructed of a permanent material.

4.11 Easements. All easements exist as shown on the *Final Plat of the Galactic Park Subdivision*. They shall be adhered to and maintained. *See Attachment 2 to this document for a copy of the Final Plat.*

4.13 Power, Gas, and Telephone Services shall be the responsibility of the Lot owner from the points of service at the lot lines to the buildings, consistent with the rules and regulations of the service provider. All utilities, pipes, wires and service lines shall be buried.

4.14 Construction Job Site. All equipment and materials shall be stored on the building site and may not be kept on other lots or in the common areas including any roadway or any cul-de-sac. All rubbish, trash and garbage shall be regularly removed from the property and shall not be allowed to accumulate thereon. Rubbish, trash and garbage shall be kept in sanitary containers and not allowed to blow or scatter onto other property in the area. The Owner shall be responsible for providing a portable toilet on the site during construction.

4.15 Antennas and Satellite Dishes. In no case shall a satellite dish exceed 30" in diameter. No antennas for the transmission or reception of telephone, television, microwave, radio signals, or wireless reception shall be placed on any lot within the property without the prior written approval of the Galactic Park Federation and the HOA. Ham radio antennae are specifically **prohibited**.

4.16 Clothes Lines. Clothes lines or poles exterior to the home are **prohibited**.

4.17 Bird and Squirrel Feeders. The use of bird and squirrel feeders can create various types of nuisances for neighbors and therefore their use shall be controlled. They can also attract other wildlife, which can create safety hazards and damage property. The use of bird and squirrel feeders shall be controlled by the ARC. There shall be no more than four feeders on any one property and they shall be located in the backyard. Feeders shall be removed at the direction of the ARC if the ARC determines that neighborhood complaints warrant such removal.

## 5. Landscaping Guidelines

5.1 Intent. Since the Fox Run Residential Area exists within an area of ecological significance, landscaping shall remain consistent with the existing natural surroundings. All new landscaping shall be respectful of and a continuation of the existing natural vegetation and enhance the overall design of the site. Each site design shall be reviewed individually with the following landscaping criteria in mind. These criteria shall be of paramount importance in the review and approval process by the ARC.

5.2 Landscape Design The following three levels of landscaping shall be appropriate for building sites within the Fox Run Community: Any one or combination of these three levels shall be used as appropriate. For an example, see *Figure 4*.

a) Undisturbed Landscape – This occurs when the existing natural landscaping is neither removed nor pruned. This type shall be appropriate for all areas throughout the site.

b) Natural Landscape – This occurs when there is limited pruning and/or removal of the existing

natural landscape. New plants may be introduced to enhance the overall appearance. New plantings shall be native species and complement the existing vegetation. Plantings shall be natural and random in form. This type of landscape shall be appropriate throughout the site.

c) Designed Landscape – This occurs when most of the vegetation has been introduced into a defined area. This type of landscape shall be permitted only within the building envelope. The HOA Board together with the ARC may approve requests for variances to this guideline when a landscaping improvement significantly enhances the attractiveness and value of the lot.



Figure 4

5.3 Wildlife and Vegetation. Recognizing that all Fox Run properties lie within existing wildlife corridors, care shall be taken in the design, selection and maintenance of landscaping. Likewise, in accordance with Section p of Article XIII, *Mandatory Covenants*, of the *Covenants* Owners shall acknowledge that wildlife damage to landscaping will occur, shall accept that risk of such damage, and shall not file claims against the HOA or any other governing body for such damages. Per Section s of Article XIII, *Mandatory Covenants*, of the *Covenants* the planting of wildlife attracting vegetation shall be prohibited. Recognizing that most vegetation can attract some wildlife, the general rule of thumb shall be that any new vegetation added shall not cause a measurable increased attraction of wildlife in the area. Wildlife attracting vegetation can be planted, such as in a garden, if reasonable measures (such as fencing and netting) are taken to preclude wildlife from the vegetation.

5.4 Site Drainage and Landscape Plan. Lot Owners shall manage storm water within the limits of each lot. Landscaping plans shall be submitted with the building plans to the ARC for approval. These plans shall indicate surface drainage patterns. All grading within the development shall relate to and blend into the surrounding landscape.

5.5 Replacement of Trees. Per Section t of Article XIII, *Mandatory Covenants*, of the *Covenants* all trees removed within each lot during the process of construction shall be replaced by the lot Owner at the following specifications: for any tree having a diameter of greater than 6 inches at 3 feet above the ground, the lot Owner shall be required to replant either one tree having a diameter of at least 4 inches in diameter at 1 foot above the ground of a species indigenous to the area OR deposit into the Galactic Park Federation's bank account an amount equal to the value of two such 4 inch diameter trees. These funds shall be used as directed by the Federation to oversee, preserve and protect the sustained viability of the open space within the subdivision.

5.6 Site Work and Landscaping. Every effort shall be made to avoid disturbing areas outside of the designated building envelope during the building process. Owners/builders shall designate land areas that may be disturbed during construction and provide a plan for mitigation. All properties within the Fox Run Residential Area shall be controlled for noxious weeds whether the lot is improved or not.

Recognizing that landscaping of the property may be an ongoing project over the life of the home, the homeowner shall provide as part of the landscape plan for Stage 2 of the ARC Design Review for new construction a schedule, which establishes the estimated start and completion dates of the preliminary and final phases of initial landscaping. In order to maintain the attractiveness of Fox Run, to control weeds, to reduce or eliminate blowing dust and dirt, and to provide privacy, the preliminary phase of initial landscaping shall include the installation of driveways, parking pavement, and walkways; the installation of sprinkler systems; the establishment of lawn and turf areas; the planting of trees to compensate for those removed during construction; and the installation of the initial plants, shrubs, and landscape mulch or rock. Depending on the time of year during which construction of the new home is completed, every reasonable effort shall be made to complete the preliminary phase of initial landscaping before the completion of

home construction, especially if the home construction ends outside the normal growing season. If the home construction ends outside the normal growing season, initial landscaping must be completed by June. The final phase of the initial landscaping shall be completed within twelve (12) months after the completion of the home construction

5.7 Recommended Plant Materials. Recognizing that all Fox Run properties lie within undisturbed environments and wildlife corridors, care shall be taken in selecting new plants for each site. Suggested plant materials for Fox Run Community are based upon plant material that has been observed growing in the Gallatin Valley and other areas with similar climate and elevation. Since many factors affect the success of plant material, a qualified landscape architect or contractor familiar with local conditions should be consulted. The selection and location of plant materials by individual owners shall minimize irrigation water usage. Suggested plant materials are:

- a) Trees: Crabapple, Chokecherry, Amur or Tatarian Maple, Japanese Tree Lilac, Buckeye, Mountain Ash, Amur Chokecherry, Hackberry, Colorado Spruce, Ponderosa Pine, Scotch Pine and Grand Fir.
- b) Shrubs: Alpine Currant, Red Twig Dogwood, Potentilla, Plum, Service Berry, Cotoneaster, Grape Holly, Junipers (many varieties) Spirea and Shrubrose.
- c) Ground Covers: Phlox, Ajua, Periwinkle, Sedum (many varieties).
- d) Grasses: Natural pasture grasses and wildflower mixes.
- e) Lawns: Drought tolerant and water wise general lawn mixes including Kentucky Blue Grass (70%), and rye grass and fescue (30%).
- f) Per Section b. of Article XIII, *Mandatory Covenants*, of the *Covenants* the control of noxious weeds by individual owners on their respective lots shall be as set forth and specified by the *Montana Noxious Weed Control Act* [Part 2101 through 2152 of Part 21, *County Weed Control*, of Chapter 22, *Weed and Pest Control*, of Title 7, *Local Government*, of the Montana Code Annotated (MCA)] and the rules and regulations of the Gallatin Weed Control District.

In accordance with the same section of the *Covenants* the landowner shall be responsible for the control of state and county declared noxious weeds on his or her lot whether improved or unimproved. In the event a landowner does not control the noxious weeds, after 10 days' notice from the HOA, the HOA may cause the noxious weed to be controlled. The cost and expense associated with such weed management shall be assessed to the lot and such assessment may become a lien if not paid within 30 days of the mailing of such assessment.

The HOA may also elect to file a *Noxious Weed Complaint Form* with the Gallatin County Weed Control District in which case the District will ensure enforcement and impose property tax fees, if required, for reimbursement of County implementation measures for control of the weeds.

5.8 Lawn Statues and Decorations. Any permanent lawn or garden statues, figures, or decorations, especially those greater than three (3) feet in height, must be tasteful and appropriate for the Subdivision.

5.9 Lawn Sprinklers. In-ground lawn sprinklers are required for all seeded and / or sodded grass landscaped areas. Sprinklers are optional for any natural grass areas.

5.10 Landscaping of Easements. Lot owners may landscape the easements on any side of their lot with grass and flowers provided they do not interfere with the purpose of any easement. Lot owners shall recognize that easements may be disturbed for underground utility maintenance and ditch maintenance. All irrigation ditch easements, drainage ditches, and walking trails shall be maintained.

## **6. Lighting Guidelines**

6.1 Intent. In an effort to preserve the natural night time environment, all lighting shall not be excessive and shall be respectful of the dark sky definition.

6.2 Exterior Lighting. Exterior lighting shall be subdued, understated and indirect so as to not disrupt the natural environment. Lighting shall be free of glare and indirect, no light shall radiate beyond the building envelope.

6.3 Seasonal and Holiday Lighting. Seasonal and holiday lighting shall be tasteful and appropriate and shall enhance rather than detract from the natural environment. Seasonal and holiday lighting shall be removed in a timely manner after the holiday.

Attachment #1: Request for Design Review Form (Revision #3)

These revised design guidelines have been approved and accepted by the Galactic Park HOA Board of Directors.

Dated this 27 day of Feb, 2017

Board of Directors

Galactic Park HOA

*Emily Krusheski*

Board President-Emily Krusheski

**GALACTIC PARK (GP) RESIDENTIAL HOMEOWNERS ASSOCIATION (HOA)  
STAGE 0 PRELIMINARY DESIGN REVIEW REQUEST FORM (DRRF)**

Lot #: \_\_\_\_\_ Type Review Requested (Preliminary, Stage 1, Stage 2, or Minor): \_\_\_\_\_

Fox Run House Number and Street Address (If established): \_\_\_\_\_

Lot Owner's Name(s): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone #1: \_\_\_\_\_ Email #1: \_\_\_\_\_

Telephone #2: \_\_\_\_\_ Email #2: \_\_\_\_\_

Builder's Name: \_\_\_\_\_

Company Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone #: \_\_\_\_\_ Email: \_\_\_\_\_

Project Name: \_\_\_\_\_

Project Description: \_\_\_\_\_

**Along with two (2) copies of this completed form the submitter shall provide the following, as applicable to the project, to Christopher Yearick at 406-580-7319, 54 Merlin Dr, Bozeman. Please call before dropping off. Electronic files are preferable, cgy.pilari@gmail.com.**

House's Estimated Square Footage:  
\_\_\_\_\_ Main Floor exclusive of garage, exterior parking spaces, carport, porches, and decks  
\_\_\_\_\_ Second Floor exclusive of decks  
\_\_\_\_\_ Total of Main Floor and Second Floor with exclusions  
\_\_\_\_\_ Garage (2 or 3-Car)

Site Plans drawings – Two (2) printed sets are required. In addition, one (1) electronic set is highly desirable but optional. They shall demonstrate how the project will develop and improve the site. Each set shall identify on the plans at least the following: (1) the lot boundaries, (b) the building envelope, and (c) the building footprint. [The drawing scale shall be 1/8" = 1'-0" or a similar engineering scale approved by the HOA ARC]. The Site Plans shall bear the stamp of a licensed architect.

Schematic Plan drawings - Two (2) printed sets are required. In addition, one (1) electronic set is highly desirable but optional. Each set shall at least the following: (a) detailed and dimension-marked floor plans for each level including the garage and (b) exterior elevations of all sides [The drawing scale shall be 1/4" = 1'-0" or a similar engineering scale approved by the HOA ARC]. Photographs of homes with similar designs may also be provided to illustrate the proposed design.

Samples of as many exterior materials as possible at this early stage with their respective color(s) in an adequate size to evaluate properly. When samples are not yet available or are too large (e.g., exterior doors garage doors, and windows) to be easily provided to the ARC, photographs of adequate size, clarity, and color quality of the items shall be submitted.

The *Galactic Park Residential Homeowners Association Request for Design Review Form* shall be completed to the extent practical for the Stage 0 Preliminary Design Review. *See Attachment 1.* The information requested on page #1 of the form regarding lot # identification, design review stage, the lot owner, the builder, and the project name and description shall be provided.

A check for the preliminary design review fee of \$100 payable to Chistopher Yearick, Pilari Group, Inc.

GALACTIC PARK (GP) RESIDENTIAL HOMEOWNERS ASSOCIATION (HOA)  
STAGES 1 & 2 DESIGN REVIEW REQUEST FORM (DRRF)

Lot #: \_\_\_\_\_ Type Review Requested (Preliminary, Stage 1, Stage 2, or Minor): \_\_\_\_\_

Fox Run House Number and Street Address (If established): \_\_\_\_\_

Lot Owner's Name(s): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone #1: \_\_\_\_\_ Email #1: \_\_\_\_\_

Telephone #2: \_\_\_\_\_ Email #2: \_\_\_\_\_

Builder's Name: \_\_\_\_\_

Company Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone #: \_\_\_\_\_ Email: \_\_\_\_\_

Project Name: \_\_\_\_\_

Project Description: \_\_\_\_\_  
\_\_\_\_\_

Along with two (2) copies of this completed form the submitter shall provide the following, as applicable to the project, to Christopher Yearick Christopher Yearick at 406-580-7319, 54 Merlin Dr, Bozeman. Please call before dropping off.

House's Square Footage:

\_\_\_\_\_ Main Floor exclusive of garage, exterior parking spaces, carport, porches, and decks

\_\_\_\_\_ Second Floor exclusive of decks

\_\_\_\_\_ Total of Main Floor and Second Floor with exclusions

\_\_\_\_\_ Garage (2 or 3-Car)

House's Finished Ground Elevation: \_\_\_\_\_ ft. The Finished Ground Elevation shall meet or exceed the minimum finished ground elevation specified for the lot on the *Final Plat Plan of the Galactic Park Subdivision*.

Site Plans Drawings – Two (2) printed sets shall be provided. In addition, one (1) electronic set is highly desirable but optional. They shall demonstrate how the project will develop and improve the site. Each set shall identify on the plans at least the following: (a) the lot boundaries, (b) the building envelope, (c) the building footprint, (d) the area disturbed by the construction efforts, (e) the **general** landscape features, (f) driveways, (g) parking areas, (h) storage areas, (i) sidewalks, (j) walkways, (k) patios, (l) decks, (m) fences, (n) landscaping lighting fixtures, (o) residence identification markers, and (p) any other site improvements including any water drainage required. The Site Plans drawings shall also document by showing those parts of adjacent properties and house footprints, as applicable, that in the siting and design of the new house, careful consideration has been exercised by the property owners and builder of the new home to ensure that the project shall not create or shall minimize to the extent practical any negative impacts on adjoining or neighboring properties and that it shall provide adequate spacing between the new home and the existing homes. [The drawing scale shall be 1/8" = 1'-0" or a similar engineering scale approved by the HOA ARC]. The Site Plan drawings shall bear the stamp of a licensed architect.

Confirmation that the lot boundaries, building envelope, and building footprint have been staked out or



marked in an easily and readily visible manner on the property. (YES or NO): \_\_\_\_\_

- Schematic Plan Drawings - Two (2) printed sets shall be provided. In addition, one (1) electronic set is highly desirable but optional. Each set shall include at least the following: (a) full detailed and dimension-marked floor plans for each level including the garage, (b) exterior elevations of all sides, and (c) the building specifications [The drawing scale shall be 1/4" = 1'-0" or a similar engineering scale approved by the HOA ARC]. The Schematic Plan drawings shall bear the stamp of a licensed architect.
- Construction Drawings. NOTE: *These drawings are optional for the Stage 1 Schematic Design Review but are required for the Stage 2 Construction Drawing Review.* If provided at this stage, two (2) printed sets are required. In addition, one (1) electronic set is highly desirable but optional. Each set shall include at least the following: (a) full detailed and dimensioned floor plans for each level including the garage, (b) detailed and labeled exterior elevation views of all sides, (c) roof framing design details and drawings, (d) foundation plan and detailed drawings, (e) typical flooring cross-section drawings and specifications, (f) typical wall section drawings and details, (g) schematic electrical drawings for each level, (h) the building specifications, (i) window and door schedules, (j) stair details, and (k) any other relevant construction details. The drawings shall also include the location and dimensions of all (a) trim, (b) handrails, (c) columns / posts, and (d) other ancillary details. The construction drawings shall bear the stamp of a licensed architect. [The drawing scale shall be 1/4" = 1'0" or a similar engineering scale approved by the HOA ARC.]
- Landscape Drawings. NOTE: *These drawings are optional for the Stage 1 Schematic Design Review but are required for the Stage 2 Construction Drawing Review.* Two (2) printed sets shall be provided. In addition, one (1) electronic set is highly desirable but optional. Each set shall include the **detailed** landscape plans and the plans for site protection. The plans shall demonstrate how the planned new landscaping shall (1) improve the project, (2) allow the project to help preserve, to the maximum extent practical, (a) the natural environment, (b) the serenity of the area, and (c) the uniqueness and integrity of Fox Run, and (3) demonstrate that the project shall create a harmonious relationship with the existing natural environment while precluding or minimizing any negative impact to surrounding residences. Each set shall identify on the plans at least the following: (a) the lot boundaries; (b) the building envelope; (c) the building footprint; (d) the detailed landscape features (i.e., existing and planned large single trees and groves or trees and shrubs, existing grass and wildlife areas, planned new grass seeded and sodded areas, flower bed areas, gardens, and large or groups of landscaping rock and stone; (e) driveways; (f) parking areas; (g) storage areas; (h) sidewalks; (i) walkways; (j) patios; (k) decks; (l) fences; (m) landscape lighting fixtures, (n) residence identification markers, and (o) any other site improvements including any water drainage features required. The drawing scale shall be 1"=20' or a similar engineering scale approved by the HOA ARC.
- Samples of **all** exterior materials with their respective color(s) in an adequate size to evaluate properly. When the final samples have not yet been selected, the applicant shall provide, to the extent practical, samples of exterior materials that are being considered. When the samples are too large (e.g., exterior doors, garage doors, and windows) to be easily provided to the ARC, photographs of adequate size, clarity, and color quality of the items shall be submitted.
- A check for the design review fee of \$500(\$250 stage 1/\$250 stage 2) payable to Christopher Yearick. In addition, for new home construction, a \$5,000 deposit made out to Galactic Park HOA. is required to ensure compliance with Galactic Park requirements and guidelines. The \$5,000 may at the discretion of the HOA President be used to help offset any fines incurred by the Owner during the improvement or pay for non-finished approved items.. Whatever funds are not used in this manner shall be refunded to the Owner upon completion of the improvement.
- A completed and signed *HOA ARC Checklist*. Two (2) copies are required. In addition, one (1) electronic set is highly desirable but optional. The checklist shall demonstrate compliance with current versions of the *Covenants* and *ARGs*. The checklist shall document the request and basis for any waivers and the basis for any delays in submitting the required information.

- A brief one (1) – page description of how the proposed house (a) is a custom home, (b) is unique within the Subdivision, and (c) harmoniously combines with and is consistent and suitable with the natural environment and existing homes within the Subdivision. Two (2) printed copies are required. In addition, one (1) electronic copy is highly desirable but optional.
- Project Schedule(s). NOTE: *This schedule is optional for the Stage 1 Schematic Design Review but is required for the Stage 2 Construction Drawing Review.* Two (2) printed copies are required. In addition, one (1) electronic copy is highly desirable but optional. No site preparation involving the cutting of trees, excavation or piling of dirt on the site, placement of construction materials or equipment on the site, or other construction activities shall be initiated or performed without written approval of the ARC and HOA Board prior to the approval of the improvement. The control or removal of noxious weeds and the mowing of grass are permitted and encouraged at the appropriate times for weed control and fire protection. Small brush may be removed with prior approval from the lot as part of clearing the lot for staking out the lot boundaries, the building envelope, and the proposed house footprint. The project schedule shall identify the appropriate phases and major milestones in the project along with either the associated calendar dates and / or days from the date of the final design review approval. The schedule shall demonstrate that the improvement can be completed within one year from the date of the final design review approval. By signing the *Galactic Park Residential Homeowner Association Design Review Request Form* with the attached project schedule the applicant is legally committing to complete the improvement according to the attached schedule within the established timelines. The HOA Board and ARC may impose fines on the Owner for failing to complete the improvement within one year.
- Landscaping Schedule. NOTE: *This schedule is optional for the Stage 1 Schematic Design Review but is required for the Stage 2 Construction Drawing Review.* Two (2) printed copies are required. In addition, one (1) electronic copy is highly desirable but optional. The HOA recognizes that landscaping is frequently an ongoing project through the life of the home; however, the initial landscaping of a new home including driveways and parking pavement, walks, lighting, trees, shrubs, landscape mulch and irrigation lawn and turf areas shall be completed within 12 months or less after completion of home construction. Weather permitting, the initial stage of the landscaping project including driveways and parking areas, pavements, and walks should be completed as soon as practical during the final stages of home construction after the large, heavy construction equipment has been removed or as soon as practical thereafter. Likewise, the installation of trees, shrubs, lawn and turf areas, and flowers should be completed as soon as practical during the growing season.
- Fire Protection Method (i.e., Fire Sprinklers or Fire Retardant Spray): \_\_\_\_\_  
If the fire sprinkler method is chosen the applicant shall provide a stamped set of engineered sprinkler system plans to the ARC and the Local Fire District. If the fire retardant method is chosen the applicant shall provide the ARC and the Local Fire District for each product used with a copy of the product's name, the Manufacturer's Safety Data Sheets, and test criteria and results. NOTE: If another approach is chosen, the applicant shall provide the ARC copies of the approval letters from the Local Fire District, the Gallatin County Department of Planning and Community Development, and the Gallatin County Commissioners.
- Other information as specifically requested by the HOA Board and / or ARC or as determined by the applicant or builder to be relevant to obtaining ARC approval.
- Description of all of the following exterior building materials used in the improvement, including manufacturer's name, number (#), type, style, color, etc. for (a) roofing, (b) soffit and fascia, (c) chimney materials, (d) siding, (e) exterior stone and brick, (f) shutters, (g) exterior accent materials, (h) exterior paints, (i) windows, (1j) front door, (k) other exterior doors, (l) porch posts and railings, (m) exterior lights, and (n) other as applicable.

I certify that the information submitted is complete unless noted otherwise herein and accurate. I agree to comply with the current versions of the *Declaration of Covenants, Conditions, and Restrictions for Galactic Park Residential Subdivision Property* and the *Fox Run at Galactic Park Architectural Review Guidelines*. I agree to obtain additional ARC approval before any improvements or changes are made that are not in accordance with these plans. I agree to pre-arranged inspections by the HOA Board or ARC during construction to ensure compliance with these plans and HOA requirements.

Submitter's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

ARC Member Signature: \_\_\_\_\_ Date: \_\_\_\_\_