

DESIGN COMMITTEE RULES

PURSUANT TO SECTION 4.04
KAILUA VIEW ESTATES ASSOCIATION, INC. D.C.C.R.'S

[Revised March 19, 2014]

The rules are to assist owners who plan to construct new and/or make alterations and additions to existing buildings or residences in Kailua View Estates: If such new buildings, alterations or additions require a permit from the County, a copy of said permit application shall accompany plans, drawings, etc., prior to Design Committee review and approval.

RULES

1. The term "preliminary plans" contained in Article III, Section 3.03 (a) (2) (i) shall mean the construction plans and specifications that will be submitted to the County of Hawaii, Department of Public Works, Bureau of Building Construction and Inspection for a building permit.
2. All plans and specifications for new construction and any plans for remodels or additions (if requested by the Design Committee) shall be approved by an Architect licensed in the State of Hawaii if required by the County of Hawaii.
 - a. Plans shall also include topographic data showing existing elevations of property corners and conditions. Proposed elevations as a result of grading shall be shown, as shall elevations of building foundations, floors, roof ridge and any other data deemed necessary to determine height and impact of improvements.
3. Construction of all improvements exceeding \$1,000.00 shall be accomplished under the supervision of a Contractor or Contractors licensed (appropriately) in the State of Hawaii.
4. Construction of proposed improvements must be done in a continuous, timely and professional manner to ensure completion not more than one year from the date of Design Committee approval. Landscaping must be completed within 90 days of completion of other improvements. Completion of building construction shall be deemed as at final inspection by Building Department, expiration of Notice of Completion, or occupancy - whichever comes first or as determined by Design Committee.
5. Construction or other work using equipment or machinery will be done only between 7:00 AM and 6:00 PM on other than Sundays and traditional holidays.
6. During any construction, all excess materials, scraps, trash, packing material, and other such items must be cleaned up and removed on a regular basis to insure the lot maintains a neat appearance throughout construction.

7. Roofs (other than concealed) shall have a pitch of no less than four (vertical) and twelve (horizontal) also known as 4 and 12. Roof overhangs must be 30" minimum from wall or posts. Materials such as asphalt (fiberglass) composition or "thick butt" shingles will not be approved. Roof panels of solar heating systems shall be subject to review and approval by the Design Committee.
8. Metal surfaces must be coated with a colored anodized or factory applied paint, approved by Design Committee.
9. Any two story building shall have its top floor stepped back from the bottom floor on the front and rear lot line elevations, and the top floor area shall not exceed 60% of the bottom floor area. In the event the lot condition warrants construction of a garage at the top floor, bottom floor shall have no more than 60% of the area of top floor, and shall have no ingress/egress to the exterior
10. Any and all exterior wood decks, railings, steps, fences, walls etc. which are not covered by roof shall be constructed of material treated for outdoor and/or ground contact use. Proof of same shall be provided.
11. Unusable areas under buildings shall be enclosed. All piers & posts of building foundations must be concealed from view. Siding, trim etc., must terminate in horizontal and vertical lines only.
12. All earth and fill material under and around the dwelling shall be chemically treated for subterranean termites by a reliable, established and licensed termite control company. Treatment shall be guaranteed for a period of three (3) years and a certified copy of the guarantee shall be filed with the Homeowner's Association.
13. FENCES - No fences of any type shall be erected in Kailua View Estates subdivision without the prior approval of the Design Committee. The Design Committee discourages any and all fences which are not of natural materials. In the event fences are permitted by the Design Committee, the Committee shall have the authority to condition the approval upon a number of factors.
 - a. That any fence which is not of natural materials is covered from view from any adjoining lot or from any public street in the subdivision.
 - b. That in the event a plant material is used to cover the materials of the fence then the Owner will stipulate and will record a document which requires the Owner of the property to maintain the plant material in good condition and in such a condition as to make the fencing material invisible from a portion of any adjoining lots and the public roads throughout their ownership of the property. The document will be recorded and will be binding upon the heirs, personal representatives and successors and assigns of the owner of the property.
 - c. The type of plant material shall be at the discretion and subject to the prior approval of the Design Committee and at the time of planting shall be no less than the equivalent of five (5) gallon pots and planted on a eighteen inch (18") center. The

Design Committee shall have the authority to increase or decrease the requirements contained in this paragraph in consideration of the uniqueness of each of the lots in the subdivision and the unique requests from each of the lot owners as to type and placement of the fence material.

- d. All plant material shall be on the exterior of the fence such that it shields the fence from view from an adjoining lot or public roadway unless otherwise allowed by the Design Committee.
 - e. Lumber must comply with Rule #10.
14. All concrete, masonry, CMU (hollow tile) other than conventional footings for slab on grade shall be veneered with rock, stucco or other acceptable coating.
15. Lanai, patio, or other posts to be exposed to view must have a minimum section of 5.5". No diagonal bracing exposed to view shall be deemed acceptable.
16. Per the Board Meeting of March 19, 2014 the following was adopted:

Modification on gravel for driveways: By general constant, the Board agreed that all gravel driveways currently installed in the community would be reviewed on an individual bases. Owners will be asked to submit site maps or photos of their existing driveways to the Design Review Committee (DRC). Once the driveways have been approved by the DRC the owners would be issued an approval letter and asked to keep the letter for their records. ME Cain was directed to draft a letter for Board review and approval, stating the requirements of the gravel driveways as a permanently boundary area where all rocks are maintained inside the borders. Owners are required to make sure the gravel does not travel out to any concrete driveway, public roadway or into a neighbor's yard. Owners will be required to maintain the gravel driveways with additional rock material as needed over time and be kept free of weeds and/or and grass. All future proposed gravel driveways will be approved on an individual bases.