

ARCHITECTURAL GUIDELINES

FOR

SUNSET GREENS

MESQUITE, NEVADA

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Updated: November 2009

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ARCHITECTURAL GUIDELINES

From the Board of Directors

These Guidelines shall be read and interpreted that all recommendations can be approved/disapproved by the Architectural Review Committee (ARC) and are subject to final approval/disapproval by the Board of Directors for the Sunset Greens Homeowners Association (HOA) whether or not so stated in the text of these Guidelines.

An Owner has the right to appeal an ARC decision to the Board of Directors, via a written letter submitted to the Management Co.

Introduction

These Guidelines are intended as a supplement to the Covenants, Conditions and Restrictions (CC&R's) for Sunset Greens HOA. Architectural control and the function of the ARC as outlined in the CC&R's (Article VIII).

IT IS EACH OWNER'S MEMBER'S RESPONSIBILITY TO READ AND COMPLY THOROUGHLY WITH THE SECOND AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, (CC&R's) FOR SUNSET GREENS, ISSUED TO THEM AS PART OF THEIR HOME PURCHASE.

Owners purchased their home in Sunset Greens for several reasons: the area, design of the homes, the development in general, value, and above all, that the aesthetics of the development would be maintained through architectural control over any modification which might be detrimental. Owners did not want such things as: allowing houses to be painted different colors, allowing outside decorative elements to be added which would detract from the general overall neat and clean appearance of the community and did not desire modifications allowed which would be detrimental to the overall appearance or structure of the community or anything else that would detract from or lessen the value of the property.

Your ARC shall be composed of a minimum of five (5) voting members who are also members in good standing of Sunset Greens. The ARC may call upon outside experts when deemed necessary to settle any disputed area outside the expertise of the Committee and as approved by the Board of Directors.

The ARC and Board of Directors respectfully request that each owner abide by the Guidelines contained herein.

Neither the ARC or your Board of Directors seek to restrict individual creativity or personal preferences, but rather to assure the continuity of design which will preserve and improve the appearance of the Community and the property values therein. Extensive individual consideration will be given to the aesthetic and physical relationships of buildings to site, and building to building.

The Board of Directors requires that all plans for exterior improvements and additions to residential lots and dwellings in Sunset Greens be provided to the ARC by the Owner for review. A partial list of such items requiring submittal of plans is:

- | | | |
|------------------------------------|-------------------------------|---------------------|
| *Patio and Patio Covers | *Hardscaping | *Storage Facilities |
| *Landscaping | *Walls, Fences, Gates | *Satellite Dishes |
| *Landscape Lighting | *Sports or Play Equipment | *Gazebos |
| *Pools, Spas, Fountains/Waterfalls | *Alternative Energy Equipment | |

The partial list above does not represent all elements of improvements requiring submittal of plans. When a question of requirement arises, an Owner member should seek guidance from the management company.

Prior to the commencement of any project activity on any residential lot, an application form for such work must be submitted to the Committee through the management company. The proper forms for such submittal are included in the attachments and are available from the management company. Included with the application shall be such documents to include a drawing of the work to be done and the name of the licensed contractor who will do the work and other information as may be requested. Incomplete submittal information will be returned to the owner. Failure to submit plans to the ARC or to complete improvements according to approved plans is a violation of the (CC&R's) and these guidelines. If an Owner fails to remedy the noncompliance, the Board of Directors may initiate reasonable and appropriate actions, including fines and/or legal action, to see that the non-complying improvements are brought into compliance or removed at Owner's expense.

Approval must be received prior to the start of any project (CC&R's Article VIII).

All Owner requests shall receive equal consideration.

Approval of plans in no way constitutes verification or certification by the ARC and the Board of Directors of structural integrity of the design. The Owner has the sole responsibility of ensuring structural integrity and soundness of the approved plan(s). It is the Owner's responsibility to ensure conformance with all governmental regulations and City building codes, and to obtain all necessary permits. It is also the Owner's responsibility to provide the necessary insurance and to maintain all exterior improvements.

DISCLAIMER OF RESPONSIBILITY – Provided that the ARC representatives act in good faith, neither the ARC or any representative thereof shall be liable to any Owner or any other person for any damage, loss or prejudice suffered or claimed on account of the review of any plans, specifications or material. The review and delivery of approval or disapproval forms is not to be considered an opinion as to whether or not the plans, specifications or material are defective or whether the construction methods or performance of the work proposed there in is defective, or whether the facts there in are correct or meet the applicable building codes. This is the responsibility of the Owner.

The ARC review/approval of plans, preliminary or final, does not constitute acceptance of any technical or engineering specifications, or requirements of the City of Mesquite and/or Clark County, and Sunset Greens assumes no responsibility for such. The function of the ARC is to review submittal forms for conformity to the (CC&R's.)

All technical and engineering matters as well as applicable permits are the responsibility of the Owner. Approvals or variances granted by the City of Mesquite and/or Clark County DO NOT supersede the (CC&R's) or these Guidelines.

The ARC will use the Architectural Guidelines for the purpose of reviewing proposed projects, but may individually consider the merits of any project due to special conditions that are felt to provide benefits to the adjacent area, the specific site, or to the community.

APPEAL PROCESS – If plans are not approved, the applicant may appeal the adverse decision to the Board of Directors. This appeal must be in writing and received no more than (30) days following the date of the letter indicating the plans have been disapproved as submitted. The Board will make its decision on the appeal no more than forty-five (45) days after the formal receipt of the appeal.

GENERAL CONDITIONS

I. Conditions not defined: Any exterior improvement or modification to an owner's property whether delineated in the Guidelines or not, MUST be submitted for approval to the ARC and approval must be obtained before any project commences.

II. Plans: To minimize expense to an Owner, the following procedure is recommended (CC&R's Subsections 3.13, 8.1-8.12).

- A. Obtain project approval forms (see attached Exhibits A-C) from the Management Company.
- B. Prepare draft sketches of the proposed improvement(s) / project providing all dimensions and physical description of the planned improvement(s) / project. If possible, provide examples from a publication that give a general idea of what the Owner's intentions are.
- C. Submit the above to the management company who will then forward the request to the ARC committee.

III. Neighbor Notification: This required impact statement (Exhibit C) is intended to obtain the approval of the affected neighboring Owners for any improvement which may impact their property. It is for advisory use so that the ARC committee can be aware of any neighbor's concerns when reviewing the plans (CC&R's Subsections 3.12, 3.13).

- A. Approval of plans is NOT an authorization to proceed with improvements on any property other than that owned by the Owner who has submitted the request.
- B. An oversight by the ARC regarding the CC&R's or Guidelines does not constitute a waiver. Therefore, any violations observed by the ARC committee, regardless of when the violation occurred, must be corrected upon written notice to the Owner.

- C. Any approved exterior changes are the responsibility of the Owner to maintain.
- D. Anytime the HOA needs to work on the building exterior stucco and paint, the Owner is responsible for the removal of all items that may interfere with the work process.

IV. Construction.

- A. Access for the equipment used in approved construction or improvement must be through the property of the Owner. No access through common property will be allowed without written approval of the Board of Directors. Building equipment and materials must be contained on the Owner's property. Streets may not be obstructed with equipment or building materials that are obtrusive and/or present a hazardous condition to people or property.
- B. When construction requires the use of adjoining property, the applicant must obtain written permission from the Owner of the adjoining property and submit it with the plan submittal.
- C. All work must meet all City of Mesquite building codes and be performed in a manner consistent with the standards of the original dwelling construction and be consistent with the appearance of the community. All work considered to be of any unsightly/unfinished nature or of lesser quality than the prevailing community standards shall be reworked to an acceptable appearance at the Owner's expense.
- D. Exterior paint used on an addition must match the existing color of the dwelling.
- E. Appropriate cleanup of the project is required by the Owner or his contractor. Cleanup of remaining debris, dirt, soiling of walkways/street must be completed to the satisfaction of the ARC.

V. Landscaping – General: (CC&R's Articles II & III)

- A. Rear yard landscaping from the initial plan for single-family attached residences must be approved by the ARC prior to installation and those additions / changes will be maintained by the Owner.
- B. Initial rear yard landscaping and lawn maintenance (CC&R's Subsection 3.16) for single-family detached residences is part of the initial Owner's planning and approval process. Landscape changes impacting view and drainage must be approved by the ARC prior to installation and those changes will be maintained by the Owner.
- C. All additions to original landscaping work, plantings and installations of irrigation systems by an Owner shall remain aesthetically consistent with the design of Sunset Greens and climatically and culturally appropriate to Southern Nevada and will be maintained by the Owner.
- D. Grading, excavation, removal of trees or existing landscape modifications shall not commence until the plans showing the nature, kind, shape, height, and location of the same shall have been approved by the ARC committee.

- E. The use of drought-resistant, low water use plants appropriate to the desert climate shall be encouraged.
- F. Location of trees shall be limited to areas that will not interfere or create a nuisance to neighboring properties upon maturity (CC&R's Subsection 3.12.1).
- G. Backyard plants on the Golf Course perimeter properties shall not be more than three feet tall at maturity.
- H. Single family detached residence owners are required to maintain their backyard landscaping in good condition, including weekly (bi-weekly in the winter) lawn mowing, pruning trees and shrubs, fertilizing, watering, removal of dead plants, replacement of plants and over-seeding of lawn areas (single family detached residences) and removal of debris.

VI. Landscape Lighting:

- A. Indirect low-level lighting is permitted. Lights mounted higher than six (6) feet off the ground must be approved by the ARC, must be pointed downward and away from neighboring residences. Approval by adjoining neighbors that may be impacted by the light source is required in the submittal of the application to ARC.

VII. Decorative Landscape Elements: (CC&R's Subsections 3.4, 3.5)

- A. Statues, outdoor art and furniture, patio sets, fountains, bird baths, and all other decorative landscape elements located in the front yard is discouraged. The ARC will review any Owner's request but exceptions, if any, will be limited.
- B. Flagpoles must be mounted at an angle on the exterior wall of a residence, or free standing, and may not exceed ten (10) feet in length. American Flags must be removed from their mounting at sunset or illuminated as specified by federal law.
- C. Benches (not exceeding 55") may be permitted, providing they meet the following criteria:
 - Adequate space must be available for the physical placement
 - Are made of the following material: wrought iron with wood, cast aluminum, or cast concrete.
 - Painted benches must be aesthetically compatible with the residence and must be maintained by the Owner.

VIII. Patio Slabs, Patio Covers and Gazebos:

- A. Due to the need to meet proper and required drainage and aesthetics, ARC review and approval is required prior to construction.
- B. Setbacks must be clearly indicated on the site plan, meet all City and County code requirements, and be approved by the ARC.

C. Backyard and side yard patio covers may be approved based on apportionment to lot size, aesthetics of design and acceptance of impacted neighbors. Guideline for design and materials are as follows:

1. Because of the design concept of the dwelling within Sunset Greens, single level construction is the only patio cover design considered appropriate.
Open lattice covers may be multilevel as approved by the ARC.
2. An extension of the existing patio cover, to include the columns, and roofing must match the existing patio roof, and column color.
3. If the patio roof is entirely new or being replaced it must match the existing color of the original roofing of the patio.
4. All exposed gutters and downspouts shall be painted to match the surface to which they are attached.
5. Patio lattice plans, including color, dimensions and the name of the licensed contractor will be submitted to the ARC for review and approval. Wood trellises and lattice will not be approved by the ARC due to its deterioration and due to upkeep requirements and the enforcements thereof.

IX. Waterfalls/Ponds, Pools, Spas and Related Equipment: (CC&R's Subsection 3.20.3)

- A. Submittal of complete construction plans showing placement of pool and equipment on property is required.
- B. Setbacks must be clearly indicated on the site plan, meet all code requirements, and approved by the ARC.
- C. Equipment placement must take into consideration the proximity of neighbors with regards to disturbance, i.e., noise, view and unsightliness.
- D. The water related device must be adequately maintained. The device must be drained when not in use for extended periods of time to prevent the collection of mosquitoes or other insects, and to preserve the equipment.

X. Perimeter and Adjoining Walls, Fences, Gates and Hardscape: (CC&R's Subsection 3.20)

- A. No changes or alterations shall be made to the perimeter walls or fences without prior ARC and BOD approval.
- B. No gates shall be erected or altered without prior written consent. If approved, then the Owner shall be responsible for all maintenance.
- C. Textured walkways, paths, simulated riverbeds, surfaces such as brick, stone and textured concrete for hardscape may be approved as long as the continuity of design and aesthetics is preserved.

- D. Special paving (applies to side and back yards only) including patterned concrete, scored concrete, brick or stone paving and cobblestones may be approved when such use preserves the continuity of design and aesthetics and allows for proper drainage.

XI. Window Coverings: (CC&R's Subsection 3.21)

- A. Interior window treatment other than draperies, curtains, blinds or shutters are subject to prior approval of the ARC.
- B. Exterior window awnings or shutters are not acceptable in Sunset Greens.
- C. Window tinting requires approval of the ARC.
- D. Window sunscreens shall match the color of the dwelling with no painted figures or silk screens applied.

XII. Other Structures and Additional Modifications:

- A. The common areas or "limited use common areas" generally referred to as the front of the residence shall not be altered. The philosophy and intent of the CC&R's is to preserve this architecture.
- B. The exterior paint scheme and paint finish for all residences shall not be changed or altered in any manner (CC&R's Subsections 3.13, 3.14, Article VIII). Maintenance of these finishes requires matching materials and colors, whether maintained by the association or by the Owner.
- C. Screen and storm doors, front and/or back have been approved for use. Since the exterior of a dwelling to which the screen/storm door is attached is a "common element", installations of such must consider the long-term effect, aesthetics, and physical relationship to the structure. If an installation is deemed inappropriate by the Board, then alterations may be required.
- D. Playground equipment installation (back yard approved only) requires prior approval of the ARC. Part of the approval process must include the completion of the neighbor impact statement by any neighbors who can see the equipment. Equipment height must be reasonable in relation to the surrounding wall or fence (CC&R's Subsection 3.12).
- E. Installation of basketball backboards and hoops attached to a free standing structure must be stored out of public view when not in use. Installation of permanent basketball backboards and hoops will not be approved by the ARC (CC&R's Subsection 3.5).
- F. Storage sheds may be permissible provided they do not unreasonably obstruct the view from an adjacent lot (CC&R's Subsection 3.12), the structure is shielded from the street, and they are painted in a color scheme to match the residence. The neighbor impact statement is required. They must conform to local and state ordinances, codes and have ARC approval.

- G. Satellite dishes will be approved by the ARC based on size, design, location and visibility from surrounding area and all cabling, mechanics and the dish shall be painted to match the background to which it is attached (CC&R's, Subsection 3.5) Replacement of an existing dish will be considered as though a new dish is being installed and will require an ARC approval.
- H. No sign, poster, billboard, or advertising device shall be displayed without the approval of the ARC, with the exception of customary "for sale" or "for lease" signs. Any other signage shall require Board approval. (CC&R's Subsection 3.4) Team banners may be displayed on game day only.
- I. Holiday lights and decorations (CC&R's Subsection 3.21) may be put up thirty (30) days prior to the holiday and must be removed twenty (20) days after the holiday.

XIII. Alternative Energy Equipment.

The rapid development of energy saving equipment and technology will become more readily available for home use. Careful consideration of the installation of energy saving devices in Sunset Greens homes is encouraged and could enhance market value.

Nevada's AB 396 states that an HOA cannot prevent an Owner from installing a solar photovoltaic or wind energy system. HOA's can however, restrict the color of the system. Wind energy in the City of Mesquite is not an option due to the necessity for sustained winds of at least 18 miles per hour (per a recent City consultant study). Solar panels are a viable option.

- A. If a solar Photovoltaic (PV) panel system is selected, the Owner and the licensed installation contractor need to consult with Overton Power to ensure proper installation, the use of its grid, and use of the net-metering program. This step is not required if a solar thermal panel system is installed.
The panels must be placed on the roof in the least obtrusive manner and if possible, on a roof slope not facing the street. The architectural plan for the system, including its size, location and color needs the approval of the ARC committee **PRIOR** to installation. The plans must include the method of attachment to the roof and must ensure continued proper roof drainage.
- B. The ARC committee will attempt uniformity by street section, from house to house, relative to the roof locations of solar panels. Due to AB 396, only ARC approval is required and the neighbor impact statement does not need to be completed.
- C. The Owner must replace roof tiles (of like color and style) damaged during installation and the Owner assumes all maintenance and insurance associated with the system.

XIV. Disclosures at Time of Sale of Property:

- A. All exterior changes initiated by the Owner and approved by the ARC must be maintained by the Owner or future Owners.
- B. All exterior alterations, landscaping and hardscaping changes, as described within these guidelines must be fully disclosed by the Owner at the time of sale.

DESERT LANDSCAPING GUIDELINES

With the shortage and cost of water having an impact on all areas of Southern Nevada, desert landscaping will become more practical than grass in both front and rear yards in Sunset Greens. Desert landscaping can be done at the discretion of the homeowner and will not impact HOA fees.

The cost of desert landscaping will be paid for by the property owner and will require Architectural Review Committee approval before installation begins. A drawing should be submitted showing placement and number of plants, boulders and mounds with the ARC request package. Because of the newness of desert landscaping to Sunset Greens it is recommended that a landscape architect be used in order to achieve the best possible design and appearance for an individual home.

The stone that is in use in Sunset Greens is called "Autumn Red" with a size of one inch. Any stone rock or boulders that are used must be compatible in color to the Autumn Red stone and should be specified on the landscape plan that is submitted for approval. All sod should be removed to a depth of three inches. The existing sprinkler system should be converted so as to properly irrigate all plants, new and existing. Landscaping cloth, fiber mat or a similar product is to be installed on all dirt areas prior to stone being put down. The stone can vary in size and color, and must be shown on the landscape plan. Again, it must be compatible to the Autumn Red stone. Refreshing and replacement of stone is the homeowner's responsibility and expense.

Placement and size of mounding and boulders should be shown on the landscape plan that is submitted for approval.

Plants that are used should be only those that are adaptable to Zone 11 (medium to high desert of Nevada). The plant pallet is quite varied. There should be a minimum of two plants per 100 square feet. In addition to the plants, boulders can be added to enhance the area. Plant name and placement must be shown on the landscape plan that is submitted for approval. Each plant must be individually watered via an automatic drip system. The maintenance, care, and replacement of all plants installed will be the responsibility of the homeowner.

The following is a partial pallet of plants that might be considered by the homeowner for planting in the desert landscaped area:

One gallon size: Ice Plant (red or purple), Angelita Daisy, Germander, Penstemon, Lantana (dormant in winter), Gopher Plant

Five gallon size: Texas Ranger (Green Cloud, Compact, Thunder Cloud), Dwarf Bottlebrush, Pyracantha, Tuscan Blue Rosemary, Dwarf Red Oleander, Creeping Rosemary, Baja Fairy Duster, Desert Spoon, Red Yucca, Ornamental Grasses

Any time desert landscaping is contiguous to grass, a curbing must be installed. The curbing can be a metal strip, concrete or other approved material. This is to be shown on the landscape plan that will be submitted for approval.

EXHIBIT A
SUNSET GREENS HOMEOWNERS ASSOCIATION
PROJECT APPROVAL PROCESS

Below is a list of items that are required to accompany the application prior to review by the Architectural Review Committee.

ORIGINALS PLUS (ONE) COPY OF ITEMS I-IV BELOW ARE REQUIRED.

I. Application for Project Approval

- A. Complete Owner information (to include all mailing address and telephone numbers).
- B. Owner signature (printed and signed)
- C. Description of the projects to be submitted.
- D. Approximate start and completion date.
- E. List the name and business lic. # of the contractor/contractors.
- F. Under CC&R guidelines, the ARC review process may take up to 90 days.

II. Neighbor Impact Statement (where applicable)

This statement is to be signed by the neighbors impacted and may include: front facing neighbors, those directly across the street, side neighbors to the right and left, and those at the rear of the property who would be impacted by the project.

III. Plans Showing the Work to be Done

Provide detailed drawings showing the height, length, width, color and what the improvement will look like when it is completed. Detailed drawings or pictures must be submitted, including a description, color/texture and/or brochures of the products to be used in the project and the contractor and his business license number.

IV. Landscape Plans

Provide plans showing a diagram of your property and where the landscape improvements will be. Indicate the type of plants and trees to be planted and their location.

Failure to follow these requirements and procedures may cause your request to be delayed pending submission of additional information and documentation to the Architectural Review Committee. An incomplete application may affect the time limits for approval.

Submit the completed application to:
Taylor Association Management
259 N. Pecos Rd., Suite 100
Henderson, NV 89074

Taylor Association Management will notify the Owner of the status of this application after ARC review. **Note: The project cannot proceed until final approval is received.** It is the Owner's responsibility to notify Taylor Management within 30 days of completion of the project, as stated in the application for project approval, for final acceptance.

EXHIBIT B
**SUNSET GREENS HOMEOWNERS ASSOCIATION
APPLICATION FOR PROJECT APPROVAL**

Taylor Association Management
259 N. Pecos Rd., Suite 100
Henderson, NV 89074

Owner _____ Date _____

Property Address _____

Mailing Address _____ Contact Phone _____

Anticipated Start Date _____ Anticipated Completion Date* _____

*Final approval of the completed work is required by the ARC committee within 30 days of this date. The Owner is responsible to notify Taylor Management of the project's completion.

I hereby request approval of construction and/or installation of the following improvement(s):
(Attach drawing details and description as necessary.)

Brief description of the project: _____

Contractor's Name _____ Contractor's business lic. # _____

Owner's Signature

Owner's Signature

The Owner's signature of this form indicates agreement with all conditions stated in these guidelines, agreement to implement the project as approved, and agreement to seek final acceptance of the project. Any deviations from the approved plans will cause the Owner to modify the project, or to resubmit the plan for approval, or the imposition of fines if applicable.

DO NOT WRITE BELOW THIS LINE

Submittal Checklist:

| | YES | NO | | YES | NO |
|---------------------------------|-------|-------|----------------------------|-------|-------|
| Setback compliance | _____ | _____ | View restriction adherence | _____ | _____ |
| Conforms w/existing improvement | _____ | _____ | Drainage adherence | _____ | _____ |
| Plant list adherence | _____ | _____ | Drawing/sketch details | _____ | _____ |
| Written description | _____ | _____ | | | |

APPROVED _____ **DECLINED** _____ **CONDITIONAL APPROVAL** _____

Please print all conditional approval comments or declined comments on page 2.

ARC Signatures (Project Approval)
(Majority of ARC signatures required)

Date _____

Project Final Acceptance of Completion
(Majority of ARC signatures required)

Date _____

This page is reserved for the purpose of comments from the Architectural Review Committee and / or Board of Directors.

Owner's Name _____

Owner's Address _____

Please, Legibly Print All Comments:

EXHIBIT C
SUNSET GREENS HOMEOWNERS ASSOCIATION
NEIGHBOR IMPACT STATEMENT
Taylor Association Management
259 N. Pecos Rd. Suite 100
Henderson, NV 89074

On (date)_____. The attached plans for a _____ were made available to all neighbors as required and noted below for their review. They have been notified that I am submitting these plans for approval by the Architectural Review Committee.

Signature of front facing neighbor: (If applicable)

Print _____

Sign _____

SSG Address: _____ Contact Phone #: _____

I APPROVE: _____ I DISAPPROVE: _____

Signature of front facing neighbor: (If applicable)

Print _____

Sign _____

SSG Address: _____ Contact Phone #: _____

I APPROVE: _____ I DISAPPROVE: _____

Signature of side facing neighbor: (If applicable)

Print _____

Sign _____

SSG Address: _____ Contact Phone #: _____

I APPROVE: _____ I DISAPPROVE: _____

Signature of side facing neighbor: (If applicable)

Print _____

Sign _____

SSG Address: _____ Contact Phone #: _____

I APPROVE: _____ I DISAPPROVE: _____

Signature of rear facing neighbor: (If applicable)

Print _____

Sign _____

SSG Address: _____ Contact Phone #: _____

I APPROVE: _____ I DISAPPROVE: _____

OWNER'S SIGNATURE

DATE

OWNER'S SIGNATURE

DATE

Note: Additional approval or disapproval signatures may be submitted on the reverse side of this form. Attach this form to "Application for Project Approval"