

Elkai Woods Fractional HOA ARC Process and Neighborhood Design Guidelines

October 1, 2018



When to get ARC Approval?

The list below is illustrative, not exhaustive. If you have any questions or doubt about whether your project might require ARC approval, please contact HOA Management staff. They will answer your questions and assist you with the process.

- Construction/Remodel – Yes (see standards & guidelines for exceptions)
- Removing/replacing trees – Yes
- Landscape changes – Yes (like for like replacement – No)
- Driveways – Maybe (Changes only)
- Deck Staining – No (Natural wood stains only)
- Composite Decking – Yes
- Satellite TV - Yes
- Hot Tubs – Yes (New or changing)
- Fire Pits – Yes (Wood Burning Fire Pits are prohibited)
- Water Features – Yes

ARCHITECTURAL REVIEW COMMITTEE

General

The Elkai Woods Fractional Homeowners Association (HOA) has established the ARC to implement and administer these Rules & Design Guidelines. The ARC shall exercise the functions for which it is given responsibility by the EWFHOA Board of Directors as provided in the Declaration of Covenants, Conditions & Restrictions (CC&Rs) for EWFHOA and for the modifications, promulgation, and enforcement of its rules governing the use and maintenance of homesites and the improvements thereon.

Committee Membership

The ARC shall consist of at least three persons who shall be appointed by the EWFHOA Board of Directors. The term of service for members of the ARC will be two years. Members may serve more than one term. Members of the ARC may be removed and/or replaced at any time by the EWFHOA Board of Directors.

Except as otherwise provided herein, a majority of the voting members of the ARC shall have the power to act on behalf of the ARC without the necessity of a meeting and without the necessity of consulting the remaining members of the ARC, if they are unavailable.

Neighborhood Standards

The ARC exists for the purpose of maintaining the consistency of high standards, design development and overseeing appropriate building and property use in EWFHOA.

All construction is subject to all codes and ordinances as adopted by the State of Oregon, Deschutes County and all other pertinent regulations. The most stringent regulations (State Law, CC&Rs, Bylaws, City) shall apply in the event of a conflict.

The ARC Review

ARC requests shall be submitted to the management company by email, mail, or in person to provide details of the project. The management company will then contact the ARC for their approval or denial. The ARC will render a decision within 30 days of receipt of the request. After receiving the majority decision by the ARC, the management company will contact the homeowner regarding the final decision with a written approval (or denial) letter through email.

No construction, planting, etc., is to be started until the resident receives written or email approval. The homeowner is responsible for obtaining the necessary building permits and shall be responsible for all consequences for said changes. Approval of this request does not substitute for appropriate permits required by the county, nor does it assume work requested is in full compliance with permit requirements.

Appeals

Appeals relating to ARC decisions can be submitted to the Board of Directors through the management company. The Board of Directors will render a decision within 30 days of receipt of the appeal. Owners are encouraged to work collaboratively with the ARC and the Board of Directors to resolve differences throughout the review process. Owners have the right to appeal the decision of the Board of Directors to all EWFHOA members in accordance with procedures described in section 4.7.5 of the CC&Rs.

NEIGHBORHOOD STANDARDS

The standards and design guidelines below are intended to complement and supplement (but do not replace) the EWFHOA CC&Rs.

Awnings

All proposed awnings must be submitted for ARC review and written approval. The awnings must be constructed of a material selected to blend with the body color of the home. No stripes or patterns will be permitted. Awnings must remain well maintained and when deployed be parallel to the ground. Awnings must be retracted when not in use. The bottom edge of the valance must be straight, not decoratively cut (no scallops, notches, etc.). Awnings may slope down to permit run-off of rain water.

Construction/Remodels

All construction and remodel projects must receive ARC approval prior to beginning work if there will be any changes made to:

- a. the exterior of the home
- b. the interior of the home if any part of the remodel potentially affects the exterior of the home (e.g., the roof), the structural integrity of the unit (e.g., weight bearing walls), or any other attached units.

Interior remodels involving cosmetic changes not included above do not need ARC approval. Owners are still responsible for obtaining all necessary permits and inspections.

Should any damage occur due to the changes the homeowner assumes responsibility and liability for any costs associated with the changes.

Construction Times

Construction in EWFHOA is permitted between the times of 7am to 7pm Monday- Friday. Noisy activity should be curtailed on Saturday and Sunday.

County Building Requirements

The County requires that a building permit be obtained prior to beginning construction of any improvement or making additions or changes to an existing structure. Application with the intent to circumvent the County's requirements will not be approved.

Decks, Porches and Deck/Porch Skirting

All Decks, Stairs and Railings are the responsibility of the homeowner to maintain. Any new designs must be approved by the ARC. Any damage to the exterior of the building as a result of the deck and/or installation will be at the expense of the homeowner. These should be designed similarly as the rest of the association and maintained accordingly.

Stains should be of a natural wood color. No Red, Grey, or Black Stains.

Composite decking must be approved by the ARC prior to installation. These should also be in the natural wood tone family.

Driveways and Walkways

Homeowners are responsible for the repair, maintenance and/or replacement of the walkways and driveways. Please notify the management company prior to beginning any work.

Flags

Flags are not permitted along the golf course. Only 1 Flag no greater than 3' by 5' per home and shall be located as to not interfere with landscaping or irrigation.

Garbage and Trash Removal

EWFHOA is responsible for the trash service; however, homeowners are responsible for providing the garbage company access to the service door and for getting recycling items street side for pickup. Owners are responsible for their own garbage and trash removal during and after construction. Construction sites must be kept clean from trash and construction debris at all times.

Trash cans and recycle bins, which are taken to the street on pick-up day, must be returned to their garage the same day. Trash cans and recycle bins must be stored in an area that is not visible from the street or adjoining homesites.

Burning or dumping of garbage, landscape debris or trash anywhere in EWFHOA is prohibited.

Gutters and Downspouts

Gutter maintenance is the responsibility of the HOA as originally installed. This includes cleaning and repair only. Additional gutters, a redesign of the gutter system and/or relocation are the responsibility of the homeowner.

Hot Tubs – New Install and Replacement

Hot tubs are required to be screened from the view of neighboring homesites, golf course and roadways. Hot tubs must --- blend in to the surroundings, and not be free standing. Hot tub location and required screening must have prior ARC review and written approval. The intent of screening is to reduce the visibility of the sides and the cover of the hot tub. Sinking the hot tub may be an acceptable form of screening as long as the sides and cover of the hot tub are not visible. Vegetation may also be an acceptable screening material, as long as it provides screening year-round and is properly maintained.

- a. Hot Tubs will be evaluated on an individual basis.
- b. Hot Tub skirting and covers must be of similar color to the house, deck, screening, and/or areas around the Hot Tub to discreetly blend.
- c. Hot Tubs should be placed in an area to keep noise levels at a minimum. Noise levels of recirculation pumps should be considered prior to purchase, and will aid in keeping noise levels to a minimum.
- d. Replacing an existing Hot Tub, requires ARC approval even if the same location is to be utilized.

Landscaping

All landscape plans and changes require ARC review and written approval. All homesites shall be maintained to present a neat and pleasing appearance to all off-property vantage points, minimize fire danger, maximize weed control and to moderate the problem of wind-blown dust.

- a. Plants should be selected that are consistent with the existing landscape footprint and the “look and feel” in Elkai Woods, that are appropriate for the climate zone(s) in our area, and that minimize water dependency.
- b. When appropriate, contiguous property owners should work together to create a continuous flow from one property to the next avoiding a straight-line delineating property lines.
- c. Each owner shall perform all maintenance, planting, pruning, mowing, and cleaning of all lawns and landscaping on the owner’s lot within areas enclosed by a fence or courtyard. Each owner shall perform all maintenance, repair, and replacement of any landscape improvements made to the owner’s lot. The Association shall perform all maintenance, planting, pruning, mowing, and cleaning of all lawns and landscaping on Common Property and on owners’ lots, excluding areas of owner responsibility identified above.

Mailboxes, Newspaper Receptacles and Street Addresses

Individual mailboxes and newspaper receptacles are prohibited. Group mailboxes are provided at the north entrance of the neighborhood. Box assignments and keys for the mailboxes may be picked up at the US Post Office on NE 4th Street.

Maintenance

EWFHOA is responsible for the maintenance of the exterior of each living unit and the landscaping as originally designed. Any improvements made by the homeowners, is their responsibility to maintain and any changes to the original construction that may have adverse effects will be responsible for the damage due to those modifications.

Music and Loud Noise/Activity

Music and other loud noises, or activities are discouraged. Loud noise after 10 PM is prohibited.

Outdoor Furniture, Outdoor Kitchens/BBQ Islands, Gazebos, Shade Tents, and Decorations

Location of permanently placed outdoor furniture, (i.e. picnic tables, barbecues, arbors, flagpoles, outdoor kitchens, BBQ islands, gazebos, shade tents, carports, and other decorative items) must discretely blend in color and must be prior approved by the ARC. Outdoor furniture and decorative items shall not infringe on any golf course setbacks and must be maintained in good repair.

Parking

There is no overnight parking along the street. Outdoor parking is allowed only on an improved parking area. Parking on the lawn, grass, barked, rocked or dirt areas is not allowed. No outdoor storage of recreational vehicles, trailers, or boats is allowed on Common Property or outdoors on any Lot.

No garage shall be used for any purpose other than storage of automobiles, pick-ups, vans, SUVs, motorcycles, snowmobiles, and golf carts. Additionally, pleasure or fishing boats, and recreational or camping trailers may be stored in one parking space of a garage if it can be completely enclosed when the garage door is closed. A driveway shall not be used for regular parking by the occupants of a Living Unit.

If it is necessary for one of the above vehicles (which are normally stored or moored in another location) to be parked temporarily on a permitted area of the homesite in view of roadways, golf course or neighboring homesites, the Management Company must be notified in advance.

Satellite Dishes and Antennas

Exterior satellite receivers or transmitters, television antennas, radio antennas, or other receiving device may be placed on any homesite or home, but requires ARC review and approval of final placement and screening.

Location of receiving devices must be in the most inconspicuous location as possible to minimize impact to the neighbors. Landscape screening may be required in some cases.

Signs

General Signage Information

Subcontractor, lender and supplier signs are prohibited. No signs shall be displayed in the windows of homes (except approved block home stickers) or be nailed to trees.

No directional signs may be used without prior ARC approval.

No offsite signage within EWFHOA may be used without prior ARC approval.

All signs must appear to be professionally produced.

Any signs which, in the sole judgment of the ARC, are deemed to be non-conforming will be removed and held by *the Management Company* for 14 days, after which time they will be destroyed.

Signs must be placed parallel to and facing the street providing access to the property.

Signs may not be illuminated with artificial light.

Plastic or cardboard store-bought or handmade “for sale” signs are prohibited.

All signs must be removed upon close of escrow of the property and/or upon completion of the construction project or at the direction of the --- Management Company.

“Private Property” signs must be constructed in the same manner as the “For Sale” signs and must have prior approval of the ARC.

Political signs are permitted and may be placed on the property 30 days prior to any election. These signs must be removed the day following the election. If not removed, the Management Company will remove them. Political signs of a non-election nature are discouraged.

“For Rent” or “For Lease” signs are prohibited.

For Sale Signs

Only one “For Sale” sign is permitted on each homesite. It must be single-sided, on its own post and no higher than 42” above the immediately adjacent ground plane. Wording of a “For Sale” sign shall be limited to the words “For Sale,” the price, if desired, and the name and phone number of the listing real estate agency. A logo or mark of the agency and the agent’s name is also permitted. If the owner is selling the property, the name of the owner or “By Owner” may be substituted for the listing agency.

Directional Signs used for open house or showing days must be posted the day of the open house or showing and removed directly after.

All information on the sign must be incorporated as part of the original sign design and not a separate attachment added at a later date. The sign shall be dark green and white (black or gray may be used as an accent color, but the sign must include some green lettering) and measure no more than 300 square inches, with no dimension larger than 20 inches.

“SOLD” signs must be incorporated within the 300 square inches, and not added to the top, bottom or sides of the sign. Sold signs may be red and must have a straight edge design.

Information boxes (flyer boxes) are not permitted to be mounted on an individual stake or post. If a box is attached to the back of the “For Sale” sign, the box may not protrude beyond the dimension of the sign.

Open House Signs

One open house sign or sandwich board is permitted (on the subject homesite) during the course of the open house, but must be removed at the conclusion of the open house and/or whenever the house is not “manned”. The board dimension of open house signs must not exceed 432 square inches. This also applies to Directional Signs for these events.

Special Event Signs

Special event signs must obtain ARC approval prior to their use. All exceptions to these sign standards must be presented to the ARC for review and specific written approval prior to their use.

Tarps, BBQ & Patio Furniture Covers, and Other Weather Protective Materials

The use of tarps is discouraged. However, when tarps are necessary, and will be visible from roadways, golf course and other homesites, they must be of neutral color. Tarps must be removed within 30 days.

BBQ Covers and Weather Protective Materials should be of a neutral color. Bright colors are prohibited.

Temporary shade canopies or tents are allowed with prior notice to the Management Company for a period up to 48 hours.

Tree Removal/Replacement

All tree removal and/or replacement must receive ARC approval.

Tree topping is prohibited in EWFHOA. If an owner or their agent(s) ignores this prohibition, the owner will be required to completely remove and replace the topped tree with a tree or trees (with the size(s) and species as required by the ARC) at the owner's expense.

Utilities

All connections from trunk lines to individual structures must be underground; exposed plumbing, electrical, and all other utilities and services are prohibited. All areas of excavation for site utility work must be restored (see Landscaping).

Utility Meters

All meter housings, conduits and junction boxes must be painted to match the siding color of the house.

Water Features

All Water features must have written ARC approval prior to their construction and/or installation. The ARC has sole discretion and may reject any water feature deemed inappropriate.

- a. Water features shall be integrated as part of the landscape and have a natural appearance.
- b. Water features shall be oriented to benefit those within the home or on decks or patios.
- c. Water features shall be scaled as a minor landscape element—they shall not dominate or distract from the landscaping or the architecture of the home.
- d. Water features shall not be excessively noisy. The noise generated by the water feature may be not greater than 50db as measured at the edge of the maintained portion of the golf course, at the next adjacent neighbor's property line or at the edge of the paving at the street.

Yard Art and Noise Generating Devices

All Yard Art must receive ARC approval prior to placement in yard. Yard art and noise generating devices should be limited and must not be a nuisance to neighbors and golfers.