

Jackson Oaks Neighborhood Association

ADMINISTRATIVE GUIDELINES POLICY

Administrative Procedures & Guidelines for Declaration of Covenants, Conditions and Restrictions (CC&R's)

1. The introduction:
 - a. Definition of *GUIDELINE*: For the purpose of this document the term guideline is defined as an indication or outline of policy or conduct.
 - b. To facilitate consistency in actions and decisions on homeowner requests, the committee has endeavored to articulate some of the CC&R's as guidelines. These guidelines can be useful to owners in that they provide information as to what kinds of home modification requests are likely to be approved. The Design Review Committee (DRC) will exercise judgment and reason in evaluating requests or reviewing "use" violations.
 - c. The adoption of a set of guidelines provides additional substance and procedures to clarify the community's aesthetic standards and its decision making process. Twin Creeks Development adopted a set of rules called the Covenants, Conditions & Restrictions (CC&R's). The Covenants establish requirements such as: construction, easements, signs, maintenance, offensive activities, vehicle parking and fences. The CC&R's are a legally binding document recorded with the title to your property in Jackson County. Consequently each homeowner is bound by a legal obligation to abide by them.
 - d. These Guidelines will be applied when considering homeowner requests, but will be only infrequently employed to require that homeowners change what is in place. On the other hand, neither having a certain style currently in place nor finding an existing example of a given style in the neighborhood ("a precedent") is sufficient reason to approve repetition of the same style or make the same decision in a new request. If the committee determines it made a mistake, it is not required to repeat the mistake.
 - e. The board appoints a Design Review Committee (DRC) whose purpose includes interpreting and implementing the Covenants and the guidelines, evaluate homeowner projects that are subject to design review, and enforce certain regulated activities.
2. The projects subject to design review:
 - a. The guidelines identify projects that are subject to (and exempt from) design review. Most construction projects like fences, sheds, screens, decks, play equipment, roofing and house painting require prior approval by the DRC. Some projects may require that the DRC be notified but no further action is needed.
3. General principles:
 - a. The guidelines also identify the general principles that the Covenants and guidelines are intended to achieve, for example, the use of high grade materials and safe construction practices. Construction must be compatible with the design characteristics of the house and the community setting. The interests of neighboring properties must be considered and protected.
4. Design review process:
 - a. The design review process requires submittal of certain information describing the proposed project to the DRC. Complete and submit the Home Modification Review to the DRC.
5. Specific construction requirements:

- a. The guidelines establish construction requirements, for example, fencing, roofing, sheds and house colors are among them.
6. Landscaping:
 - a. The guidelines cover landscape construction like patios, walls, pools, fences, arbors, etc. which requires DRC approval. Height restrictions apply to hedges. Landscaping vegetation, such as planting of flowers, shrubs, trees and other greenery doesn't require prior approval.
 7. Regulated activities:
 - a. The guidelines identify and clarify certain regulated activities, for example, requirements relating to the parking of trailers, signs, outdoor lighting, trash cans and vehicle parking.
 8. Enforcement:
 - a. In the rare case that an owner ignores or violates the Covenants or the guidelines, and it becomes necessary to take action, there is a process for enforcement in the By-Laws IX - Section C. - Powers and Duties – article 9.23. Enforcement.
 - b. The association's Fine Policy provides further details on enforcement.
 9. Interpretation:
 - a. Where the Covenants and these guidelines differ in requirement or procedure, the more restrictive shall apply. Where the two are contradictory, the Covenants shall prevail.
 - b. Where the Covenants and these guidelines differ in requirement or procedure from city ordinances the more restrictive shall apply.
 10. Invalidation and preservation clauses:
 - a. Invalidation of any of the provisions of these guidelines shall in no way affect the validity of any of the other provisions which shall remain in full force and effect.
 - b. Failure by the Design Review Committee, Twin Creeks Development, The City of Central Point or any owner to implement or enforce any provision of these guidelines shall not be deemed a waiver of the right to do so.
 11. Approval period / modifications:
 - a. The approval is valid for a period of 12 months from the date of signing. Projects delayed or significantly modified from the original plan must be re-submitted for review and approval.
 12. EXHIBIT "A" outlines the guidelines.
 13. The guidelines are not necessarily all inclusive. Should there be a home modification or property "use" question that may not be addressed in the guidelines homeowners should contact the DRC. The guidelines are under regular review, additional guidelines may be added as needed or updated without notice.
 14. The Covenants and these guidelines differ in requirement or procedure from the City of Central Point Municipal Codes and Ordinances the more restrictive shall apply.