

# MacKenzie Rose Homeowners Association **Design Guidelines**

2006 Revision

## **INTRODUCTION**

These MacKenzie Rose Estates Homeowners Association Design Guidelines are written pursuant to the Declaration of Covenants, Conditions and Restrictions (CC&R's) that all homeowners have signed. Numbers with decimal points indicate the appropriate section of the CC&Rs involved. Homeowners should view these guidelines as aides, which will protect the special qualities of MacKenzie Rose Estates, not as a roadblock to creative design. The guidelines are not meant to limit the imagination or personal needs of the individual homeowner, but to maintain home value and respect the legitimate concerns of neighbors.

The guidelines are directed at home alterations and landscaping but may cover new construction. The Architectural Review Committee (ARC) will use these guidelines and the CC&Rs when reviewing modifications to homes or in the design of landscaping and fencing.

The specific language and provisions of the CC&Rs shall supersede these guidelines.

Each application will be considered on a case-by-case basis. Landscaping, deck, fence, privacy screen, construction and other submittals may be combined on an application.

All terms used in these guidelines shall have the same meaning as is set forth in the CC&R's.

Quality and harmony of design with existing structures and providing visual compatibility are the primary goals of MacKenzie Rose Estates Homeowners Association.

## **APPLICATION AND APPROVAL PROCEDURES (6.1 - 6.13)**

You cannot make any improvements to your exterior property without submitting an application to the management company. (Northwest Community Management Company; Attn.: Cathi Sleight 503-670-8111 Ext. 239. Call, and she will gladly mail you an application form. You will also be able to print an application form from the NWCM web site: [www.nwcommunity.com](http://www.nwcommunity.com).

Types of Improvements for front, sides and back of houses:

Property alterations, modification, remodeling, painting, staining or refinishing.

Excavation, fill or alteration of existing drainage

Major landscaping

Fencing, Privacy Screens or Awnings

Decks, Porches, or Patios

Gazebos, Pergolas, Children's Playhouses or Basketball Hoops

Lighting, Security Doors or Windows.

Detached Buildings, Storage Shelters, or Greenhouses

Ponds, Spas, Swimming Pools or Water Features

Your application must include the following:

A drawing showing the major dimensions; height, width and depth. This includes fences, gates, rock walls, etc.

Application for repainting or re-staining of the exterior must include paint or stain chip of the requested color(s).

Failure to make an application to ARC for any improvements, or to make improvements without express approval of ARC may result in the owner forfeiting said improvement at his/her own expense.

On Site Inspections:

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Submittal of the application shall be authorization to the ARC to make onsite inspections of the lot where the proposed alteration is to be completed.

Approvals:

The homeowner shall be notified by NWCM of the action of the ARC within 20 working days after the ARC receives all information requested. Approval may take up to 30 days after being submitted to the

management company, depending on the movement of mail, the complexity of the project and the availability of the ARC members at the time of application.

Expiration:

The alteration approval shall automatically be deemed revoked 3 months after issuance unless the homeowner has applied for and received an extension from the ARC.

Accuracy and Revision:

It is important that the drawings submitted to ARC be drawn exactly as the improvement is to be built. If you change your design, colors, etc., you must submit a new application.

#### **DESIGN AND CONSTRUCTION GUIDELINES (4.23 - 4.25)**

The following is a list of certain design and construction guidelines, which may assist a homeowner. They shall in no respect modify the CC&R's.

#### **CONSTRUCTION: BUILDING AND SITE COMPLIANCE (4.2 - 4.4)**

Each homeowner, or his/her agent, who is engaged in construction in MacKenzie Rose Estates, must comply with the following:

No exterior construction work will begin before 7:00 am or continue after 7:00 pm on weekdays and 8:00 am to 7:00 pm on Saturday.

No exterior construction is permitted on Sundays in order to alleviate the noise factor and preserve the tranquility of the neighborhood.

Loud music will not be allowed at any time.

The construction area shall be kept free of litter and debris.

#### **ACCESSORY BUILDINGS: (4.2)**

Structures, such as dog houses, tool sheds, etc., which are not appurtenant to the dwelling structure but are intended for permanent or semi permanent use are subject to ARC approval.

The ARC may not grant approval after the fact, following construction, thus resulting in a violation.

When a violation is deemed to have occurred, the Board of Directors of the MacKenzie Rose Estates Homeowners Association itself may transfer the matter from the jurisdiction of the ARC to disposition, which may or may not require a remedy to the violation.

Making improvements without application to the ARC and/or the expressed approval of the ARC may result in the owner forfeiting said improvements at his/her own expense.

#### **PRIVACY SCREENS: (4.2)**

Privacy screens are considered to be architectural extensions of the house, both in design and in its materials.

#### **EXTERIOR APPEARANCE: (4.2)**

Exterior color or material used on the house shall be continuous and consistent on all elevations of the residence in order to achieve a uniform and complete architectural design. No vinyl siding will be permitted.

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Exterior colors of residences and other improvements must harmonize within themselves and complement their surroundings.

All window coverings should also be of materials and colors which harmonize with the surroundings, and should be chosen in consideration of neighbors and neighboring views.

All glass, plastic or other transparent skylight or solar devices shall be treated or placed to eliminate reflective glare.

**LANDSCAPING: (4.5, 4.17)**

The total yard area (except driveways and entry paving) is to be landscaped.

All landscaping shall be maintained in a healthy and neat appearance at all times, including watering during dryer months. This includes park strips, the area between sidewalks and roadways.

No excessive weeds and debris will be allowed.

Ground cover should be live plant material of appropriate density to provide uniform coverage in all growing seasons. Natural, native bark product mulches are recommended in planting beds to hold moisture and add organic matter to the soil but are not acceptable as permanent ground covers.

Gravel, colored rock, painted concrete and Astroturf are not acceptable as overall ground covers, though hard materials such as brick, stone and textured concrete may be used for walks and patios.

Landscaping, as with lighting, should be consistent with the harmonizing of the house with the community so as to maintain its original continuity and not represent a significant departure from existing community standards.

**RECREATIONAL VEHICLES: (4.9)**

No boat, trailer, RV, or camper shall be stored on a lot (street or driveway), except within an enclosed garage or completely screened from view from all other lots as well as the street and open space.

No recreational vehicles shall be parked on the street longer than 3 days, unless ARC gives written permission. Approval will depend on the location where vehicle is parked and whether it disturbs traffic or neighbors.

**SIGNS: (4.11)**

No signs may be posted except:

Temporary "Open House" signs, which are not to be permanently displayed and must be removed when the home is not being shown.

Temporary "For Sale" and "For Rent" signs, which shall generally conform to a maximum size of 24" x 36" and be limited to one sign per lot.

Temporary placement of "political" signs.

Since this neighborhood is not zoned for businesses, no advertising signs will be allowed.

**GARBAGE AND YARD WASTE: (4.12)**

All garbage, recycling or yard waste cans or containers must be placed where they will not be seen from the street or neighboring lots and screened or enclosed.

Each owner is responsible for trash disposal, and shall remove individual trash containers within 12 hours of collection.

**FENCING: (4.13)**

The design concept for fencing at MacKenzie Rose Estates is to promote consistency.

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Fencing shall not exceed 6 feet in height and is restricted to side and rear yards.

Fences running perpendicular to the grade should be stepped and should not drop more than 12" between panels.

If higher fences are needed, the homeowner may need written approval from the City of West Linn as well as the ARC. Approval will depend on the location of the fence and why a higher than normal fence is required.

Fencing shall be built out of cedar wood, stained or left natural.

No chain-link or other metal fencing will be allowed.

No vinyl fencing will be allowed.

#### **HEATING AND COOLING SYSTEMS: (4.14)**

The exterior location of any heating and air conditioning compressors or heat pumps shall be approved in advance by the ARC.

All heating and cooling systems must be screened from the view of neighboring property, streets and the common areas.

#### **ANTENNAE, SATELLITE DISHES AND SOLAR COLLECTOR PANELS: (4.15)**

No exterior radio, television, or telecommunication towers, antennae, satellite dishes, or other exterior transmission or receiving devices shall be allowed without the prior approval of ARC.

When installed, it should be positioned on the roof and as far back from road view as is possible while providing for reception of signal.

Solar collectors and associated hardware shall be an integral part of the design of the house and shall not have a "tacked-on" appearance.

Placement of solar panel should not produce glare on neighboring outdoor living spaces.

#### **EXTERIOR LIGHTING: (4.16)**

Except with the consent of the ARC, no exterior lighting or noisemaking devices shall be installed or maintained on any lot.

Exterior lighting should not cause glare onto adjacent properties.

Completely shielded light sources are preferred.

#### **HOLIDAY LIGHTS AND DECORATIONS : (4.16)**

Colored lights or light sources shall be prohibited, except during the holiday season, defined as Thanksgiving Day to January 15, or as very temporary, decorative colored or white lights to mark a special occasion, such as Halloween, anniversaries, or birthdays.

All holiday lights, light stands, and decorative items must be removed from the exterior of the house, outbuildings or landscaping no later than January 15.

All lighting effects should be consistent with the harmonizing of all houses with the community so as to maintain its original continuity and not represent a significant departure from existing community standards.

Holiday and other temporary decorations other than lights shall follow above guidelines.