

Architectural Guidelines for Driftwood Pointe Estates

1. **Architectural Control Committee.** The Architectural Control Committee is composed of up to three (3) Members who are appointed by the Association's Director(s). Such members must be an owner or part-owner of a lot and are not entitled to compensation for services performed. However, a majority of the committee may designate a representative to act on its behalf who is not a lot owner and who may be paid for services performed. At any time, the owners of a majority of the lots have the power through a duly recorded written instrument to change the membership of the committee or to revise any of its powers and duties.

1.1 **Approval of Plans and Principles to be applied.** In general, the Architectural Control Committee will apply design and use restrictions to ensure that no building or structure—including, but not limited to primary residences, garages, carports, swimming pools, green houses, storage sheds, boat or trailer storage, fences and animal runs—is erected, placed, or altered on any lot until the construction plans and specifications and a plan showing the location of the structure have been approved by the Architectural Control Committee as to quality of workmanship and materials, harmony of external design with existing structures, as to location with respect to topography and finish grade elevation, or any other concern the Committee has in its role to protect the integrity, design and attractiveness of the subdivision.

1.2 **Committee Procedures.** The Architectural Control Committee's approval or disapproval of submitted plans must be in writing. In the event the Committee, or its designated representative, fails to approve or disapprove submitted plans within thirty (30) days after they have been submitted, further approval will not be required and the plans and specifications will be deemed to have been approved.

2. **Standards and Guidelines.** Subject to the oversight and approval of the Homeowner's Association Board of Directors, the Committee adopts and applies the following procedural rules, regulations, restrictions, architectural standards and design guidelines that govern building design, materials and finishes for all dwellings and related structures within Driftwood Pointe Estates.

2.1 **Land Use and Building Type.** All buildings and improvements added to the lots of Driftwood Pointe Estates must be approved by the Architectural Control Committee

2.1.1 Only one single family dwelling may be constructed on each Lot and shall be built on site. Mobile, pre-fabricated and manufactured homes are not permitted and will not be approved by the Architectural Control Committee [ORS 94.580(2)(m)].

2.1.2 Each dwelling shall be used only for single family, residential purposes. If the dwelling includes guest quarters or a mother-in-law type apartment, it must maintain the appearance of a single family dwelling from the common roads and all adjoining properties.

2.1.3 The single family dwelling shall include a garage capable of holding at least two automobiles and a paved (concrete, asphalt or equivalent) driveway from the Common Roads to the garage which provides a parking area in front of the garage for at least two automobiles. Such garages shall not be constructed to house vehicles, trailers or other equipment greater than 11 feet high or more than 30 feet long.

2.2 **Dwelling Size.** Each single family dwelling shall have at least 1,800 square feet of living space. If a two-story dwelling, the main level shall have at least 1,500 square feet. In

total, however, the dwelling, garage and outbuildings shall not cover more than 50 percent of the lot size. For lots next to the bluff, this 50 percent restriction will be based on the usable area above the bluff rather than total lot size.

2.3 **Building Design, Materials and Finishes.** All dwellings and related structures within Driftwood Pointe Estates shall be designed and built in accordance with the CC&R's and any other specific rules, regulations, restrictions, standards or guidelines established by the Architectural Control Committee. Lot owners will provide copies of building plans to the Committee at least 15 working days prior to applying for permits from Curry County or other local, state, or Federal agencies. Such plans and documentation will include, as a minimum, plot plans, exterior elevation, building plans, landscaping plans, and descriptions of exterior materials (including siding, roofing and paint) to be used [ORS 94.580(2)(t)(C), ORS 94.580(2)(t)(D)].

2.3.1 **Overall Design.** Dwellings will utilize efficient and environmentally friendly designs and practices that are compatible with northwestern weather conditions and extremes. Any use of solar collectors, antennas, or satellite dishes must be approved in advance and shall be integrated aesthetically into the structure and screened as much as possible from view.

2.3.2 **Exterior Materials.** All sidings shall be composed of natural wood, cement fiber, masonry, or a combination of each. Plaster stucco may be used as an accent texture, but not as a dominant siding material. No plywood, hardboard, or aluminum siding will be permitted. Colors shall be natural earth colors or natural wood exterior materials shall be used. Paint or stains may be used on exterior surfaces but shall conform with the provision to use natural colors. Accent trim paint may be used but must be approved by the Architectural Control Committee.

2.3.3 **Roofing.** All residences shall have a pitched roof with a minimum pitch of 5:12 (horizontal to vertical) unless a lesser pitch is approved by the Committee as being better esthetically for the overall design. Roofing material shall be either (1) cedar shingles or cedar shakes, (2) concrete or clay tile, or (3) architectural fiberglass asphalt shingles that meet or exceed all of the following criteria: (a) shingle construction of two ply or greater, (b) minimum manufacturers' warranty of 40 years, minimum weight per square (100 square feet) of 355 pounds, and (d) Class A fire and wind rating from Underwriter's Laboratories.

2.3.4 **Outbuildings.** In general, outbuildings are discouraged; garages, in particular, will normally be incorporated into the main dwelling. However, if an outbuilding is constructed, it shall be of the same materials and conform to the same general design as the single family dwelling. The Architectural Control Committee will make the final determination of whether or not outbuildings will be allowed.

2.3.5 **Exterior Lighting.** All exterior lighting shall be designed to eliminate glare and annoyance to other Lots. Exterior lighting shall be shielded and directed downward.

2.4 **Construction.** Construction of any dwelling shall be completed, including exterior decoration, within twelve (12) months from the date of the start of construction. During construction, the construction site shall be kept in a neat and orderly condition. Construction shall be conducted in so far as reasonably possible in a manner so as not to interfere with other properties or Common Roads. During construction a temporary building or trailer may be used as an office and/or for storage, but not as a residence.

2.5 **Landscaping.** A landscaped visible yard surrounding the single family dwelling shall be installed within six (6) months of completion of construction and start of occupancy. Landscaping must be maintained in a neat and attractive condition at all times, shall not disrupt surface drainage off of the property, and shall not be allowed to unreasonably interfere with or otherwise impair the ocean views of other lot owners [ORS 94.580(2)(t)(C)].

2.6 **Antennas and Service Facilities.** All utility systems shall be installed underground. No poles shall be permitted and no overhead wires shall be erected or used for any purpose. No outside radio or television antennas will be allowed. Only small, less than two (2) feet in diameter, satellite dishes shall be permitted.

2.7 **Walls and Fencing.** In general, Lot owners shall not construct walls or fences in their front yards without prior approval of the Association and, in all cases, shall work to protect and maintain the ocean views of other Lot owners.

2.7.1 To the extent that walls or fences are built, they shall not be higher than four (4) feet and shall not extend beyond the sides of the house. Each fence shall be well maintained and constructed of suitable fencing materials and be hidden by bushes or other greenery from adjacent properties and common roads.

2.7.2 Also, the Declarant has constructed a concrete block wall on the exterior perimeter of Driftwood Pointe Estates. Each Lot owner shall assist in maintaining this wall in good repair by notifying the Association of maintenance needed to the extent that the wall is located on their Lot. No additions or modifications may be made to this wall nor shall any building or permanent structure be constructed within five (5) feet of this wall without the prior approval of the Association.

2.8 **Mailboxes and Address Numbers.** All residents will use the cluster mailboxes provided within the subdivision; individual mailboxes are not allowed. Residents shall also comply with any guidelines issued by the Architectural Control Committee regarding addressing and the posting of address numbers.

The foregoing guidelines are approved by the Architectural Control Committee:

By: _____ Date: _____

