

**PINE RIDGE ESTATES
ARCHITECTURAL DESIGN COMMITTEE**

PROCEDURES, RULES AND REGULATIONS MANUAL

ADC PHILOSOPHY AND STATEMENT OF PURPOSE

Section One

Intent of the Residential Deed Restrictions:

The Deed Restrictions hereinafter referred to as the “Restrictions” are prescribed rules that go beyond county ordinances in the preservation of the aesthetics and quality of life in Pine Ridge. These rules were created as the general plan of improvement for Lot owners and are designed to protect and preserve his/her common interest.

The General Plan of Improvement

The Restrictions (commercial and residential) and historical precedent constitute the “General Plan of Improvement”. The Restrictions define how the plan of improvement is carried out and defines the roles of the Pine Ridge Property Owners Association, the Architectural Design Committee and Lot owners. Historical precedent establishes the parameters for how the “majority” of lots in Pine Ridge developed. The policies and Restrictions intents and/or interpretations are created herein within this framework.

The role of the PRPOA :

The **Pine Ridge Property Owners Association, Inc.** hereinafter referred to as the “**PRPOA**” is authorized to manage collectively the common business and operational affairs for the community. It is authorized to recommend to Lot owners changes to the Deed Restrictions.

The role of the **Architectural Design Committee** hereinafter referred to as the “ADC” is the authorized committee to enforce 9.01 the Restrictions for the PRPOA. It is authorized to recommend to PRPOA changes to Articles 1 through 9 of the Deed Restrictions. ADC is not authorized to expand Restrictions through interpretations or to create policies and rules which “enhance powers for enforcement” of Restrictions. Where this logic existed to substantiate a previous ADC policy or Restriction interpretation, it is herein eliminated from the vocabulary of the ADC.

ADC’s role as a regulating committee: The ADC’s role, as stated in Article 9.01.

Intent of the ADC: The ADC accepted the challenge to quantify the criteria, establish enforcement/citation procedures, and provide a legally defensible set of policies and interpretations of the Restrictions so that decisions of future ADCs will be consistent.

During this process, it was determined that Lot owners in Pine Ridge enjoy a tradition of freedom of choice in the development and use of their Lots. There exist a variety of

house and structures styles, designs, color schemes, and landscape developments. The Restrictions permit Lot owners to have on their Lots recreational “toys”, certain pets and horses. They are permitted to erect accessory buildings to either house their animals and “toys” or enjoy personally oriented work and hobby activities. The end result of these choices has created the appeal for choosing to live in Pine Ridge, which is now a substantial element in the General Plan of Improvement for the subdivision. That element has attracted a highly diversified and individualistic set of Lot owners. In an effort to protect this heritage, it is recommended that all ADCs shall keep the following policy positions in mind:

For the community’s sake:

1. Avoid establishing preemptive rules that limit Lot owner’s use of their properties;
2. Limit regulations of Lot appearance to the exterior of buildings and the street elevations;
3. Make interpretations that are supported by the language of the Restrictions;
4. Be consistent in policies and application of the Restrictions interpretations;
5. Be consistent in submittal evaluations and procedures to gain compliance;
6. Be a communicator: Assume a large percentage of Lot owners will comply if informed, so encourage cooperation through personal contact and distribution of information.

For PRPOA:

1. To create policies and procedures;
2. To create criteria and establish interpretations.

For the ADC:

1. Avoid expansion of the Restrictions in establishing policy and procedures and in interpreting the Restrictions;
2. Avoid setting policies that include the ADC in neighbor to neighbor disputes;
3. Avoid setting policies that promote Lot owner dissension.

The ADC should be forever sensitive to the fact that it’s ultimate role is to oversee the architectural aesthetics through plan review and maintain compliance within the framework of the “General Plan of Improvement” and the Restrictions.

Section Two

INTERPRETATION OF THE ARCHITECTURAL DEED RESTRICTIONS GENERAL

Intent for providing the Restrictions Interpretations

1. To allow Lot owners the maximum use of their property consistent with the Restrictions;
2. To assure that interpretations of the ADC are performed in good faith for the community ;
3. To avoid extension of the ADC authority through inconsistency in Restrictions interpretations;
4. To avoid expansion of the work of the ADC beyond its ability to consistently regulate the Restrictions.

Restriction Interpretation Policy

The Headings

The categorical headings for each Article are used to interpret the original intent of the Restrictions;

By keeping the heading in mind while making the subsequent interpretation, a contextual understanding of the intent of a restriction is achieved and “rule making from opinions” is minimized.

The Words

A words meaning is as per Webster and is not intended to mean what one would like for it to mean. The words chosen to express either a limitation for the Lot owner and/or a grant of authority to the ADC are interpreted “in context” of the intent for a restriction. This helps to avoid expansion of the authority of the ADC and layering of rules onto the Restrictions. An example would be the use of the word “Lot” as the boundary for the ADC authority to regulate the community. A Lot is defined by the definitions of front, and rear yards. A Lot does not include the county swale, easements and/or the street and are not under the purview of the ADC.

Mutual Exclusion: Where an element is expressly included (i.e. single family detached) the opposite of the element (i.e., multifamily attached) is considered to be excluded and therefore not permitted.

ADC POLICIES AND PROCEDURES MEETING PROTOCOL

Regular Meetings: Meetings take place weekly or bi-monthly as noticed by the Chairman on a specified day in the morning at 9:00am in the Conference Room of the Pine Ridge Community Center.

Membership: The membership of the ADC is composed of two or three members but not more than nine (9) members selected by the PRPOA Board of Directors. Each year the Chairman is elected by these members.

Visitor Attendance at Meetings: Visitors are allowed to observe proceedings of any scheduled meeting, except a meeting designated for executive session. During a regular meeting, visitors may not interrupt or interface with the ADC unless specifically asked to comment.

Appointment Review: Any lot owner or resident may request an appointment with the ADC at any regularly scheduled meeting. These appointments will be scheduled at the discretion of the PRPOA Property Manager or the ADC Chairman.

Appointments: Irregular-scheduled appointments with a Lot owner may be arranged at the Community Center or other site. The results of these appointments must be reviewed by the ADC at a future regular meeting.

PROCEDURE FOR INQUIRIES ABOUT ADC AND OFFICE POLICIES & PRACTICES

Staff Action: Will be at the direction of the Property Manager; he/she will refer to the ADC "Policies and Procedures".

Front Office Recommendations:

1. Advise and/or provide Lot owners with a copy of the pertinent section of the ADC's procedures upon request, criteria and/or restrictions.
2. Provide the Lot owners with a copy of the Deed Restrictions
3. Provide the appropriate ADC forms
4. Instruct Lot owners in the use of ADC forms
5. Provide a preliminary check of the Lot owner's supporting documentation
6. Advise Lot owners of submittal deficiencies
7. Receive plan review submittals and forward them to the ADC chairman for recording
8. Collect additional submittal information as required and as directed by the ADC delegated agent and returns the submittal to the Committee
9. Receive complaints and complete a complaint form, with the Lot owner's name and review the same, observe said violation and process letter for corrective action.
10. Take action against a Lot owner after all written efforts have been exhausted as instructed by the Board of Directors.

ENFORCEMENT AND REGULATION POLICIES

The ADC enforcement policy is to require architecture and general compliance with the Restrictions. 1. Plan review of applications for structures placed on lots

The ADC regulation policy is to focus on areas of the community where “a common (community) interest” is at risk. To achieve this goal the ADC will focus on maintaining oversight of:

1. The exterior appearances of structures, not the interior residential use thereof, thus minimizing unauthorized oversight of the uses Lot owners make of their Lots and buildings.
2. Application of the Restrictions with a full understanding of their context and original intent.

ADC APPLICATION APPROVAL PROCESS

Every effort shall be made by the ADC to review applications in a timely manner.

The ADC retains all applications and the respective site plans. Documentation for Lot owners is retained by the ADC as a permanent record and is not returned.

The application is recorded on the ADC Submittal Log. This log reflects the block/lot number; the applicants name and address; the Builders name; the application number with a hyphenated number showing how many homes to date have been submitted for approval; and the dates of approval or disapproval. The complete submittal is circulated to and independently reviewed by each member of the committee. The application, after review, is marked “Approved” or “Disapproved”.

Incomplete Applications:

Incomplete applications are handled as quickly as possible either by telephone contact with the Builder/Lot owner or in writing. The nature of why the application is incomplete is explained, in an effort to expedite the approval process. Incomplete submittals are returned to Staff to expedite obtaining a complete submittal.

Do not add additional requests to an incomplete application. If the Lot owner wishes to construct another structure or make an additional request, he/she should obtain and submit a separate application for the additional need.

Approved Applications:

Notification of ADC determination on the submittal shall be provided to the Builder/Lot owner in writing as soon as possible after the review meeting.

Disapproved Applications:

A “disapproval of a submittal” requires that corrections be made or additional information is required on A NEW APPLICATION that will be resubmitted with appropriate corrections. A “disapproved application” will reflect the reason for rejection

at the bottom of the application. The appropriate section of the Restrictions, ADC Criteria, or other references may be noted to fully explain the rejection.

Do not add additional requests to a rejected application. If the Lot owner wishes to construct another structure or make additional request, he should obtain and submit a separate application for the additional needs.

INFORMAL DISPUTE AND RESOLUTION STANDARD ABATEMENT PROCEDURES

Identification of Violations Procedure: As a general policy the Restrictions do not require or instruct the office to seek out violations. Therefore, all violations, pursuant to failure to seek approval of submittals, rely on the issuance of a complaint. There are three parties who may submit a complaint. The following policies are set for each of these parties:

1. **Committee members:** As PRPOA policy ADC or the office will not patrol to seek out violations but may generally observe the community and identify violations in order to report Restriction violations to the PRPOA Board as deemed necessary. When a member identifies a violation, the member will complete a complaint form. Every two (2) years the office staff will initiate an organized survey of the community. Staff will be given certain sections that encompass all of the community for evaluating changes or builds with out approval, and violations within the community. The Property Manager will assign office staff to sections of the community so that they may verify that application approvals are built as submitted.

2. **The manager** is authorized to identify potential Restriction violations, and may take action to resolve the violation.

3. **Any Lot owner** may report a suspected violation. To do so, Lot owners must submit the suspected violation to the office on a complaint form which is dated and reflects the name of the complainant. The form is used to track abatement of the situation and allows the Property Manager to respond to a complainant about the resolution. The Property Manager will assess the validity of all complaints and, once validated, the PRPOA becomes the complainant.

4. Crime Watch personnel are not witnesses for the ADC in identification of violations

Verification Process for Complaints: After a written complaint is received the block and Lot numbers are verified, if applicable, and the following documents are reviewed and/or researched to determine validity.

1. If it is a violation of a specific restriction, the date of the adoption of the appropriate section of the Restrictions is compared to the date the Lot was purchased. If the Lot purchase date precedes the adoption date of the Restrictions, it is not a violation. If the Lot purchase date is subsequent to the adoption date of the Restrictions, it is a violation and will be dealt with in accordance with the "Standard Abatement Procedure". 2. The files are researched by the Property Manager or PRPOA staff to determine if a prior ADC has granted permission to the Lot owner for the improvement

Complaint Processing Procedure:

1. All complaints are to be directed to the PRPOA office. The PRPOA office staff fills out Complaint Form, and forwards the form to the Property Manager for review and backup documentation i.e. photographs of violation. The Property Manager or staff prepares notification and the Property Manager executes the same in an attempt to gain compliance.
2. The office records the status of action on the "Violation Status Report".
3. The Property Manager keeps the complaint form open until final resolution.
4. When a complaint is resolved, resolution is recorded on the complaint form as the history of abatement, and the form is filed by block and Lot numbers. The complainant and/or the defendant may receive a letter explaining the resolution.

Standard Abatement of Violation Procedure:

The procedure for correction of violations will be as follows: A violation will be cited by a first attempt to contact the owner by telephone, then a Letter of Notification. Approximately Fifteen to Thirty calendar days from the date of the first letter, a certified letter is sent to the Lot owner, which specifies that the offense must be corrected within the next fourteen calendar days. If the violation is not corrected by the end of that period, the matter will be turned over to the PRPOA for the recommendation for fines. Cases requiring litigation will only be initiated after the approval of the PRPOA Board of Directors.

The Property Manager will not allow a violation to remain in a "pending" status due to a possible change in restriction, criteria, or policy.