

TOLLGATE PROPERTY OWNERS ASSOCIATION      Lot No: \_\_\_\_\_  
 PLANNING AND LAND USE COMMITTEE CHECK LIST  
 15004 Saddle Sisters, Or 97759  
 541-549-7962      Fax 541-549-7386  
 tollgate@bendbroadband.com

DATE: \_\_\_\_\_ Revised 4-26-2016

LOT NUMBER: \_\_\_\_\_

LOT ADDRESS: \_\_\_\_\_

NAME & ADDRESS \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

PHONE NO.: \_\_\_\_\_ & \_\_\_\_\_

PROJECT: \_\_\_\_\_

	DATE	APPROVED BY	APPROVED BY
<u>FENCE or SCREENING</u> (1, 3, 5 & 6)	_____	_____	_____
<u>PAINTING</u> (1 & 6)	_____	_____	_____
<u>ROOFING</u> (8)	_____	_____	_____
<u>STRUCTURES</u> (1, 2, 3, 4, 5, 6, 7 & 8) Outbuilding, Greenhouse, Wood Or Temporary Structure	_____	_____	_____
<u>TREE REMOVAL</u> (1 & 7)	_____	_____	_____
<u>DECKING</u> (1, 3 & 5)	_____	_____	_____
<u>OTHER:</u> _____	_____	_____	_____

Items needed:

1. Properly executed Construction Agreement
2. Properly executed Roofing Approval Form
3. Plat map showing location of proposed structure and appropriate setback
4. If the PLURC is unable to establish an exact setback line, the property owner will be required to have a registered land surveyor verify the placement of the structure to conform to the setback requirements. A copy of the surveyor's report will be placed with the PLURC prior to any construction activities. All property corners and necessary radius points will be clearly marked with iron rods or a stake set by a registered surveyor.
5. Drawing of proposed structure and materials used.
6. Color Sample - if color is questionable a 1 foot by 1foot sample is required.
7. Plat map showing location and size of trees to be removed and mark trees to be removed with red ribbon supplies by the Tollgate office.
8. Properly executed Roofing Approval Form - Please Note: Wood shakes and wood shingles shall not be allowed on new construction or when more than five-hundred square feet (500 sq.ft.) of roofing is being replaced.
9. Other: \_\_\_\_\_

PENDING:

DATE	INFORMATION OR FORM	DATE RECEIVED
_____	_____	_____
_____	_____	_____

## ARTICLE 7.

### RESTRICTIONS ON USE OF PROPERTY

7.1. Compliance. All land Owners shall comply with the laws and regulations of the state of Oregon, County of Deschutes, municipality or other regulatory agency having jurisdiction applicable to fire protection, building construction, water, sanitation, and public health.

7.2. Buildings and Use of. Each Lot shall be used for residential purposes only, nor shall more than one detached single family dwelling not to exceed two stories or a height of thirty (30) feet above the average original grade elevation be constructed, and not more than one garage or carport and two accessory buildings such as workshops or a recreational vehicle shelter plus temporary structures as defined in 7.2.1 be constructed upon each Lot in the subdivision. Manufactured or prefabricated housing as defined in Deschutes County Zoning Ordinances shall not be permitted. Exteriors of accessory buildings, with exception of greenhouses and wood shelters shall match, in appearance, the dwelling building on the same Lot.

7.2.1 Temporary Structure. A temporary structure is moveable and does not have a fixed base on, or fixed connection to, the ground or another structure. Greenhouses and structures that shelter wood are considered temporary structures.

7.2.2 Greenhouses. A greenhouse, defined herein as a free-standing structure five (5) feet or higher used for cultivation and protection of plants, will be allowed on any lot so long as it meets the following standards: Such a structure, erected beside or behind the main house, will not exceed 200 square feet in area, with an average roof height not to exceed 10 feet. The structure will not be set on a permanent foundation and will not have permanent electrical or plumbing systems, though the structure may be secured to timbers or other temporary devices to keep it in place. Watering may be made possible from existing underground sprinkling systems. Greenhouses must be structurally sound, and well-maintained as declared elsewhere in these articles. Greenhouses may be erected a minimum of 10 feet from side property lines, and 20 feet from front and back property lines, including Tollgate common areas. (Exception: a greenhouse that is 65 feet or more from the front property line may be erected with a minimum set-back of five feet from adjoining property lines.).

7.2.3 Wood Shelter. A wood shelter, defined herein as a free-standing structure five (5) feet or higher used to store wood, will be allowed on any lot so long as it meets the following standards: Such a structure will not exceed 100 square feet in area, with an average roof height not to exceed 10 feet. The structure will not be set on a permanent foundation. Wood shelters must be structurally sound, and well-maintained as declared elsewhere in these articles. Wood shelters may be erected a minimum of 10 feet from side property lines, and 20 feet from front and back property lines, including Tollgate common areas, and positioned so as to not detract from street curb appeal (ideally in the back yard). (Exception: a wood shelter that is 65 feet or more from the front property line may be erected with a minimum set-back of five feet from adjoining property lines.).

7.3. Driveways / Parking. Each Lot is allowed one (1) driveway not to exceed sixteen (16) feet in breadth across common area property between Roadway and Lot. Driveways may flair out to twenty-four (24) feet width immediately adjacent to the roadway to provide a generous turning radius. Parking must be provided for each dwelling site. Native dirt shall be kept covered with gravel, cinders, or asphalt for driveways and parking areas. Additional driveway and parkway topping materials may be approved by action of the Board.

7.4. Minimum Floor Areas. The floor area of constructed residences shall be no less than eight-hundred (800) square feet exclusive of porches, garages, accessory buildings, and carports.

7.5. Survey. Within the prior two years of the initial construction on any Lot a certified survey must be completed. A copy of the surveyor's report will be placed with the PLURC prior to any construction activities. All property corners will be clearly marked with iron rods.

7.6. Construction. All dwellings and garages shall be suitable for year-round use and shall be placed on permanent foundations of concrete, brick, stone masonry, or pumice or cinder blocks. Additional suitable foundations may be approved by action of the Board.

7.6.1. The pitch of roofs shall be not less than four (4) in twelve (12). Roofing materials shall be of fire-retardant wood shakes, fire-retardant wood shingles, shake tile products, metal roofing with bonded paint finish, or class A fire-retardant asphalt and/or fiberglass shingles. However, wood shakes and wood shingles are not allowed on new construction or when more than five-hundred square feet (500 ft<sup>2</sup>) of roofing is being replaced. If asphaltic or fiberglass shingles are used they must have a weight of at least 285 lbs. per square and simulate wood shingles in profile, style, and appearance. All roofing materials and exterior colors shall complement the earth tone colors of the Tollgate area and fall within specific ranges of colors approved by the PLURC. Exact samples and a signed statement concerning the specifications of the roofing material to be used must be submitted

for approval. Color samples for exterior colors of siding and trim for all buildings must also be submitted for approval prior to use. Exteriors of accessory buildings shall match, in appearance, the dwelling building on the same Lot.

7.6.2. All buildings, fences, structures and other improvements must be kept in good repair.

7.6.3. All exposed portions of foundation must be painted or sided if more than twelve inches (12") projects above the adjacent ground.

7.7. Setback and Fences. Setback line shall be at least twenty-five (25) feet from all Lot lines to any structure upon the Lot other than fences. Exceptions to this ruling are as noted in 7.2.2 for greenhouses and 7.2.3 for wood shelters. Fences are not to exceed 72 inches in height and shall harmonize with the surroundings.

7.8. Construction Time Limit. No more than 18 months construction time shall elapse for the completion of a permanent dwelling nor shall a temporary structure or recreational vehicle be used as living quarters except during the construction of a permanent dwelling. An exterior, commercial, portable latrine shall be allowed only during construction. Water connection and the required fees paid shall be done prior to the completion of foundation work.

7.9. Use. No commercial, professional, trade or other activities shall be carried on upon any Lot, nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood. Unsuitable activities include, but are not limited to, repetitive increases in vehicular traffic, readily discernible atypical noise, or increased safety hazards.

7.9.1. Any child care operation where more than three unrelated children are being cared for and for which remuneration is being paid shall be considered a commercial use falling under the provisions of this Article.

7.10. Trees. Removal of living trees greater than eighteen inches (18") in girth at a point thirty six inches (36") above the original ground level at the tree will only be permitted where necessary for the construction of buildings, to avoid impending damage to existing structures, thinning for the beautification of the Lot, or for fire safety. Prior to any such cutting approval must be obtained from PLURC. At least two weeks before any cutting, a plan, at least 7" X 10" in size is to be placed in the hands of the PLURC showing the location of affected trees. Concurrent with submitting the diagram the property owner must place brightly colored ribbons around each candidate tree for easy identification. The PLURC is responsible for replying in written form the extent to which the requested cutting may be allowed. Such reply must be mailed or delivered to the residence at least one week before the proposed cutting date.

7.9. Use. No commercial, professional, trade or other activities shall be carried on upon any Lot, nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood. Unsuitable activities include, but are not limited to, repetitive increases in vehicular traffic, readily discernible atypical noise, or increased safety hazards.

7.12. Signs. Signs displayed on Lots are limited in number, size, and design as set forth more specifically in the PLURC Regulations.

7.13. Screening. All garbage trash, cuttings, refuse, garbage and refuse containers, fuel tanks, clothes lines and other service facilities shall be screened from view from neighboring units and Common Areas. Screening shall harmonize with the surroundings.

7.14. Property Maintenance. Each Lot and its improvements shall be maintained in a clean and attractive condition in good repair and in such fashion as not to create an eyesore or hazard to person or property.

7.15. Wells. Individual wells are not allowed; all Lots shall connect to the Tollgate domestic water system no later than the completion of the foundation of the first building placed on the Lot.

7.16. Vehicles. Vehicles includes all motorized forms of transport and trailers for the purpose of this article. No motorized vehicles operated on roadways within the Tollgate sub-division will be other than licensed automobiles and highway licensed motorcycles. Auxiliary vehicles includes motor homes, travel trailers/5<sup>th</sup>-wheels, campers, boats on a trailer, utility trailers, horse trailers, trailers for ATVs, snowmobiles, and dirt bikes. Each property shall have no more than four (4) auxiliary vehicles. Auxiliary vehicles shall be stored in a manner that is least obtrusive to neighboring units and common areas. This will involve screening whenever possible; when used screening will harmonize with the surroundings. Exceptions to screening will be granted for motor homes, travel trailers, large boats, etc. The issue as to whether or not screening is required will be open to review by ARC.

7.17. Exterior Lighting. Exterior lighting shall be designed, placed and maintained in such a manner as to prevent becoming offensive to neighboring Owners or becoming a hazard.

7.18 Animals Allowed. No animals, other than domestic household pets and horses, are allowed. Domesticated animals usually kept in or near the house are dogs, cats, birds, rodents (including rabbits), fish and turtles.