

OAK TRAIL ESTATES

ARCHITECTURAL RULES AND GUIDELINES

ARCHITECTURAL REVIEW COMMITTEE (ARC)

Note: Publication of these guidelines does not in any way limit the rights or duties of the Oak Trail Estates (OTE) Association. The CC&Rs and Bylaws are still the governing documents.

I. The following are general guidelines used by the OTE ARC:

Easements

- 40' from the centerline of Hillcrest, Woodstock, Monticielo and Long Canyon Roads
- 30' from the centerline of all other roads
- 10' from the centerline of all bridle paths and utility easements
- Structures are not allowed on easements

Setbacks

- 75' from the centerline of any road. Structures are not allowed on setbacks.

Structures

Structure shall mean and refer to all exterior improvements of every type which will require County permitting or be visible to other properties within the Association, specifically excluding conventional landscaping and the Water System (refer to CC&R, Article I, #9).

Height Guidelines

We use guidelines in Chapter 35 of the Santa Barbara County Code. For current information, please contact the County for a copy.

New Residences

Building plans, plot plan, exterior material samples, landscape plan, and grading plan (if available) should be reviewed. Setbacks and easements are checked. Exterior samples are reviewed for appearance and harmony. Minimum square footage of a primary residence is 2000 square feet. Height limits are checked.

Barns, Stables, Feeding Shelters and/or Corrals

- 150' from any adjacent homeowner's living quarters.

Metal Roofs/Structures

Metal roofs/structures can create glare problems. We ask the homeowner to re-think the material choice in light of known problems. If a change is not possible, the ARC determines if a glare problem will result. If a problem is likely, the request is denied. If it is not possible for the ARC to determine if there will be a glare problem, tentative approval is given contingent on the homeowner's willingness to provide a timely solution (i.e., painting with non-reflective paint) to any glare complaints received from neighboring homeowners. If homeowner is not willing to assure timely solution, request is denied.

Frontage Fencing

Frontage roads are defined as any road that borders an OTE lot. All frontage fences must be three-rail, wood fencing and not exceed 5'4" in height. Fencing may be left natural or painted brown, tan or white. Fence regulations are subject to easements. The homeowner must contact the OTE watermaster to ascertain if water pipes are in the fencing area.

Interior Fencing

Interior fencing is any fence that is not along a frontage road or within an easement. Fencing is at the discretion of the homeowner but cannot exceed 6' in height as specified in County regulations. The homeowner must contact the OTE watermaster to ascertain if water pipes are in the fencing area.

Swimming Pools and Spas

Approval is contingent upon installation of any safety fencing required by Santa Barbara County.

Solar Panels

Approval is contingent on screening landscaping or glare retardant being provided by the homeowner.

Guest Houses

Building plans, plot plan, exterior material samples, landscape plan and grading plan (if available) should be reviewed. Setbacks and easements are checked. Exterior samples are reviewed for appearance and harmony. Limited to a maximum of 800 square feet. No cooking facilities are allowed. Height limits are checked against County regulations.

Two-story Outbuildings on Ridgelines

The ARC has not approved two-story outbuildings on ridgelines. These structures are discouraged by Chapter 35 of the Santa Barbara County Code. High-profile structures detract from and are detrimental to the natural beauty of this area. Additionally, affected neighbors (when canvassed) were not supportive of such structures.

Santa Barbara Board of Architectural Review (BAR)

When Santa Barbara County Resource Management determines that plans require BAR approval (usually because of height or ridgeline considerations), the homeowner needs to inform the ARC of any hearing at least five (5) days before they occur. This will allow an ARC member to attend if necessary. PLEASE NOTE: The County requires a Land Use Permit for all structures (even barns). Should the elevation of the lot change 16 feet or more within 100 feet (in any direction) of the proposed structure, then the structure requires the approval of the BAR. Therefore, even if a structure does not require a County Building Permit (like a barn), it may still require BAR approval. Any time BAR approval is required, the applicant must notify the ARC so that a member can attend the BAR hearings.

II. The following are general objectives and procedures:

Committee

Three (3) members are appointed by the Board of Directors with no set term. Any meeting of the Committee requires a quorum of two, and any approval requires two Committee members' votes.

Objectives

To assure the CC&Rs are upheld; to approve building plans that are not detrimental to the appearance and are in harmony with the surrounding area; to maintain the natural beauty, architectural standards, and aesthetic values that make Oak Trail Estates an attractive place to live.

Authority

These documents have been adopted by a majority vote of the Homeowners pursuant to the CC&Rs.

Meetings

No regularly scheduled meetings are held. Rather, meetings are called on an "as-needed" basis. At least one member of the ARC will attend Board meetings and report directly to the Board.

Authorization Required

Written approval from the ARC/Board is required for every structure (see guidelines above for definition of "structure") erected, altered or moved. The purpose of requiring this approval is to control the appearance of the property for the mutual benefit of all OTE residents. The ARC/Board generally requires landscaping to shield solar panels, above ground tanks, pool equipment, etc., therefore landscaping of this nature requires approval.

Applications

In most cases, the ARC requires certain documentation in order to properly review the applications (see Architectural Review Request Form). These documents may include, among other things, plot plans, floor plans, structural plans, landscaping plans (especially for new structures, tanks, panels, etc.), and samples of finished texture and color. When the ARC deems a project to be of minor consequence to the appearance of a property, it may issue approval based on a short written inquiry.

Approval Process

Homeowner submits a completed "Architectural Review Request Form" to a member of the ARC. When a request is received by the ARC, a meeting is called. At least two (2) members of the ARC meet; however, it is always desirable to have all three members attend. All information sent by the homeowner is reviewed by the attending ARC members. It is highly recommended that the ARC visit the site. Criteria for approval (see guidelines above and CC&Rs) is also completed. Problem areas are noted. If more information is needed, the homeowner is contacted. When all necessary information has been obtained, a copy of said

Architectural Review Request Form is sent to all neighboring property owners sharing a property line boundary. Any impacted property owner has five (5) calendar days to raise questions and/or concerns to a member of the ARC. The ARC Committee votes after this deadline. Majority rule of the ARC will make its recommendation to the board.

In all cases, the ARC's recommendation (or non-recommendation) must be in writing. Copies are sent to each member of the ARC, the President of the Association's Board of Directors (and from there to the Correspondence Book), and one is placed in the ARC Review Book/File.

Approvals will generally be based on, but not limited to, the Association's desire to maintain an attractive appearance that is in harmony with the surrounding structures and landscaping as well as in compliance with the CC&Rs.

The ARC will respond to all applications or inquiries within ten (10) days. If additional time is required by the ARC, written notification will be furnished to the applying homeowner.

Variances

The ARC may grant variances as allowed in the CC&Rs. To be valid, these variances must be in writing and recorded with the County. All expenses arising from the issuance of a variance are the responsibility of the applicant.

Disagreements

Should there be a disagreement all matters will be adjudicated under the guidelines set forth in Section V of the CC&Rs.

Violations/Unapproved Construction

As soon as possible after becoming aware of a violation, the ARC will send by registered mail a notice requiring the violator to comply, quit work, or otherwise correct the violation by a set date. Should the response be unsatisfactory, then the violation will be immediately referred to the Board for legal action or otherwise as allowed by the CC&Rs XI.

ARC Archives

The Architectural Review Book/File contains all information and all previous and pending applications. All new approvals will be recorded on the Oak Trail Estates "Architectural Review Request Form."