

MEMBER BALLOT

Proposed Amendments to Declaration of Covenants, Conditions, and Restrictions for Rafter J Ranch Subdivision

This is the **final vote** for the proposed CCR amendment that was sent out to the owners for preliminary approval in December of 2017. In order to enact the changes, you will now need to vote for each item separately and **your vote must be received by 5:00 pm MST Monday November 19, 2018** at the Rafter J Office, located at 2951 Big Trail Drive, Jackson WY 83001.

All owners shall be entitled to one vote for each lot owned. When more than one person holds an interest in any lot, the vote for such lot shall be exercised as they among themselves determine, but in no event shall more than one vote be cast with respect to any lot. Each individual section will be counted separately and each item will require 65% of the Rafter J Ranch owners to vote in favor of the proposed change in order to be amended.

The Rafter J Ranch Homeowner’s Association Board is in favor of the following proposed changes to the Declaration of Covenants, Conditions, and Restrictions, a copy of which is enclosed with this ballot.

Please vote on items 1 through 12 separately:

YES	NO		
_____	_____	1.	For the purpose of uniformity, Article VI should be amended through to reference Design Committee and Architectural Committee as Design Committee (DC), as proposed.
_____	_____	2.	The first paragraph of Article VI, Section 2 should be amended as proposed for clarification purposes.
_____	_____	3.	Article VI, Section 2(b) should be amended as proposed to exclude vinyl exterior surfaces; allow fiberglass windows and doors, as approved by the Design Committee; clarify the painting and maintenance of metal doors; allow alternative materials for decks, as approved by the Design Committee; and, clarify the minimum weight of “heavy-weight asphalt shingle”.
_____	_____	4.	Article VI, Section 2(d) should be amended as proposed to clarify that white or pure colors are not to be used on exterior surfaces; and, allow photographic representation of materials at the discretion of the Design Committee.
_____	_____	5.	Article VI, Section 3(a) should be amended as proposed to allow accessory structures to be free-standing from the primary structure, per site design regulations and, as approved by the Design Committee.
_____	_____	6.	Article VI, Section 3(b) should be amended as proposed to exclude detached guest suite, storage shed and fixed playhouse from the required minimum floor area of a primary single-family residence.
_____	_____	7.	Article VI, Section 3(c) should be amended as proposed to allow the maximum building height to be increased from twenty (20’-0”) to twenty three feet (23’-0”); allow two-story houses without specific approval from the Design Committee; allow up to 20% of the house perimeter, inclusive of the attached garage or carport, to be increased from ten feet (10’) to eleven feet six inches (11’-6”) without a significant architectural feature, as measured from finished grade to fascia or underside of structure; to reduce the maximum elevation of finished grade from two (2) feet to one (1) foot above existing grade; and, to clarify that mechanical devices are not subject to maximum height restrictions, but ridge vents are subject to maximum height restrictions.
_____	_____	8.	Article VI, Section 3(d) should be amended as proposed to allow the maximum roof pitch to be increased from six (6) to eight (8) feet in twelve feet.
_____	_____	9.	Article VI, Section 4(d) should be amended as proposed to not allow fences to be constructed forward of the front face of the primary structure.
_____	_____	10.	Article VI, Section 4(d)(1)-4(d)(3) should be amended as proposed to clarify that maximum height restrictions for fences are “as measured from grade”.
_____	_____	11.	Article VI, Section 4(e) should be amended as proposed to require exterior lighting to conform to Teton County’s Night Sky Ordinance or latest restriction in effect.
_____	_____	12.	Article VII, Section 3(k) should be amended as proposed to specifically prohibit the burning of construction or household trash; and, to allow properly designed permanent fire pits or portable, manufactured natural gas, propane or wood burning units for cooking or entertaining as long as proper spark arresting is ensured.

Owner Signature

Owner Address and Lot #

Owner Printed Name

ARTICLE VI
DESIGN STANDARDS

Section 1. GENERAL STANDARDS. The following standards and restrictions are applicable to the construction, remodeling, alteration, and exterior refinishing of any and all improvements and site preparation upon each lot classified as residential or multiple dwelling, commercial or miscellaneous area, or future developable property¹.

Section 2. DESIGN CHARACTER. All buildings shall endeavor to be consistent with a “Western ranch” in-design in order to achieve design compatibility with existing ranches characteristics of the area. Low, ~~rambling and~~ informal structure(s) and arrangement of massing(s) on the property are- is encouraged in order to relate to the terrain and physical features of the Rafter J Ranch ~~Subdivision~~ landscape.

(a) All improvements shall be of new construction. Pre-built, component, or modular construction shall be permitted only when it cannot be distinguished from conventional construction and only upon specific approval of the design committee, which approval of pre-built or modular construction may be withheld completely.

(b) Exterior materials shall be of rough sawn natural wood, peeled log, stone, exposed aggregate concrete, or other similar rough textured natural materials. Where exteriors of natural wood are utilized, the term shall be construed to exclude plywood, pressed wood, ~~or~~ pressed board or vinyl; and shall apply to all siding, fascia, porches, decks, and all other exterior areas surfaces, except soffits, doors, garage doors, and windows. ~~No fiberglass windows, exterior doors and~~ garage doors shall be permitted only with the expressed approval of the Design Committee (DC). Metal doors must be painted in ~~oxidized~~ earth tones and must be ~~painted and~~ maintained according to the manufacturer's specifications. Exterior decking material shall be of wood; however, alternative materials with brand names such as Timbertech and Trex may be utilized, but must be approved by the DC. Roof materials shall be cedar shake or shingle, heavy weight asphalt shingle, ribbed metal with a flat non-reflective colored finish, sod, or built-up roof with native gravel surface. The term “heavy-weight asphalt shingle” shall be construed to mean a minimum weight of nothing less than 325 pounds per square.

(c) Exterior finishes² shall be semi-transparent or heavy bodied stains, or pigmented or clear non-glossy preservatives. Glossy painted finishes shall not be permitted. All exposed metals shall have a dull colored finish, or shall be flat color anodized or painted. Stove pipes and chimneys may deviate with ~~DC design committee~~ approval.³

¹ Amendment II, 2nd Amendment to Declaration of Covenants, Conditions, and Restrictions. 6-18-96

² Amendment III, 2nd Amendment to Declaration of Covenants, Conditions, and Restrictions. 6-18-96

³ Amendment III, 2nd Amendment to Declaration of Covenants, Conditions, and Restrictions. 6-18-96

(d) Exterior colors shall be subdued and in the earth tone range. No white or pure colors may be used. Color samples, on pieces of all exterior materials and roofing materials to be used, shall be submitted to the DC design committee for approval. Photographic representation of each material may be substituted, but only at the discretion of the DC.

Section 3. BUILDING DESIGN.

(a) Not more than one single family residence shall be constructed on any residential site, and not more than the prescribed number of dwelling units shall be constructed on any multifamily site. A detached guest suite, without cooking facilities, a storage shed, a fixed playhouse or other accessory buildings may be permitted if they are of a consistent design character and construction as the primary structure. Location of such structures on the property shall conform to all site design regulations and presented to the DC for review and approval by way of a detailed site plan which clearly identifies further enhancement of the property by exhibiting logical placement of proposed structures with respect to the primary structure as well as neighboring properties. it is linked with a fence, trellis, or other architectural feature to the primary residence and is of similar design character.

(b) The minimum floor area of any primary single-family residence shall be not less than 900 square feet, exclusive of a garage, carport, detached guest suite, storage shed, fixed playhouse, or unenclosed porches or decks. A minimum of 600 square feet of floor area shall be constructed at grade level, and no dwelling unit on a multifamily site shall have a floor area less than 600 square feet.

(c) The maximum building height of any structures shall not exceed ~~twenty (20) feet~~ twenty three feet (23'-0"), and ~~two-story houses shall not be permitted, except with specific approval of the Design Committee. If a bi-level, tri-level or two-story house is permitted, the same shall be designed so that not~~ No structure shall have more than twenty percent (20%) of the perimeter of the house and attached garage or carport, excluding gable ends, ~~shall~~ exceed a wall height of ~~ten (10) feet, eleven feet six inches (11'-6")~~ without a significant architectural feature such as; a porch roof, deck, elevated balcony, cantilevered overhang of a second floor, or other like permanent construction as measured from finished grade to fascia or underside of structure. The maximum height of detached garages, carports, or accessory buildings shall not exceed fifteen (15) feet. Except as is otherwise provided herein, all heights shall be measured at any cross-section of the structure from finished grade to the highest point of the structure immediately above. For the purposes of this Section, the elevation of finished grade shall not be more than ~~two (2) feet one (1) foot~~ above existing grade. Minor projections such as chimneys ~~or other structures not enclosing habitable space or mechanical devices~~ shall not be subject to the maximum height restrictions, but ridge vents and solar collectors shall be subject to maximum height restrictions.

(d) Roofs shall have a maximum pitch of ~~six (6)~~ eight (8) feet in twelve (12) feet, and all primary roofs shall have a minimum overhang of two (2) feet, except where variances for solar panels or collectors are granted by the ~~Design Committee~~ DC.

(e) Exposed foundations of concrete (e) or other masonry construction shall not have an exposed surface which exceeds a height of 8" above finished grade.

(f) Solar collectors may be of any construction, materials or pitch required for efficient operation, but they shall not be placed on any structure in a manner which causes objectionable glare to any neighboring residence. Solar collectors shall be integrated into the structure of a residence, garage, carport, or accessory building and shall not be freestanding. Solar collectors shall be permitted only upon specific approval of the ~~design committee~~ DC.

Section 4. SITE DESIGN.

(a) The minimum setback on any lot to any side or back property line shall be not less than ten feet, and to any front property line shall not be less than twenty feet. Setbacks from common area property lines may be waived, and other setbacks may be increased at the discretion of the ~~design committee~~ DC in order to enhance variety in the development and to preserve views from neighboring lots.

(b) Finish grading including landscaping and driveways, on all sites shall assure drainage of surface water from buildings and avoid concentrating runoff onto adjacent properties. A minimum fall of six (6) inches in ten (10) feet shall be provided at the perimeter of all buildings which have pervious surfaces and one (1) inch in ten (10) feet for impervious surfaces. The entire site, including landscaping and driveways, shall have positive drainage to common open space or rights-of-way and shall utilize swales as required. Drainage and elevation plans for each lot shall be submitted to the ~~Design Committee~~ DC for approval along with other required specifications at the time of application for a Building Permit.

(c) Automobile storage shall provide for a minimum of two outdoor and one indoor parking spaces, in either a carport or garage, for each dwelling unit. If a carport is used to provide the required indoor parking space, a fully enclosed and roofed storage space with a minimum floor area of fifty square feet shall be provided in addition to the carport. Parking spaces, whether interior or exterior, shall have minimum dimensions not less than ten feet wide by twenty feet long and shall be readily accessible by a driveway. All parking spaces and driveways shall have a paved surface of either asphalt or concrete.

(d) Fencing shall comply with the Fence Design Standards adopted by the ~~design committee~~ DC. No fences shall be constructed forward of the front ~~setback line~~ face of the primary structure of any lot. Fences shall be classified into the following general categories:

(1) Privacy fence is a fence which is architecturally integrated with a building and is located within the building setback lines. Privacy fences may be of solid construction and shall not exceed a height of six feet as measured from grade.⁴

(2) Control fence is a fence which is located on an interior side or rear property line and is intended primarily to limit the access of residents or animals. Control fences shall be of visually open construction and shall not exceed five⁵ feet in height as measured from grade.

(3) Open space fence is a fence which is located on any property line which

⁴ Amendment IV, 2nd Amendment to Declaration of Covenants, Conditions, and Restrictions. 6-18-96

⁵ Amendment IV, 2nd Amendment to Declaration of Covenants, Conditions, and Restrictions. 6-18-96

abuts a common open space or right-of-way. Open space fences shall be of a uniform design adopted by the architectural committee and shall not exceed five⁶ feet in height as measured from grade.

(e) An exterior lighting fixture shall be placed at the front of each dwelling unit or commercial building. Light fixture styles and location shall be approved by the ~~Design Committee DC~~ and conform to Teton County's Sky Ordinance or latest restriction in effect. Light standards shall not exceed 75 watts, and will be designed to operate automatically from dusk to dawn, either by means of a light sensor or an automatic timer.⁷

(f) Utilities shall be installed underground. No independent water or sewage disposal system shall be permanently installed on any site. Each lot shall be connected to a common water and sewage disposal system and shall be subject to an initial connection fee and monthly service charge. Satellite dish antennas shall not exceed 28 inches in diameter and must be earth tone in color. All satellite dish locations must be approved by the ~~Architectural Committee DC~~. No other types of visible or aerial type antenna installations are allowed.⁸

ARTICLE VII

LAND CLASSIFICATIONS. USE AND RESTRICTIVE COVENANTS

Section 3. RESIDENTIAL AND MULTIPLE DWELLING AREA: USES: RESTRICTIONS.

(k) There shall be no exterior fires whatsoever, including but not limited to the burning of construction or household trash; except ~~barbecue fires contained within receptacles therefore~~ for fires contained within properly designed permanent fire pits, or portable, manufactured wood, charcoal, or gas burning units for cooking or entertaining as long as proper spark arresting is ensured; and such fires as may from time to time be permitted by the association rules.

⁶ Amendment IV, 2nd Amendment to Declaration of Covenants, Conditions, and Restrictions. 6-18-96

⁷ Amendment V, 2nd Amendment to Declaration of Covenants, Conditions, and Restrictions. 6-18-96

⁸ Amendment VI, 2nd Amendment to Declaration of Covenants, Conditions, and Restrictions. 6-18-96