

**To All Greenbrier Property Owners**

**An Overview of the Covenants of the  
Greenbrier Property Owners' Association**

The Weyerhaeuser Corporation conceived Greenbrier as a planned community built around a superb golf course, comprised of attractively designed homes of quality construction selling at relatively high end prices. To preserve the property values, the developer drafted restrictive covenants and required all buyers to accept them as a condition of sale.

These covenants pass from the original property owner to every successive owner. Legally, they "run with the land" and require compliance from every property owner

The Greenbrier Property Owners' Association (GPOA) was created to administer and enforce these covenants.

In an effort to help homeowners understand the covenants, the attachment is provided as a quick overview of some of the most applicable provisions.

It is hoped that this guide will be informative, but it is recommended that you refer to the actual covenants for specific requirements when engaging in any of the activities addressed by the covenants.

Please feel free to contact the Architectural and Covenants Committee (ACC) for additional information or assistance.

## Greenbrier Architectural and Appearance Guidelines

(For Sections Under GPOA Administration)

If you are a property owner in one of the sections of Greenbrier covered by the covenants now administered by the Greenbrier Property Owners Association (GPOA), the following guidelines will describe general requirements contained in your covenants. This information has been compiled to help you comply with policies, procedures and standards by which you agreed to abide when you purchased your lot or house.

While each section has its own covenants, most of the requirements are the same for all the sections. Differences center primarily on lot size, topography and location (e.g., golf course, waterfront, wetlands, street orientation, setbacks). Please consult your particular covenants for specific details and variations. A copy is available upon request if you have misplaced yours or were not given one at time of closing.

Covenants are protective legal instruments that are binding on you as the owner of property in Greenbrier. They are recorded with your deed. They "run with the land"; that is, they bind future owners of your property as well. They establish and apply reasonable restrictions for land use, architectural design and property maintenance. They provide a review process for approval of exterior improvements or changes to your property. They allow the GPOA to develop rules and regulations to monitor and ensure compliance. Their purpose is to keep our community an attractive and desirable place to live. Their consistent application is designed to assure compatibility with the planned character of the community and the protection of real estate values.

The items below relate to some of the most common concerns addressed by the covenants:

### I. General Caretaking

- A. All lots, whether occupied or unoccupied, shall be maintained by the owner. No overgrowth of weeds or accumulation of rubbish, yard waste or debris is permitted. All dangerous and diseased trees and infestations of any type (insects, rodents, etc.) are to be removed promptly.
- B. Yard material (bagged clippings, leaves, limbs and other natural debris) shall be stored so as not to be seen from the street or golf course. Garbage containers, recycling bin and yard material should be placed at the curb no earlier than 6:00 PM preceding the day of pickup.
- C. Use of any common area or vacant lot must be authorized in advance by the GPOA. This includes parties in the park, parking vehicles and camping. Vacant lot use must also have the owner's permission.
- D. Habitual or prolonged parking of vehicles, trailers and boats is not allowed on your lawn. Your driveway, garage and, where approved, a side apron next to the house are the only areas on your property designated for parking. The driveway may be used temporarily for

purposes of cleaning, loading and unloading RV's, boats and trailers, and to accommodate guests. Temporary parking overflow should utilize the street in front of your house.

- E. Landscape screening is required for above-ground emplacements of storage tanks, trash cans, compost heaps, satellite dishes, and open storage areas. Such screening must be evergreen planting material at least 2/3 the height of the object being screened at planting. It must also be of sufficient density to provide immediate screening. Lattice work is a permissible alternative to evergreens. In that case, the height and width of the lattice should be no wider or taller than necessary to conceal the object being screened.
- F. As a single-family residential community, uses of your property should at all times conform to normal residential practices. Your home or yard cannot be used, adapted or converted for commercial purposes. Renting as a rooming house (motel, inn, B&B, etc.) is not allowed.
- G. Garages are intended for parking vehicles, storing garbage cans, doing personal repair or shop work, and keeping equipment for normal household maintenance and recreational purposes. Permanent storage of household or other belongings of a quantity that prevents such intended uses is not permitted.
- H. Tents on a deck or in a yard shall be temporary, limited to the duration of a function or a visit. Prior approval by the Committee is necessary.
- I. Awnings attached to your house or deck are considered permanent additions. As such, they must be approved before installation.
- J. There is a mandatory mailbox post policy to ensure uniform placement and appearance. Posts shall be obtained only from the Greenbrier Property Owners Association. Neither posts nor boxes should have protruding, hanging or dangling attachments that interfere with mail delivery, hide address numbers or pose clearance problems for street traffic. No extra containers, tubes or sleeves shall be added to the post. House numbers attached to a post shall match the size, color and printing style of those on the box. Purchase, installation and maintenance are your responsibility.
- K. Signs are regulated as to size, type and number per lot. They are considered temporary. You may place them on your property only. They are not permitted on your house, on trees or in your windows. They require prior approval. They are your responsibility to maintain and remove in a timely manner.
- L. Pets are limited by the covenants to no more than two dogs, two cats or two birds per house. This means two of any of the three types, not a cumulative total of six. Dogs and cats are not allowed to wander on other people's property. There is a city leash law, and it applies to all park and common areas as well as walking in the street. Owners are asked to clean up after their pets.

## II. Structures

- A. A structure is defined as any element of construction — not excluding major landscaping — that by reason of its size, placement on the property, components, use and/or appearance, would materially alter the character or appearance of your property, its compatibility with the neighborhood and/or the use and enjoyment of nearby properties. This definition applies to buildings, equipment and landscaping objects, whether imported or built on site, whether erected or assembled, and whether intended to be temporary or permanent.
- B. If you have any doubt about the applicability of the covenants to your proposed property improvements, you should discuss it with your neighbors and seek review by the Architectural and Covenant Committee of the Greenbrier Property Owners Association.

## III. Construction of Your House or Addition

- A. Building standards concerning materials, scale, colors, roofing, ornamentation and other construction details have been adopted to protect property values and the planned character of the community. A copy is available from the GPOA.
- B. A house or addition should be planned to fit the lot without the necessity for setback variances, clear-cutting of trees, or grading that changes the overall topography of the land. It should be of a size and height that is proportional to the lot. Its location on the lot and architecture should blend with the streetscape of the neighborhood.
- C. The appearance of front and rear elevations shall be different among houses in close proximity to each other. That extends to colors and construction materials. No house next to or in line of sight of another shall have the same architectural style, type of brick or siding, trim and shutter colors, placement or type of windows and doors.
- D. Whenever you move the footprint of your house or addition, alter the exterior of any permanent structure on your property, or materially change the appearance of the lot itself, you are required by the covenants to seek approval prior to construction. Detailed plans and specifications should be submitted for GPOA review.
- E. After approval of plans, whether for the original dwelling or subsequent addition or alteration, no variation from what is approved will be permitted without a review of a completed Architectural Change Request form by the Committee.
- F. Whenever you want to change approved exterior colors or materials, you are required to seek approval first by completing the Architectural Change Request form.
- G. Approved building plans are kept on file by the GPOA for future reference. Another set should be kept by you for your property records.

#### IV. Driveways

- A. Paved driveways will be of concrete or pebbled concrete aggregate, not asphalt. Type, dimensions, and location shall be included with the plans submitted for approval. Paving should take place at the same time the walks are done and before the house is occupied.
- B. Driveways normally are not allowed to be located or extended in width to the side yard property line. Anything closer than five (5) feet from the property line will require a variance based only on mitigating circumstances, such as unusual configuration of the lot or an easement conflict. In these cases, landscape screening or a rolled-up driveway edge to control drainage will be required.
- C. Driveways between neighboring properties should not abut each other or be so close as to present an appearance of an uninterrupted expanse of pavement. Placement shall be in harmony with the streetscape of the neighborhood. If a block has all driveways on one side of the house, the driveway of a new house on that block should be located on the same side, if possible. Exceptions due to cul-de-sac or street access irregularities will be considered in the approval process. Later relocations or additional aprons will require prior approval.
- D. Circular drives having two curb cuts in the street should be centered in the front yard. Off-center corner configurations must be equal in distance from the intersection of the two streets. This not only preserves symmetry on the lot, but safe ingress and egress with the street(s).
- E. The number of driveways per lot, except for corner lots, shall be limited to one with a maximum of two curb cuts. For corner lots, two driveways may be allowed with a maximum of three curb cuts. Any more would contribute to appearance and traffic problems.
- F. The extent of the paved area should be sufficient to handle two car widths, with additional space for turnaround apron and walkway. The curb cuts should be aligned with the driveway, but in no case wider than two car widths. In our communal setting, any more paving would distract from the natural green space look of the neighborhood.

#### V. Flagpole and Flags

- A. Only a permanent flagpole to be erected in your yard requires approval by the Committee before installation. As a structure, its design, height, material and placement need to be considered to ensure appropriate uniformity in the community.
- B. Only one such flagpole is allowed per lot. It shall consist of a single vertical pole not to exceed 20 feet from ground level, or the height of the house roof ridgeline, whichever is less. Any supporting structure or base shall be included as part of the 20-foot height limitation.
- C. A copy of the complete Flagpole and Flag policy is available from the GPOA.

## VI. Ramps for the Handicapped

- A. Ramps should be considered necessary for residents or habitual guests to have appropriate access to the house.
- B. All ramps must receive Committee approval prior to installation.
- C. Ramps should be constructed as close to the existing building as practical. Building code requirements (1995) include a 10 to 1 slope angle, a minimum 36-inch width and a 6-foot diameter clearance on any platform used in the ramp system.
- D. Ramps should be constructed with salt pressure treated lumber.
- E. Ramp approval continues only for the duration of the occupancy of the petitioning property owners. Upon the sale of a property with a ramp, a new application for approval must be made. Without justification and approval, the ramp must be removed from the property.

## VII. Tree Removal

- A. Lot owners in Greenbrier shall preserve the mature forest concept of the community as intended by the covenants and detailed in the Tree-Cutting Policy available from the GPOA. In short, tree cutting in Greenbrier means thinning, not stripping the land or eliminating whole stands of trees, except as necessary for building purposes or as an approved variance. Keeping and replacing trees around the perimeter of your lot is the primary emphasis.
- B. You must seek approval before removal. Consideration will be given to the size, location and condition of your trees, as well as the effect of their removal on neighboring lots.
- C. Platted no-cut zones on lots bordering certain roads, golf course property, drainage ditches, landscaped berms or natural buffer areas are not to be trimmed or cut unless trees in such locations become damaged, infected or hazardous. In cases of clearing in error or as a variance, replacement trees will be required as part of a landscaping plan to be approved.
- D. Dead or diseased trees must be removed from your lot in a timely manner following confirmation by the Committee. This applies to all lots, whether vacant, owner-occupied or rental properties.

## VII. Landscaping

- A. General standards have been established to avoid problems with grading, drainage, traffic sight reduction, golf course view blockage, easement maintenance and streetscape deviation.

- B. You should seek prior approval for any substantial raised beds, berms, slopes, terraces, fences, walls, greenhouses, gazebos, platforms and other devices or structures that may change storm water runoff, sun and privacy screening, safe access to the street or impact on wetlands property.
- C. Blending with the neighborhood streetscape allows for individual landscaping preferences without disrupting the appearance of the community. For instance, there should be a balance between lawn and pavement to fit the proportions typical of the community. Extremes in land use, selection of materials and amounts of material should be avoided. All homes should have foundation plantings within one year of construction.
- D. Grading and drainage plans should be included in your original Application for Architectural Review. If occurring later, yard landscaping additions should be submitted with appropriate grading and drainage information on the Architectural Change Request form.
- E. Landscaping near driveway entrances and street corners must not interfere with a safe view of traffic. Decisions on types of plantings, contours and structures should consider height, growth habit and density at the particular locations involved.
- F. Plantings in easements are undertaken at your own risk. The city, utility companies and/or the Emerald Golf Club have the legal right of access to easements for purposes of maintenance, repair and extension of service, even though the easements are on your property.

#### IX. Wetlands

- A. Designated wetlands are platted on the subdivision plan. If you have wetlands on your lot, no fill (either moved on site or imported), landscaping material (mulch, timbers, gravel, boulders) or structure requiring footings is permitted.
- B. The covenants provide that these areas may be shrubbed, planted, mowed and utilized as a natural habitat as long as the original elevation of the terrain and soil are not altered. Changing the existing slope leading into the wetlands is prohibited. Trees may be trimmed and pruned, or cut down if less than 6" in diameter, and undergrowth may be removed as desired. But use of the wetlands must not impede storm drainage, redirect the flow onto neighboring property, or otherwise disturb or convert the natural surroundings to another use.
- C. In Greenbrier, the covenants prevail over any permit granted by the Corps of Engineers. The Corps' permit is conditional on approval by the local authority, which is the GPOA.

## X. Outbuildings

- A. Consult the Additions and Outbuilding Policy available from the GPOA for specific rules.
- B. Generally, an outdoor storage shed, workshop, cabana or bath house should conform architecturally to your residence. That includes construction materials, roofing, roof pitch, residential-type doors and windows, trim colors, and permanent foundation.
- C. Only one outbuilding is permitted on a lot. It should be located in the rear yard to conform to the setback requirements, if possible within the building lines of your house to keep an open view from the street.
- D. An outbuilding is not permitted on golf course or waterfront lots.

## XI. Satellite Dishes

- A. Dishes are regulated as to size, placement and screening, and require prior approval by the Committee. Details are covered in the Mini-Satellite Dish Installation Policy available from the GPOA.
- B. Dishes larger than 39 inches in diameter are prohibited.
- C. They shall not be visible from the front of the house or from the street, and shall be located to be the least visible elsewhere from neighbors and/or golf course.

## XII. Fences

- A. All fences must be approved in advance by the Committee.
- B. The Greenbrier Fence Guidelines, available from the GPOA, state restrictions on placement, height, materials, design, and amount of fenced area.

## XIII. Appeals and Variances

- A. Decisions made on your application, property use, construction project, tree removal or landscape plan may be appealed at any time. You may present your case to the Committee and, if necessary, to the Board. A phone call or letter of notification to any member of the Committee or Board is all that is necessary to request your appeal.
- B. There are conditions that may require a variance from the established covenants. The request for a variance requires a hearing of all affected neighbors, after which the Board will decide whether the variance is to be granted. Noting the necessity of a variance on your application or a written request of the Committee to consider a variance will initiate the variance proceeding. Also, the Committee may recommend a variance if the conditions warrant and they are not indicated on your application.

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