



Lynnesfield Homeowners Association
Port Townsend, WA

October 2006 Ballot Results

CC&R Amendments / Additions

Article III – Section 3 – Subsection 14 – Landscaping

Landscaping of the street side of the property owners yard is required. Street side landscaping of each new residence must be completed within twelve (12) months of closing date.

Article III – Section 12 – Timeline for Construction

All new construction of dwellings shall be completed within twelve (12) months of the building permit. This includes exterior paint and trim. (Color is per Article III, Section 3, Subsection 12 and colors are to be submitted to the Paint Committee for approval).

Article VI – Section 2 – Enforcement

The Homeowner's Association is governed by RCW 64.38 et. seq. (Running Covenant with Land). An Association, it is an independent legal entity and has the powers enumerated in the statute and the bylaws. The CC&R's represent a covenant and a contract between the individual property owners and the Association. Any violation of the CC&R's by an owner is considered a breach of covenant and contract and the association has the ability to sue them for specific performance (i.e. compliance with the CC&R's). If a Judge does not award the Association specific performance against the property owner, the Association has the option of obtaining money damages for a breach of contract. The Association may place a lien against the real property to realize the judgment.

Resolution: When the Association is required to take any legal action to enforce the CC&R's against a property owner (i.e., member), and the Association prevails in its action, all costs/fees associated with that action will be paid by the owner who committed the offense. If they do not pay the fees, a lien for the amount of the action will be placed against their property.

New Article III – Section 18 – ADU Parking

Property owners whose units contain an Accessory Dwelling Unit must provide parking for the ADU occupant(s) vehicle(s). Provision is to consist of off-street parking on concrete, asphalt surface or in an attached garage.

New Article III – Section 19 – Exterior Home Maintenance

When a home's siding/trim has become "unsightly" as deemed by the Board and/or Special Committee, then a notice will be sent to the property owner and the unit in question is to be re-painted / re-stained within a timely manner (depending on time of year and current weather conditions).

New Article III – Section 20 – Safe Usage of Streets and Trails

To ensure safe usage of all streets and trails within the Lynnesfield HOA, skateboarding, roller-skates, rollerblades, bicycling and other multi-wheeled devices are considered “vehicles of transportation” and as such are governed by the same guidelines as all road vehicles. Jump ramps are not permitted on any streets, trails or driveways; racing at speeds in excess of the posted 25 mph is not allowed; and slowing down for safe passage through intersections is required. Parents / Legal Guardians of Minors are responsible for any damages / injuries incurred by or as a result of said minor not complying.

New Article III – Section 21 – Storage

Neighborhood appearance is important to maintain. Therefore (including but not limited to) Boats, RV's, Campers, Trailers (of any size), Trash cans and Recycle bins, Wood, Ladders, etc. shall be screened from view from adjoining street(s) or public trail(s) to the owner's property. In situations where said items cannot be screened from view by placing behind the residence, then it is the responsibility of the homeowner to provide screening in such a manner that is not inconsistent with other provisions of these CC & R's. The materials used for the screening shall be approved by the (Board, Committee etc.) so as to ensure consistency with the general development scheme of the Lynnesfield Homeowner's Association.

New Article III – Section 22 – Tool and Garden Sheds

Tool and garden sheds are to be constructed of cedar shingles, wood siding, or Hardy Plank siding and stained or painted to match the dwelling of the property they are located on. Flooring can be a cement pad, block, gravel, or wood. No aluminum, vinyl, T-III, metal or stucco siding is allowed. Sheds can not be nearer than five (5) feet to any side lot line. These are for the usage of storage and are not to be used as a dwelling unit.

Article III – Section 11 – Vehicle Parking

Vehicles, boats, trailers, etc. shall be garaged or parked on a driveway or in a suitable paved or gravel surface. Automobiles shall be parked on a suitable paved or gravel surface. This includes the driveway, garage, or the public Right-of-way in front of the residence.