

Restriction Amendment Ballot

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Instructions: Mark yes or no after each Restriction change. All owners must sign and date the ballot on each page after voting. No unsigned ballots will be accepted. Your signed ballot will be registered with the county if the amended restriction gets passed. That is why each restriction is on a separate page.

All ballots must be turned in by August 13, 2022.

Notes: Each of these changes stands on its own and requires a majority yes vote from owners in each section to be approved. Your votes only apply to your section of Circle D so some sections could pass all changes and other sections could vote some through and fail others. The CDCA Board approves all amendments except # (14) under General Restrictions which was a recommendation from the Advisory Committee.

Building and Construction Restrictions

Current restriction:

"(9) With the written consent of the Committee, trailers, tents, or structures of a temporary character may be placed, erected, or used on any parcel as a temporary residence. The Committee may limit the time that these temporary residences may remain upon any parcel in the Subdivision."

Proposed new language:

"(9) With the written consent of the Committee, trailers, tents, or structures of a temporary character may be placed, erected, or used on any parcel as a temporary residence **while building a home that has been approved by the Committee**. The Committee may limit the time that these temporary residences may remain upon any parcel in the Subdivision."

Approve: ___ Yes ___ No

Owner's Signature: _____ Date: _____

Co-Owner's Signature: _____ Date: _____

Building and Construction Restrictions

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Restriction Amendment Ballot

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Current Restriction:

- (1) *Each parcel in the Subdivision shall be used only for noncommercial residential and recreational purposes. Only single-family residential dwellings and appurtenances ordinary to rural residential living shall be permitted. To this end, without limitation, the following structures may not be built on any parcel in the Subdivision: hospitals, clinics, rest homes, duplex houses, apartment houses, garage apartments, hotels, or any retail, wholesale, or other business or commercial establishment of any kind.*

Proposed New Language

- (1) Each parcel in the Subdivision shall be used only for noncommercial residential and recreational purposes. Only single-family residential dwellings and appurtenances ordinary to rural residential living shall be permitted. **Specifically, only site-built homes, which do not include modular or mobile homes, are allowed. Barndominiums must conform to the look of the neighborhood.** To this end, without limitation, the following structures may not be built on any parcel in the Subdivision: hospitals, clinics, rest homes, duplex houses, apartment houses, garage apartments, hotels, or any retail, wholesale, or other business or commercial establishment of any kind.

Approve: Yes No

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Co-Owner's Signature: _____ Date: _____

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Restriction Amendment Ballot

General Restrictions

Current restriction:

(1) "No noxious or offensive trade or activity shall be carried on upon any parcel nor shall anything be done thereon which may be or become any annoyance or nuisance to the neighborhood. No commercial activity of any kind shall be conducted on any parcel in the subdivision; "commercial activity" shall include without limitation the offering for sale of any product or service or manufacture or growth of any product, for the purpose of sale, without regard to whether such activities are conducted in or from residential dwellings or otherwise."

Proposed new language:

(1) No noxious or offensive activity shall be carried on upon any parcel nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood. Because parcels are designated for residential use only, visible commercial or business activity is not allowed on any parcel, which includes, but is not limited to, retail traffic, storefronts, business signage, posted hours of operation, or additional parking for a business. In addition, no toxic smells or potential fire hazards that would affect the quality of life in the neighborhood are allowed. The following types of businesses often conducted from home are allowed:

- Internet Businesses
- Home Offices
- Off-site Services
- Multi-Level-Marketing
- Instructional/Tutor (Indoors)
- Artist

Approve: ___ Yes ___ No

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Restriction Amendment Ballot

General Restrictions

New Restriction:

(1a) It is permissible for a company vehicle to be parked on an owner's property overnight and/or on weekends if it does not obstruct the view of drivers on the street.

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Commented [CB1]: Do we want to add a tonnage limit or limit the number of commercial vehicles?

Commented [JE2R1]: I'm checking on that now with the county.

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Restriction Amendment Ballot

General Restrictions

New Restriction:

(13) "Recreational Vehicles," which include, without limitation, "RVs", trailers, and tiny/small homes, may not be used as a primary residence or place of permanent occupancy. RVs must be stored on the side or back of your home or adjacent lot. In the case of odd shaped lots or houses located at the back of the property, contact the Association to discuss a proper location. RVs may be parked in front of your house in preparation for a trip for no longer than 48 hours.

(13a) If someone with a Recreational Vehicle is visiting, their Recreational Vehicle may be parked in front of the house if it does not interfere with normal road traffic. If the Recreational Vehicle stays beyond 14 days, such use must be approved by the Association.

(13b) Occasional use of Recreational Vehicles while they are stored adjacent to your home for less than thirty (30) days does not require any approval from the Association. After thirty (30) days, Owners must notify the Association of the expected length, at a maximum amount of time of three (3) months. Any time beyond this will be reviewed by the Association on a case-by-case basis. Recreational Vehicles may be hooked up to utilities.

(13c) All Recreational Vehicles must properly dispose of waste in accordance with local and federal laws concerning waste disposal. All Recreational Vehicles must have current registration and be movable.

Approve: ___ Yes ___ No

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General Restrictions

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Commented [CB3]: Do you want these sentences to apply to RVs or to Recreational Vehicles which includes RVs?

Commented [JE4R3]: Recreational Vehicles

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(NOT BOARD APPROVED)

New Restriction:

(14) A property owner, who lives in Circle D but has a separate nonadjacent lot, may put a Recreational Vehicle on that lot for up to seven days. They must notify the Association for approval stating the purpose. Similarly, if a property owner does not live in Circle D but wants to bring a Recreational Vehicle to use on their property, they may do so for up to seven days. They also must notify the Association for approval stating the purpose. All Recreational Vehicles must properly dispose of waste in accordance with local and federal laws concerning waste disposal. All RVs must have current registration and be movable.

Commented [CB5]: Do we want to better define this or leave it "as is" in the hopes that it fails.

Approve: ___ Yes ___ No

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Restriction Amendment Ballot

General Restrictions

New Restriction

(15) RENTALS: Short-term rentals (e.g., AirBnB and VRBO) are expressly prohibited within the subdivision. A "short-term rental" means the rental of either part of or the entire primary residence for any period of time less than thirty (30) days. Long-term rentals of the primary residence on the parcel are permitted. A "long-term rental" means any period of time equal to or more than thirty (30) days.

(15a) The Owner must provide the renter's information to the Association for long-term rentals.

(15b) Rental of any accessory structure, recreational vehicle, tiny house, garage, trailer, barns, sheds, and the like is expressly prohibited.

(15c) A leaseback situation that allows a seller to negotiate with the buyer to stay for a short time after the sale is allowed even if under 30 days. A rentback situation where an owner sells to a real estate investor and then rents the property from them is allowed but if longer than 30 days, the renter's information must be provided to the Association.

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