**Bella Housa Village Homeowners Association**

**Architectural Standards and Guidelines**

**(Adopted 8/8/2017)**

**Introduction**

Articles 5 and 6 of the Bella Housa Village Homeowners Association *Covenants Conditions and Restrictions* (CCR) document establish certain standards for building and property appearance and use which must be adhered to by all Association members. The CCR also recommends that the Association’s Board of Directors establish an Architectural Control Committee (ACC) to govern these standards. The resulting ACC has consequently created this document which details all of the current standards and also provides guidelines to the homeowner to assist them in assuring that their activities will be in compliance with these standards. Standards taken directly from the articles in the CCR reference the appropriate section of that document. Section 5.1.10 of the CCR gives the ACC the authority to set new standards and modify existing standards at any time at the sole discretion of the ACC as long as the standards are not in conflict with any articles of the CCR. The ACC actively maintains this document as the authoritative reference of these standards.

The CCR also gives the ACC the authority to enforce these standards and to develop policies and procedures for such enforcement. These are detailed in a separate document entitled “Architectural Policies and Procedures”. This document calls for a specific “remedy interval” to be assigned to each Standard. A specific remedy interval is stated below for each Standard.

1. **Building Construction, Additions, Alterations, Repairs**

**1.1 Timely Repair of Damage Standard**

The homeowner shall be responsible for making timely repair of damage to their home and property when the damage is deemed to be “substantial”. As used here, the definition of “substantial damage” shall mean that in the judgment of a majority of the Board, the estimated damage for the home exceeds ten percent of the full, fair market value of the home before the damage occurred, as determined by the then current assessment for the purpose of real estate taxation. Repairs should restore the home as closely as possible to pre-damage condition and design. Deviations from original design must be approved by the Board or ACC in accordance with applicable sections of the CCR.

Repairs should be completed as to external appearance including finish painting, within six months of commencement of construction. This period may be extended at the discretion of the Committee due to circumstances beyond the Owner’s control, such as inclement weather.

Remedy Interval: 14 days

**Timely Repair Guideline**

To ensure that this standard is met, the homeowner is encouraged to begin making plans for repairs as soon as feasible, and to review all architectural standards before proceeding, such that stated timelines will not be jeopardized.

**1.2 Plan Submittal Standard**

Detailed plans and specifications for work shall be submitted to the ACC for review and approval. In accordance with this standard, work should not be started until approval is granted.

The ACC may require that submitted plans be professionally prepared, or may disapprove plans which are deemed to be of insufficient detail to warrant judgement.

Remedy Interval: 48 hrs

**Plan Submittal Guideline**

If at all possible, detailed plans and specifications for work shall be submitted to the ACC for review and approval whenever the results of such work will be visible from other lots, the street, or common areas.

To the greatest extent possible, submitted plans should be of sufficient detail and clarity that the ACC can rule on their compliance to these standards. A review of these standards is highly advisable in order to identify all appropriate standards that may apply to the work.

If work is started before plans are submitted, or if there is no intent to submit plans, then the wise homeowner will make every effort to ensure that all work is compliant with these standards in order to safeguard against any potential violations.

**1.2 Plan Review Standard**

The ACC will review and rule on submitted plans as to the quality of workmanship and materials planned and for conformity and harmony of the exterior design with proposed or existing structures on the Lots and as to location of the building with respect to topography, finish grade elevation, building setback restrictions, compliance with the Plat Map, and in accordance with all other standards in this document.

Review and determination shall be completed in a timely manner.

Remedy Interval: None. See Contingency.

**Plan Review Standard Contingency**

If the ACC receives such plans, but fails to rule either way within 30 days, this will be construed as implicit approval. If no plans are submitted before work is started, the ACC and any Association member may later bring forward a complaint of violation of these standards, which may be investigated and ruled upon.

* 1. **Building Code Standard**

All structures must comply with the Plat and with all applicable building codes.

Remedy Interval: 7 days

**Building Code Guideline**

The ACC may require the Owner to provide evidence that they have obtained all necessary building permits. The Owner is therefore encouraged to provide copies of said permits when submitting plans for review.

**1.4 Project Completion Standard**

Projects should be completed as to external appearance including finish painting, within six months of commencement of construction. This period may be extended at the discretion of the Committee due to circumstances beyond the Owner’s control, such as inclement weather.

Remedy Interval: 14 days

**Project Completion Guideline**

Every attempt should be made to scope projects such that this standard can be met, including consideration of delaying factors such as weather, seasonal availability of resources, etc.

**1.5 Maximum Building Height Standard**

The ACC may approve building plans subject to a maximum building height that they dictate as part of their approval. If plans are not submitted, or the ACC fails to complete review in the specified time, then the maximum building height shall be no higher than the original building.

Remedy Interval: 7 days

**Maximum Building Height Guideline**

Every effort should be made to ensure that the height of any structure does not compromise a neighbor’s desirable surrounding view.

**1.6 Suitability and Aesthetic Factors Standard**

The ACC may disapprove of any construction aspect, such as material or color, based entirely on aesthetic or other factors.

Remedy Interval: 7 days

**Suitability and Aesthetic Factors Guidelines**

Every effort should be made to ensure that any new construction, additions, or repairs use materials and colors which match original construction as closely as possible. Alternative materials or colors which are already in evidence elsewhere within the Association are also likely to be acceptable.

Every effort should be made to ensure that any new construction, additions, or repairs are in harmony with immediate surrounds and do not adversely impact or impair the use, view, etc. of surrounding structures and environments.

**1.7 Detached Structures, Storage Buildings, Etc. Standard**

Detached structures, storage buildings, etc. must comply with the Plat and all building codes. This especially applies to required set-backs from property lines, and fire codes pertaining to access.

Remedy Interval: 7 days

**Detached Structures, Storage Buildings, Etc. Guideline**

The wise homeowner will be aware of all local codes and will take steps to ensure compliance with same.

**1.8 Exterior Add-ons Standard**

The ACC may disapprove the addition of projections on or hanging from exterior surfaces of homes and adjacent structures. Examples of such projections include awnings, air conditioning units, basketball hoops, etc.

Mailboxes shall be limited to those curb-side boxes approved by the U.S. Postal Service. Owners may not modify, damage, or otherwise interfere with a mailbox structure.

Remedy Interval: 7 days

**Exterior Add-ons Guidelines**

Projections are more likely to be approved if they are not visible from the street. Attached basketball hoops in particular are OK if they are not visible from the street. Portable basketball hoops that can be deployed at the curb for street play are preferred and encouraged.

Package delivery containers may be placed and used as long as they are unobtrusive and their use conforms to best practices regarding security, etc.

1. **Swimming Pools and Other Recreational Structures**

**2.1 Recreational Structures Standard**

The ACC may disapprove the placement of any sort of recreational structure for a wide variety of reasons, including:

* Color, materials, aesthetic factors
* Visual Impact
* Noise
* Traffic
* Harmony with surroundings
* Environmental impact
* Etc.

Also see Standard 6.2 pertaining to nuisances.

Remedy Interval: 7 days

**Recreational Structures Guideline**

When submitting plans of proposed recreational structures for review by the ACC, such plans should address the above topics in as much detail as possible.

1. **Landscaping, Trees and Foliage**

**3.1 Landscaping, Trees, Foliage Standard**

The ACC may disapprove the addition, replanting, or relandscaping of trees and shrubs if they will block or interfere with the view of any other lot or any common area, or if they will block access to sunlight from any other lot or any common area.

Remedy Interval: 7 days

**Landscaping, Tree, Foliage Guideline**

Plans are likely to be approved if due consideration is given to the existing view enjoyed by immediate neighbors, and factors such as solar panels and the need for adequate sunlight for gardening activities.

1. **Yard Maintenance**

**4.1 Yard Maintenance Standard**

The ACC may require, at the Owner’s expense, the trimming, topping, or removal of trees, hedges, or shrubs in the event that they grow to the extent that they block the view from another Lot or restrict access to sunlight from another Lot.

The ACC may require, at the Owner’s expense, any reasonable cutting, trimming, pruning, or weed control applied to lawns, flower beds, trees, shrubs, and decorative grounds if such have been neglected to the point that they have become unsightly and detract from the standard of the neighborhood. This part of the standard applies only to parts of the yard which are visible from publicly accessible locations and other lots and common property within the Association.

Remedy Interval: 7 days

**Yard Maintenance Guideline**

Homeowners are encouraged to maintain their yards in accordance with the prevailing standard of the neighborhood.

1. **Fencing**

**5.1 Fencing Location and Maintenance Standard**

While original building construction included extensive perimeter around and delineating individual lots, homeowners may construct additional fencing. Fencing intended to delineate a boundary between adjoining lots, where original six foot construction fencing does not already shall be constructed on that boundary per the Plat. Such fencing shall be maintained jointly by the property owners on each side. Such fencing is limited in height to four feet, and limited in materials to rail or chain link.

Remedy Interval: 7 days

**Fencing Location and Maintenance Guideline**

In most cases, original building construction fencing should be adequate to demark property boundaries. However, if additional fencing is desired, this Standard should be reviewed, and an agreement to jointly maintain any new fencing should be obtained by adjacent homeowners.

1. **Appropriate Use**

**6.1 Outdoor Fires Standard**

Outdoor fires shall be limited to barbeques and subject to stated smoke and soot restrictions.

Remedy Interval: 24 hrs

**Outdoor Fire Guideline**

Limit outdoor fires to charcoal burning devices.

**6.2 Nuisance Standard**

Conditions or activities deemed noxious or offensive shall not be allowed. This includes any condition or activity which may over a period of time become considered a nuisance.

Remedy Interval: 48 hrs

**Nuisance Guideline**

Avoid activities or conditions which may be considered noxious, foul smelling, excessively loud, or visually offensive, or generally disruptive of the peace.

**6.3 Animal Restrictions Standard**

All provisions stated in CCR Section 6.9 apply to pets and other animals kept within the Association.

Remedy Interval: 7 days

**Animal Restrictions Guideline**

When considering the acquisition of pets or other animals, read CCR Section 6.9 closely.

**6.4 Oil and Mining Operations Standard**

The ACC prohibits any sort of oil or mining operation or the construction of any apparatus which may be used for such activity.

Remedy Interval: 24 hrs

**Oil and Mining Operations Guideline**

Do not conduct any such operations.

**6.5 Hazardous Substances Standard**

Homeowners shall at all times comply with all federal, state, and local laws regarding the handling of hazardous substances and waste, including procedures to be followed in the event of accidental spills. At no time may a homeowner intentionally dispose of or discharge any such substance on the property.

Remedy Interval: 24 hrs

**Hazardous Substances Guideline**

Avoid possessing and handling hazardous substances whenever possible. Comply with all laws and best practices at all times.

1. **Parking and Vehicle Storage/Repair**

**7.1 Parking/Storage/Repair Standard**

Recreational vehicles including motorcycles, boats, RVs, etc. must either be completely parked and hidden within a garage, or must be stored offsite outside of the Association.

This restriction also applies to disabled vehicles or vehicles undergoing repairs of duration longer than 48 hours.

Parking in Common Areas is limited to temporary parking for owners and guests. Vehicles shall not remain parked in Common Areas for longer than 72 contiguous hours without being moved.

Vehicles shall not be parked on a long term basis such that they unduly obstruct roads, sidewalks or paths. The single exception to this rule shall be allowed when a homeowner’s private vehicle is simply too long to fit completely in their driveway without overhanging partially onto the sidewalk.

Remedy Interval: 48 hrs

**Parking/Storage/Repair Guideline**

Treat common areas as temporary parking areas only. Park private vehicles in your garage or as completely onto your driveway as possible. Affect any necessary repairs to vehicles as quickly as possible. If repairs cannot be made immediately, get it completely out of sight or have the vehicle relocated to a repair facility.

1. **Decorations, Insignia, Advertisements**

**8.1 Seasonal Decorations Standard**

Decorations such as lights, insignia, symbols, lawn ornaments, etc. which are traditionally used to celebrate a religious holiday or season shall be allowed only if they are temporary and can be removed when the event or season has passed. Such decorations shall be displayed no sooner than 30 days prior to the event date or mid-point of the season, and shall be removed no later than 30 days after the event date or mid-point of the season.

Remedy Interval: 72 hrs

**Seasonal Decorations Guideline**

As a general guideline, do not display seasonal decorations too early and ensure that they are removed in a timely manner afterwards.

**8.2 Insignia, Flags, and Banners Standard**

Insignia, flags, or banners representing nationality, military organizations, sports teams, or religious or cultural affiliations shall be limited to one each such item of size no larger than five square feet.

Remedy Interval: 48 hrs

**Insignia, Flags, and Banners Guideline**

Exercise restraint and good taste when displaying such items.

**8.3 Signs and Advertisements Standard**

Signs shall not be placed in public view on any lot with the exception of:

* One professionally created sign of size not more than one square foot displaying the owner’s name
* One sign of size not more than five square feet advertising the lot for sale or rent

Private or commercial product or service advertisements are prohibited, as are signs displaying a political message.

Company emblems appearing on vehicles used for business are allowed, but are limited to the side panels or door panels of the vehicle.

Remedy Interval: 48 hrs

**Signs and Advertisements Guideline**

Refrain from erecting or displaying signs of a political or commercial nature, that do not pertain directly to the sale, lease, or renting of the property.

1. **Cleanliness and Clutter**

**9.1 Trash, Junk, and Clutter Standard**

Containers used for curbside trash removal shall be placed at the curb no sooner than one day before the designated pickup day, and shall be taken back from the curb no later than one day after the designated pickup day, and stored out of public view, or at minimum, in an unobtrusive location.

Junk or other debris that doesn’t qualify for curbside pickup must be disposed of promptly in a compliant manner such as hauling it to the dump.

As used here, “clutter” is defined as the accumulation of unsightly items. Items of clutter shall not be allowed to accumulate within public view to the point that they impact the appearance of the neighborhood. An opaque fence or screened area may be used to contain clutter and hide it from public view. Such fencing or screening is subject to approval by the ACC.

Remedy Interval: 48 hrs

**Trash, Junk, and Clutter Guidelines**

Distinguish between trash, junk, and clutter. Have trash picked up at curbside. Have junk removed. Have clutter organized out of public view.

**9.2 Pet Poo Standard**

Members of the Association are responsible for picking up after their pet, and shall not leave droppings anywhere within Association boundaries, whether on private property, in common areas, or on sidewalks, roads, or rights-of-way.

Homeowners should allow pet walkers to briefly enter private property long enough to remove droppings left there by their pets.

Homeowners should regularly police their own yards and remove pet droppings left there by unscrupulous pet walkers.

Remedy Interval: Not Applicable

**Pet Poo Guidelines**

If you are a pet walker, don’t allow your pet to wander onto private property to leave droppings, but immediately pick up all droppings wherever they land.

Homeowners are encouraged to post small signs discouraging the use of their yards by pet walkers, and should regularly police their yards.

1. **Other**

**10.1 Standards Not Covered Standard (Test Case Standard)**

The ACC reserves the right before making a plan review ruling, to add to or amend these standards to include standards or guidelines that address a factor discovered during plan review, which is not here to for covered in this document.