

Mission Bend Homeowners Association, Inc.

# Architectural Control Committee Compliance Guidelines

MBHOA ACC Guidelines Revised January 2012

Architectural Committee  
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## 1. Introduction / Procedures

- 1.1. Improvements of any type, including, but not limited to, construction, erection, alteration, remodeling or placement on any lot without written approval of the Architectural Control Committee (ACC) are prohibited. To facilitate timely review and approval of plans and specifications, guidelines are provided below for reference. Unless specifically exempted in the Architectural Control Committee Compliance Guidelines ("Guidelines"), complete plans and specifications must be submitted for each project, and written approval must be received prior to the start of work.
- 1.2. ACC approval of submitted plans and specifications in no way relieves the homeowner of his/her obligation to satisfy city or county requirements.
- 1.3. The homeowner is responsible for ensuring that construction conforms to City and County Building Codes, the structural soundness of all projects, setbacks, property line locations, utilities and insuring that "qualified persons" perform all work.
- 1.4. The ACC reports to the Board of Directors (BOD) of the Mission Bend Homeowners Association.
- 1.5. Information detailing proposed plans and specifications by the homeowner are to be submitted to the ACC on a "Request for Home Improvement Approval" form. The Improvement Request form may be altered when plans and specifications require more detailed information to adequately address all the issues associated with a request.
- 1.6. Completed and legible plans, specifications and forms must be submitted to the ACC at least thirty (30) working days prior to the desired approval date. No verbal approvals are allowed under any circumstances.

**2. Guidelines for Modifications or Additions to Existing Residence.**

- 2.1. Residents living in subdivision sections 1, 2, 4, 9, 10 and 11 refer to Article III, Sections 1, 2, 4 and 5 and Article IV, Section 1 of their Deed Restrictions for.
- 2.2. A "Request for Home Improvement Approval" form must be completed in its entirety and mailed to the address indicated at the top of the form. All pertinent information such as plans, specifications, building permits, locations indicated on a copy of the survey, etc., should be included with the application.
- 2.3. A "Request for Home Improvement Approval" form must be submitted and approved by the ACC prior to any exterior construction or remodeling if a residence, driveway, fence or other structure.
- 2.4. Such plans, specifications and plot plan shall be prepared and certified as to structural integrity by a licensed architect or construction engineer.
- 2.5. Exterior materials and colors should match the house as much as possible and still meet the % brick requirement per the deed restrictions.
- 2.6. Room additions, foundation or footings may not encroach into any utility easement. Construction plans shall be reviewed by all utilities (i.e. electrical, telephone, sewer, water, gas and cable) to certify in writing that there is no encroachment.
- 2.7. The addition must be opened to the main structure and be serviced by central heating, central air conditioning, gas, water, sewer and electrical as appropriate to the intended use of the addition or modification.
- 2.8. Approvals shall be on an individual basis.
  - 2.8.1. Acceptable size and shape will depend on architectural style and layout of home, size of lot, and how well room addition integrates with existing home.
  - 2.8.2. Plans for room addition must show a room of reasonable size to constitute a legitimate request for a room addition.



- 2.8.3. Addition of a storage area will not qualify as a bonafide room addition and will not be permitted as a room addition.
- 2.8.4. Roof of addition must integrate with existing roof line so as to appear to have been part of the original home.
- 2.8.5. All such improvements must be designed and built to meet or exceed building code standards.
- 2.8.6. Repainting the same colors does require submittal of a "Request for Home Improvement Approval" form. Review section "Structure Painting Guidelines."
- 2.9. Building permits as required by the applicable municipality (city, county, etc.) must be submitted with the "Request for Home Improvement Approval" form.
- 2.10. Storm Windows and Screen Doors, providing the frames of these are of a color compatible with the exterior house colors, storm windows and storm or screen doors should receive ACC approval.

### 3. Guidelines for Basketball Goals.

- 3.1. Basketball goals must be mounted on garage or placed on free standing pole on the side of the driveways.
- 3.2. Free standing poles shall be commercially manufactured metal, anchored in concrete following manufacturer's instructions, painted white or black, and be tall enough to allow the rim to be 10 feet above ground. Poles shall be installed plumb to the ground. Poles shall be located not less than 16 feet from the street curb, and not more than 18 inches from edge of driveway, and at least 4 feet from the side lot line, and at least 9 feet from neighboring residence. Section 9 shall not install free standing poles. Section 9 residents are referred to sections 3.5. 3.7. 3.8 and 3.9 for guidelines to follow.
- 3.3. Rims must be commercially manufactured, 10 feet above the ground and mounted to an approved backboard and pole. Rim shall be kept perpendicular to a plumb post at all times.
- 3.4. Backboard must be commercially manufactured (that is, not homemade) and mounted to the pole following manufacturer's instructions, be of regulation size and white in color or painted to match trim on home. All designs are subject to ACC approval.
- 3.5. The rim and backboard may be mounted onto the roof of the garage by use of a commercially manufactured mounting structure. The rim, backboard and mounting structure shall be centered above garage door or between garage doors in the case of a double-door garage.
- 3.6. The basketball rim, net, backboard, mounting bracket and pole shall be maintained in excellent condition at all times. Net shall be of metal or nylon material and shall be kept in good condition, not frayed, torn, or ragged in appearance. The post shall be kept painted, plumb to the ground, and solidly anchored in concrete, unless it is a portable goal (See 3.7). The backboard shall

be replaced if cracked or broken. The rim shall be maintained perpendicular to a plumb post.

- 3.7. Portable goals must be of the type specifically manufactured as movable or temporary. These goals must meet the requirements 3.2, 3.3, 3.4, and 3.6 as far as a location, structural integrity, maintenance, etc.
- 3.8. Backyard goals must meet all requirements in 3.2, 3.3, 3.4 and 3.6, except that such goals shall be located not less than 10 feet from any property lines.
- 3.9. If any complaints are received after installation, the basketball goal will be subject to immediate removal or relocation at the direction of the ACC in accordance with Article III, Section 7 of the Deed Restrictions pertaining to nuisances. For this reason, the ACC advises anyone seeking to install a basketball goal to seek the approval of any affected neighbors in advance.

**4. Guidelines for Placement of items in Front Yard of House.**

4.1. Placement of play sets, swing sets, statues and sculptures where they are visible from the street is prohibited. Park benches and similar type lawn furniture may be approved on an individual basis.

4.2. Placements of lighted decoration are prohibited. Exceptions are as follows: seasonal decorations such as Christmas, Easter and Halloween decorations. The seasonal decorations may be installed thirty (30) days before the holiday, but the seasonal decorations must be removed within thirty (30) days after the holiday.



## **5. Guidelines for Mail Boxes.**

- 5.1. Prior to other requests, please check with local Postmaster for any U.S. Post Office required height from ground, distance from curb, etc. requirements.
- 5.2. The ACC will maintain a very narrow tolerance on approvals of decorative posts and mailboxes so that harmonious appearance of the neighborhood is maintained. Thus the use of statues, figures, sculptures, oversized boxes and so on are highly likely to be rejected.
- 5.3. Requests for approval shall include description of post and mailbox, brick sample if appropriate, drawing showing dimensions. Include a specific sketch for brick mailboxes. Include a picture or very accurate drawing of any decorative type mailboxes (see Section 5.2 above).
- 5.4. Recommended height is four (4) feet, eight (8) inches from ground to bottom of mailbox.
- 5.5. Post must be firmly anchored in ground and plumb with the ground. Recommended anchored depth is two (2) feet.
- 5.6. Metal boxes must be painted to compliment or match residence trim color. Paint must be kept in good condition.
  - 5.6.1. Damaged mailboxes shall be repaired or replaced within fourteen (14) days of damaged incident.
- 5.7. Brick mailboxes must match brick on residence. Brick must be placed on a concrete foundation.
  - 5.7.1. Damaged brick mailboxes must be repaired or replaced within fourteen (14) days of damaged incident.

5.8.1 If any complaints are received after installation, the mailbox will be subject to immediate repair or modification at the direction of the ACC in accordance with Article III, Section 7 of the Deed Restrictions pertaining to nuisances.

## 6. Structure Painting Guidelines.

- 6.1. The following criteria must be met in order to have structure paint color approved by the ACC. Approval from the ACC must be obtained in writing prior to painting the structure.
- 6.2. The color of the paint used as the primary color (used in the majority of the structure's painted surface area) must be a subdued shade and must harmonize with the structure and the other colors in the neighborhood.
- 6.3. The color of the paint used as trim (used in a minority of the structure's painted surface area) must harmonize with the primary paint, with the structure, and with the other colors in the neighborhood.
- 6.4. "Earth tone" colors of browns and tans are recommended. Subdued shades of reds, yellows, blues, and greens are acceptable with the ACC approval.
- 6.5. Bright shades of orange, bright shades of blue, pink, canary yellows, "desert sand" maroon and purples are not acceptable.
- 6.6. The request for approval must be accompanied by a color sample for each paint, the approximate starting dates and ending dates when the painting will occur,  
the address (or location) of the structure, and the address of the homeowner.

## 7. Satellite Dish Installation Guidelines.

- 7.1. The following criteria must be met in order to have your satellite dish approved by the ACC. Approval from the ACC must be obtained in writing prior to installation of the satellite dish.
- 7.2. Size must not be over ten (10) feet in diameter.
- 7.3. The dish must not be visible from the street, front or side street, if you're a corner lot.
- 7.4. The dish must be installed as low to the ground as possible.
- 7.5. Placement is subject to setback lines and easements according to section deed restrictions.
- 7.6. The Request For Approval must be accompanied by a sketch or drawing of the property showing right of ways, building lines, easements and the proposed location and brochure of the dish.



## 8. Play Structure Installation Guidelines

- 8.1. A "Request for Home Improvement Approval" form must be submitted and approved by the ACC prior to any exterior construction or remodeling if a residence, driveway, fence or other structure.
- 8.2. The following conditions must be met in order to have a play structure (i.e., fort, play house, climbing apparatus, etc.) reviewed by the ACC.
- 8.3. All materials must be in accordance with the appropriate section deed restrictions.
- 8.4. All materials must be harmonious with the residence; this includes paints, stains, siding, and roofing. Treated wood, galvanized screws and ring shank nails are recommended. No plastic, fiberglass, metal siding or scrap materials are to be used.
- 8.5. Manufactured kits are recommended. If a manufactured kit is to be used, please submit a copy of the brochure. However, if you wish to design and construct your own, then a plot plan and construction drawings, list of materials and specifications must be submitted to the ACC, at least thirty (30) days before start of construction.
- 8.6. The structure must be in the backyard and **not** visible from the street.
- 8.7. It is recommended that the height of the structure be less than fence height. If taller than the fence, maximum height is nine (9) feet. Additionally if the structure is above fence height, permission must be obtained from any neighbors who are able to view the structure from their property. A letter of acceptances from the neighbor must be submitted with the Request for Approval.
- 8.8. If the structure is not maintained as specified in the appropriate deed restrictions, this may be cause for removal.

8.9. Written application, including brochure or construction drawings, list of materials, acceptances letter from adjoining neighbors (See Section 8.6) and specifications and plot plan showing location of structure must be submitted to the ACC for approval/denial at least forty-five (45) days in advance of anticipated construction.

## 9. Guidelines for Outbuildings

- 9.1. An "outbuildings" is defined as any structure which is not attached to the main structure. This definition does not include bonafide additions to the main residence or garages, but does include storage sheds, gazebos and playhouse/ forts.
- 9.2. No building shall be located on any lot nearer to the front line or nearer to the side street line than the minimum building setback line shown on the recorded plat.
- 9.3. A "Request for Home Improvement Approval" form must be submitted and approved by the ACC prior to any exterior construction or remodeling if a residence, driveway, fence or other structure.
- 9.4. The maximum size, location and appearance of new outbuilding.
- 9.4.1. Building must not be visible from the street, front or side street.
- 9.4.2. Maximum eave height from grade shall be ten (10) feet.
- 9.4.3. Maximum building area shall be one hundred sixty (160) sq.ft.
- 9.4.4. For interior lots:
- 9.4.4.1. Must be sixty-five (65) feet or more from the front lot line.
- 9.4.4.2. Must be five (5) feet of a side property lines.
- 9.4.4.3. Must be six (6) feet of a back property line.
- 9.4.5. For corner lots:
- 9.4.5.1. Must be sixty-five (65) feet or more from the front lot line.
- 9.4.5.2. Must be five (5) feet of an interior side property line.
- 9.4.5.3. Must be ten (10) feet of an exterior side property line.
- 9.4.5.4. Must be six (6) feet of a back property line.

9.4.6. Must not be located on easement.

9.4.7. Location must be coordinated with all utilities when digging is required.

9.4.8. No building of any kind or character shall be moved onto any lot within said subdivision, it being the intention that only new construction shall be placed and erected thereon, Article III, Section 1.

9.4.9. The color must be the same base and trim color of the house and the shingles must match that of the house.

9.4.10. All outbuildings must comply with Article IV, Section 1.

#### 9.5. Usage of an Outbuilding.

9.5.1. Shall not be used as a residence or business or professional purposes of any kind either temporarily or permanently (See Article III, Section 8).

9.5.2. Typical usage could be the storage of lawn tools, equipment, household chemicals, toxic, and flammable supplies, pool and garden supplies, or greenhouse.

#### 9.6. Minimum Construction Details.

##### 9.6.1. Foundation

9.6.1.1. Concrete slab only, with minimum thickness of four (4) inches, with wire mesh reinforcing and six (6) mil minimum vapor barrier. The slab shall be a minimum of two (2) inches above grade with anchor bolts for bottom plate.

9.6.2. Construction of frame shall be with 2 x 4 lumber materials. All studs should be on sixteen (16) inches centers. Bottom plates to be treated materials.



- 9.6.3. Siding materials to be either T1-11 siding material usually 8" on center or J-Hardy planks or 4'x8' sheets.
- 9.6.4. Use 15# asphalt felt paper with roof shingles. Have adequate ventilation by using gable and or roof vents. Use 4'x8'x1/2" plywood sheathing to create a strong base for the roofing material.
- 9.6.5. Electrical wiring, check with local building department and determine the code standards for your area. They will advise you regarding permit and inspection requirements. They will also advise you whether or not there are any requirements for using a professional electrician during wiring.
- 9.6.6. Consult with your local power company; they will inform you if you need a separate electrical service for your shed. If you plan on running off existing home service, they will tell you if your home service can carry the additional load.

## 10. Guidelines for Fences and Walls

- 10.1. A "Request for Home Improvement Approval" form must be submitted and approved by the ACC prior to any exterior construction or remodeling if a residence, driveway, fence or other structure.
- 10.2. No fence or wall shall be erected, placed or altered on any lot nearer to the street than the minimum building setback lines as shown on the recorded plat.
- 10.3. A solid wood or masonry fence, at least six (6) feet in height, shall be constructed and thereafter maintained in a good state of repairs on or along the rear lot lines.
- 10.4. The erection of a chain link fence facing upon a street on any lot is expressly prohibited.
- 10.5. The erection of an Ornamental Iron fence facing upon a street on any lot is expressly prohibited. The ornamental Iron fence may be used as a security fence across the front porch and between the home and the detached garage. Single or Double wide Ornamental Iron gates can be used across the driveway, provided it does not extend pass the front of the house.
- 10.6. No side or rear fence, wall or hedge shall be more than eight (8) feet high.

## 11. Guidelines for Landscaping

- 11.1. A "Request for Home Improvement Approval" form must be submitted and approved by the ACC prior to any changes to a property's landscaping must be approved prior to the start of any project, with the exception of the following:
  - 11.1.1. Replacing existing bushes and flower beds with substantially the same type and size of plants.
  - 11.1.2. Changes to landscaping that is completely concealed behind that homeowners' privacy fence and does not change any slope or substantially alter the existing water drainage.
- 11.2. An "Request for Home Improvement Approval" for landscaping must include existing and proposed drainage plans.
- 11.3. All landscaping shall not interfere with the use, accessibility or visual access to sidewalks, street signs, light posts and / or streets.

## 12. Guidelines for Patio Cover

- 12.1. Patio construction materials are as follows:
  - 12.1.1. Painted aluminum (to match trim of house).
  - 12.1.2. Painted wood (to match trim of house).
  - 12.1.3. Natural pressure treated wood, such as, cedar, fir, redwood, may be used.
  - 12.1.4. Fiberglass or canvas roof is not an approved material under any conditions.
- 12.2. Constructed of treated wood, unless enclosed and unattached to the main structure.
- 12.3. Prefab covers made of aluminum may be approved providing they are of an earth tone color, preferred to match paint trim. Unfinished aluminum will not receive ACC approval. All metal must be painted.
- 12.4. If attached to the main structure, must be integrated into existing roof line (flush with eaves), and if it is to be shingles must match existing roof. Entire patio cover and posts should be trimmed out to match house.
- 12.5. Supports must be painted wood or treated wood or metal columns. No pipe columns or pipe rafters are allowed.
- 12.6. At no time, however, shall a shingled roof be allowed with an unpainted frame unless treated wood is used.
- 12.7. All patio cover material wood, metal, lattice, must be completely framed so that no edges of the material are visible.
- 12.8. Patio covers must be situated on the lot to provide drainage solely into the owner's lot. Patio cover location may not be closer than five (5) feet or be placed on any easement.



### **13. Guidelines for Solar Panels / Screens**

- 13.1. The ACC will approve solar panels which are unobtrusive and which blend in with the roof color.
- 13.2. Parabolic solar collectors which are not mounted so as to be flush with the roof will not be approved.
- 13.3. Solar panel frames should be bronze or black in color in order to best blend in with the shingles. All unfinished aluminum must be painted the color of the shingles.
- 13.4. No solar panel should be mounted so that it extends above the roof line.
- 13.5. Solar screens allowed on windows.
- 13.6. The ACC would prefer to have solar panels mounted on the front roof of a house rather than mounted on stands to the side or back roof.
- 13.7. Colors and manufacturers must be acceptable to ACC for both screens and panels.
- 13.8. Solar film must be non-reflective type.
- 13.9. No aluminum foil on any windows.