

# Chapter 5 – Architectural Design Standards

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## 5.01 ARCHITECTURAL DESIGN STANDARDS

The Declaration and Protective Covenants Article XII, Section 1 state building plans shall be approved in writing by the ACC as to harmony of external design and location in relation to surrounding structures and topography.

This language is interpreted to mean that designs should conform architecturally to the rustic, woodland setting of Bella Vista Village and is best accomplished by the following:

- A. Buildings. Rough textures on treated wood siding, decks, railings or textured vinyl or steel siding materials comparable in appearance to wood are preferred. Masonry such as brick with rough texture or natural native stone, when used on walls, foundations, planters or fireplaces should be an earth color. Exposed concrete foundations are to be painted to match the main color of the house.
- B. Roofs. Roofing materials may be asphalt, wood, or shake shingles, or metal panels (H-Loc or standing seam only) in earth tone colors listed below in 5.01C2b--Colors. White, light, bright, or blue roof colors are not permitted. If reroofing or repairs are needed for an existing roof, an ACC permit shall be required. The repairs must match the existing roofing material and color, but if the materials and colors do not match, the entire roof shall be replaced.
- C. Colors.
  1. Painting. Two-tone painting (e.g., main color and trim color) of residences is preferred. It is also required to paint the foundation to match the main color of the residence. When outbuildings/sheds are repainted they should be painted to match the residence.
  2. Colors. Colors should be those that complement the surrounding area and should lend to earth tones so as to blend in with rustic, woodland setting of Bella Vista Village. The theme is best accomplished by use of:
    - a. Rough textured treated wood in siding, decks, railings and fences;
    - b. Earth colors such as browns, greens, earth reds, and grays, or shades thereof
    - c. Natural native stone or brick of rough texture and earth colors in walls, foundations, planters, and fireplaces;
    - d. Stone and/or brick planting areas;
    - e. Samples of any proposed color must be submitted for ACC approval.

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- D. Standard Maintenance. Standard maintenance includes, but is not restricted to, re-painting, re-roofing, and replacing deck boards, etc., so long as the size shape, location or materials are not altered. These items require ACC approval and a fee.

### 5.02 ADDITIONS TO RESIDENCE

All new materials are to match the existing residence in every way possible, including the type of windows, type and texture of siding, and paint colors. Roofing materials are to match as close as possible. If roof materials cannot be matched, the ACC recommends re-roofing the entire residence. Any addition or remodeling must conform to the current codes and ACC Standards.

### 5.03 DOCKS, COVERED BOAT DOCKS, AND BOAT HOUSES

Property owners desirous of constructing docks, covered boat docks, and boat houses shall submit a plot plan and scaled drawings to the ACC for a permit (Protective Covenants, Number 9.)

- A. Ownership. Docks on lots of single family residences are for the usage of that owner who is responsible for obtaining required permits. EFFECTIVE 4/21/2016
- B. Construction. Materials for boat docks, covered boat docks, and boat houses should match the residence; however, a metal roof is permitted as long as it is H-Lock or R-Lock/R-Panel or equivalent construction. Colors must be in compliance as stated in Chapter 5, Section 5.01C2 (Colors). Metal roofing shall have rake trim for a finished look. The ACC will not permit “treated” wood to stand in lake water, but it may be used as decking and railings. Galvanized metal posts may be used in place of wood. Any wood which stands in lake water cannot be “treated” but may be heart of redwood, cypress or cedar. The ACC will not permit barrels or pontoons for flotation. All skirting must be of redwood or cedar. Any Styrofoam must be encapsulated. Revised and adopted by ACC Board on 3/16/2017.
- C. Docks and Ancillary Buildings on Unimproved Lots. The ACC finds that applications for permits for the construction of docks and ancillary buildings, such as a boat house or dockside recreational improvement, on an otherwise unimproved lot, may be considered, and provided:
  - 1. The dock and ancillary building is to be constructed on a lot adjoining a lot upon which is located the residence of the owner(s) of both lots.
  - 2. The owner(s) provide proof of ownership with the application.

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3. For the purpose of this section, “adjoining lots” are intended to mean lots that boundaries meet at any point.
4. The owner(s) shall execute an acknowledgement that if the ownership of the two adjoining lots shall cease being common ownership for any reason, the dock or ancillary building located on the lot on which there is no residence shall be removed and the lot restored to its former natural condition in so far as possible at the owners(s) expense. The acknowledgement shall be in the form as required by the ACC (See Covenant 15 in Appendix C).

### 5.04 ACCESSORY STRUCTURES

#### A. Outbuildings.

1. Single Family Detached. Outbuildings or accessory buildings, such as a garage, servants quarters or guest house, shall be permitted on lots upon which a single family detached buildings are occupied by servants employed on the premises or by guests, and are not occupied otherwise as rental units by non-servant or not guest occupants, and provided the ACC shall approve the design, plans, specifications, etc., of such buildings. Such structures must match the existing residence as to siding shingles, paint and trim colors, and architectural style. Metal, plastic and Rubbermaid-type sheds are not approved. A permit for sheds and outbuildings is required and must be approved by the ACC.
2. Outbuildings on Unimproved Lots. The ACC finds that applications for permits for the construction of outbuildings or accessory buildings, such as a garage, storage building, servant quarters, guest house, or other structure on an otherwise unimproved lot, may be considered, provided:
  - a. The outbuilding or accessory building is constructed on an otherwise unimproved lot contiguous with a lot upon which is located the residence of the owner(s) of owners of both lots and such owner(s) provide proof of ownership with the application.
  - b. The owner(s) shall execute an acknowledgement of the requirement that if the ownership of the two contiguous lots shall cease being common ownership for any reason, the outbuilding located on the lot on which there is no residence shall be removed at the owner’s expense and the lot restored to its former natural condition insofar as possible. The acknowledgement shall be in a form as required by the ACC (See Covenant 15 in Appendix C).

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- c. A copy of the plot plan is required showing the exact location, to scale, if the outbuilding/accessory structure requires a pier or footing foundation.

### B. Carports.

Carports may be enclosed into a garage or for a room addition provided the materials proposed match the existing residence and the plans are approved by the ACC. A covered parking area or a garage shall still be required. A permit is required and must be approved by the ACC.

### C. Fences.

1. **Permit Required.** All fences must be reviewed and approved by the ACC and a permit fee paid prior to installation as required by Chapter 3 - Fees.
2. **Location.** The location of the fence must be drawn to scale on a plot plan and submitted to the ACC for approval. Fences may go up to but not over the property lot line. However, if an adjacent lot with contiguous lot line is owned by the same owner, then the fence may continue in line with the front plane of the primary residence onto the adjacent lot. The owner must acknowledge disclaimer on application form pertaining to easement encroachment. Any portion of a fence facing a street must be wood, decorative, or other approved fencing. Revised and adopted by ACC Board on 3/16/2017.
  - a. **Front yard Fences.** Definition--Yard, front, means the required area of open space extending across the full width of the lot, the depth of which shall be the least distance between the front lot line and the nearest point of the main building or of any open, unenclosed porch or paved terrace as measured from the exterior face of the building foundation.
  - b. **General Guidelines:** All fences and fencing must be approved by the ACC prior to construction. Front yard fences and fencing are strongly discouraged in Bella Vista Village. However, request for front yard fences will be considered by the ACC subject the guidelines listed herein and will only be approved on a case-by-case basis. To obtain ACC approval, front yard fences and fencing must be compatible with the surroundings of Bella Vista Village, the aesthetic feel of the particular lot (s) upon which the fence or fencing will be constructed.
  - c. **Purpose.** Front yard fences and fencing may be used for lot line accents decorative purposes, or as enclosures. The ACC reserves

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the right to limit the purpose as well as the location and material of fences and fencing.

- d. **Material and Design/Style.** Materials and design must match those submitted to and approved by the ACC in issuing the fence permit. Examples of appropriate styles or designs that may be considered include, but are limited to “split rail, picket, post and rail, wrought iron, and decorative masonry pillars. No chain-link, wire or privacy fence or fencing shall be permitted in a front yard.
  - e. **Location and Height Restriction.** Approved front yard fences and fencing may be erected adjacent to or within a required front yard setback, provided such fences shall be not more than thirty six (36) inches in height following the natural contour of the ground. Front yard fences and fencing installed on the adjacent lot(s) owned by the same owner(s) must maintain the same height as front yard fence and fencing installed on the primary residential lot. Front yard fences and fencing cannot impede vision to an adjacent street for traffic safety reasons. Revised and adopted by ACC Board on 3/16/2017.
  - f. **Maintenance.** All fencing must be continuously maintained to present an attractive appearance.
3. **Finished Surface.** Finished surface shall face outward from the property. Posts and support beams shall be inside the finished surface or designed to be an integral part of the finished surface.
  4. **Side and rear yards** may have chain link, picket, split rail, post and rail, 6’0” cedar board and in some cases a partial 8’0” wood privacy fence (following natural contour of the ground). These fences may be used for enclosures to contain pets or provide privacy. Any portion of a fence facing a street must be wood or other approved fencing.
  5. **Height and type.** Screening fences may not exceed 8’0” in height (following natural contour of the ground) but for privacy 6’0” (following natural contour of the ground) is preferred. Chain link fences cannot exceed 5’0” in height. Decorative fences in back yards cannot exceed 5’0” in height (following natural contour of the ground) and any front yard fences are not to exceed 36” height (following natural contour of the ground).
  6. **Materials and Colors.** Privacy fences must be constructed of standard and acceptable materials conducive to privacy fencing. A chain link fence must be constructed of standard chain link materials, either galvanized aluminum or vinyl coated. Wire fences are not permitted. All other fence

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materials will be reviewed per application for approval. Effective September 1, 2007, no lattice material is to be used for screening boats, trailers, RV's etc. Only solid fencing materials such as privacy type are allowed. Colors must be in compliance as stated in Chapter 5, Section 5.01C2 (Colors). No white fence/fencing shall be permitted.

7. Lake lots and Golf Course Lots. Chain link fences on lake front and golf front property must be galvanized aluminum with vinyl coating. Any fencing on lake lots and golf lots must remain 20'0" from property line.
8. Screening for Vehicles. "Inoperable Vehicle" shall mean any vehicle, automobile, motorcycle, or boat that does not have a current license or which is in a state of disrepair so that it cannot operate as intended.

"Inoperable vehicles" and all recreational vehicles, boats or other watercraft, golf carts, enclosed trailers, non-enclosed flatbed trailers with a bed size larger than five feet by ten feet (5 x 10), and truck campers shall be behind the front plane of the house and completely screened from a viewer's sight from the street 12 months out of the year.

Screening shall be privacy type fencing up to 8' 0" in height (following natural contour of the ground) that completely blocks the vehicle from view. If the vehicle cannot be screened from a viewer's sight from the street 12 months out of the year, the vehicle shall be moved off site.

The ACC will allow such vehicles to be parked on a hard surface for 7 continuous days (maximum) for loading/unloading, cleaning, repairs, etc. This does not mean such vehicles leave after the maximum time allowed and reappear for another 7-day period every few days.

However, any larger vehicles that cannot be screened that have been owned by a Bella Vista Village POA member or Bella Vista Village resident prior to the date this policy was adopted shall be grandfathered in until January 1, 2021, and will not be required to be moved off site. However, after January 1, 2021, this grandfathering provision shall expire and all vehicles shall be subject to all requirements of this paragraph. (Adopted by ACC Board of Directors on August 16, 2018; Updated and adopted by ACC Board of Directors on November 15, 2018)

9. All automobiles and any other vehicles shall be parked on a hard surface located on the property. Acceptable hard surfaces shall be SB2 gravel, asphalt, or concrete. (Adopted by ACC Board of Directors adopted May 18, 2017)

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- D. Decks. Staining, painting, or weather-sealing of decks is recommended to alleviate mildew, sun bleaching, and weather rot. Deck additions should match existing decks with materials and configuration, and be approved by the ACC.
- E. Seawalls. Treated wood may not be used for seawalls, although heart of redwood, cypress, concrete, stone, etc., may be used. A permit is required and must be approved by the ACC.
- F. Front Yard Outdoor Play Equipment. Effective June 21, 2018, no outdoor play equipment may be located in the front yard, but it shall be allowed in the back yard. “Front Yard” shall be defined as set out in paragraph 5.04C2a above. “Outdoor Play Equipment” shall include but shall not be limited to: trampolines, above ground pools, swing sets/swings, jungle gyms, play/tree houses, climbing walls, and volleyball nets. An ACC permit shall be required (at no charge) to place any outdoor play equipment on any property in Bella Vista Village. Any Front Yard Outdoor Play Equipment in place prior to the effective date shall be grandfathered in and allowed. However, this grandfathering exception shall only be in effect for 2 years, and from June 21, 2020, forward, the prohibition against Front Outdoor Yard Play Equipment shall apply to all of the Properties, regardless of when such equipment was installed. (Adopted by ACC Board of Directors on June 21, 2018)