

1 OAKBRIDGE COMMUNITY SERVICES ASSOCIATION, INC.

2 **Architectural Control Rules**

3 Effective Date: February 3, 1986 • Amended and Restated: October 21, 2020

4
5 **Section A: Policy Statement**

6
7 A1. The Architectural Review Board (ARB) is required by the Declaration of Covenants and
8 Restrictions (DCR) to regulate the external design, appearance, use, location, and
9 maintenance of the properties and houses in such a manner as to preserve and enhance
10 values and to maintain a harmonious relationship within the neighborhood.¹

11
12 A2. The DCR provides that no improvements, alterations, repairs, change of paint colors,
13 excavations, changes in grade, or other work which in any way alters the exterior of any
14 house or property shall be made or done without the prior approval of the ARB. The DCR also
15 provides that no other structure (including but not limited to additions, outbuildings, and minor
16 objects) shall be erected, maintained, improved, altered, made, or done without the prior
17 approval of the ARB.² Items explicitly identified in these rules as “permitted” are considered to
18 be pre-approved by the ARB.

19
20 A3. The DCR further provides that the owner shall submit to the ARB plans and specifications
21 showing the nature, kind, shape, height, materials, and location of any proposed
22 improvements, alterations, or changes.³

23
24 A4. The ARB is required to interpret the DCR and to adopt general rules to implement the
25 purposes set forth in the DCR, including but not limited to rules to regulate animals, signs,
26 storage and use of recreational vehicles, storage and use of machinery, use of outdoor drying
27 lines, trash containers, planting, maintenance, and removal of vegetation on the properties.⁴

28
29 A5. In adopting these rules, the ARB seeks to strike a balance between individual freedom
30 and upholding the restrictions of the DCR in order to maintain the quality of the neighborhood.

31
32 A6. These Architectural Control Rules (ACR) are and must remain subsidiary to the DCR and
33 Supplementary DCR (SDCR). Some ACR provisions have been taken from those documents,
34 as noted in the footnotes, and a change to one of them must be accompanied by a change to
35 the other.

36
37 A7. Homeowners who have questions about whether a proposed change to their property is
38 covered under these rules should contact the ARB for guidance. The ARB is specifically
39 empowered to authorize reasonable exceptions to the ACR, including items normally
40 prohibited, and to rule on items not specifically addressed in the ACR, provided it can show
41 good cause and acts in accordance with adopted guidelines and procedures.⁵

42

1 See DCR §6.2

2 See DCR §6.3

3 From DCR §6.4

4 From DCR §7.1(b)

5 See DCR §7.1(c)

43 A8. In addition to these rules, homeowners must also comply with all applicable laws and
44 regulations, specifically including zoning codes. To minimize time and cost, obtaining ARB
45 approval prior to seeking a city building permit is recommended.

46

47 **A9. Definitions.** Within this document:⁶

48

49 A9.1. A “structure” is any load-bearing or space-enclosing object more or less permanently
50 located on the ground. The term does not include:

51 (a) minor objects, such as fences, trellises, lampposts, flagpoles, mailboxes, basketball
52 stanchions, and playsets.

53 (b) surfaces, such as sidewalks, driveways, and patios.

54 (c) mobile or portable items, such as flowerpots, lawnmowers, wheelbarrows, wading
55 pools, umbrellas, benches, and lawn chairs.

56 (d) natural features, such as grass, flowers, bushes, trees, and rocks.

57

58 A9.2. A “house” is the regular living-space portion of a structure intended as a single-family
59 dwelling.⁷

60

61 A9.3. An “addition” is any structure which is attached to or incorporated into a house but not
62 intended as primary living space, such as attached garages, sunrooms, porches, decks, and
63 greenhouses.

64

65 A9.4. An “outbuilding” is any structure on the property not attached to or incorporated into a
66 house, such as sheds, detached garages, hot tubs, housing for pets or livestock, and
67 gazebos.

68

69 A9.5. “Construction” is the process whereby an existing structure or surface is enlarged,
70 expanded, altered, or replaced or a new structure or surface is created or emplaced.

71 “Installation” is the process whereby a minor object is created or emplaced.

72

73 A9.6. “Permitted” means that the item is allowed, within whatever constraints are specified,
74 without the need to contact the ARB for approval.

75

76 A9.7. “Front yard” is the portion of the yard facing the street of its address; “back yard” is the
77 portion of the yard on the opposite side of the house; “side yards” are all remaining portions of
78 the yard.

79

80

Section B: General Rules

81

82 **B1. Compatibility.** Colors and designs of any changes shall be compatible with the existing
83 property and surroundings.

84

85 **B2. Construction.** No construction shall be commenced without prior written approval of the
86 ARB. The owner shall submit to the ARB design plans and specifications showing the nature,

⁶ The terms defined here may have different meanings in other sources (dictionaries and encyclopedias; laws, rules, and codes; usages by architects, engineers, and businesses; common parlance; etc.). Each term should be interpreted in the relevant context.

⁷ SDCR §3.1 requires that all Oakbridge houses be single-family dwellings.

87 kind, shape, height, materials, and location of the proposed construction. The external design,
88 appearance, use, and location of the construction shall enhance values and maintain a
89 harmonious relationship within the neighborhood.⁸

90

91 **B3. Outbuildings.**

92

93 B3.1. Outbuildings are prohibited except:

94 (a) Outside hot tubs may be in back yards only, may not be rated for more than 8
95 people, and must have a child-proof protective cover in place when not in use.

96 (b) A utility or storage shed of no more than one hundred (100) square feet in area and
97 eight (8) feet in height is permitted in back yards only. It must be at least ten (10) feet from
98 any lot line and may house inanimate objects only.

99 (c) Solar collectors are permitted.⁹

100

101 B3.2. Any outbuilding must be at least 6 feet from any lot line.

102

103 **B4. Space and Sizing of Structures.**

104

105 B4.1. No first-floor areas of single-family houses, including additions, shall occupy more than
106 thirty-five percent (35%) of the lot area the house is sited on.¹⁰

107

108 B4.2. No house, including additions, shall be closer than three (3) feet to a side lot line or
109 fifteen (15) feet to a rear lot line. On streets on which public sidewalks are installed the
110 minimum setback of such structures shall be twenty (20) feet unless a lesser setback is
111 approved by the traffic engineer or the traffic official designated by the City of Madison.¹⁰

112

113 B4.3. No houses, including additions, shall be closer than ten (10) feet to each other.¹⁰

114

115 B4.4. No house shall exceed the height of the lesser of two and one-half (2½) stories or thirty
116 (30) feet above the adjoining street pavement grade.¹¹

117

118 **B5. Maintenance.** Each owner shall keep his or her house and other structures, minor
119 objects, and surfaces in good order and repair, clean, well maintained, and free of debris. This
120 includes, but is not limited to, the painting or other appropriate external care of all structures.¹²

121

122 **B6. Vehicle Storage.** Parking or storage of any vehicle, including but not limited to boats,
123 cars, and recreational vehicles, on areas other than the driveway is prohibited, except that not
124 more than one (1) motorcycle may be parked on a paved area adjacent to a driveway. Parked
125 vehicles may not obstruct the public sidewalk.

126

127 **B7. Landscaping.**

128

⁸ See DCR §§6.3 and 6.4

⁹ Wisconsin Statute 236.292(2) prohibits restrictions on solar collectors.

¹⁰ From SDCR §3.4; see also Oakbridge Specific Implementation Plan §2

¹¹ From Oakbridge Specific Implementation Plan §3

¹² See DCR §7.2

129 B7.1. The part of any plants which overhang the public sidewalk must be trimmed to a height
130 of at least eight (8) feet off the ground.

131
132 B7.2. The majority of each yard must be grass, neatly trimmed, except pursuant to a
133 landscaping plan approved by the ARB.

134
135 B7.3. Vegetable gardens are prohibited in front yards; those in side yards and back yards are
136 permitted. Flower gardens are permitted anywhere on the property provided nothing from the
137 garden obstructs or spills onto the public sidewalk.

138
139 B7.4. Hanging or potted plants are permitted anywhere on the property.

140
141 B7.5. Each owner shall keep his or her lot and landscaping clean, well maintained, and free of
142 debris. This includes, but is not limited to, the seeding, watering, and mowing of all lawns; the
143 pruning and cutting of all trees and shrubbery; and other appropriate care of the grounds.¹²

144

Section C: Specific Rules

145

146

147 **C1. Antennas.** Exterior dish antennas exceeding one (1) meter in their longest dimension are
148 prohibited; those of 1 meter or less are permitted.¹³

149

150 **C2. Awnings.** The ARB must approve the nature, kind, shape, height, materials, and location
151 of any proposed awnings.

152

153 **C3. Basketball Hoops.** Basketball hoops are permitted provided the area of intended use is
154 entirely on the homeowner's property.

155

156 **C4. Bird Feeders etc.** Bird feeders, bird baths, and bird houses are permitted.

157

158 **C5. Decks.** Wooden deck trim must be painted or stained within one year of construction to
159 match house trim, unless the deck is a treated wood which does not require painting or
160 staining.

161

162 **C6. Dog Kennels.** Dog kennels and pet runs are prohibited.

163

164 **C7. Doors (Exterior and Garage).** All exterior and garage doors must be paneled.

165

166 **C8. Driveways and Driveway Expansion.** All driveways must be paved or hard surfaced.
167 Any expansion must be contiguous to the existing driveway and match the existing material,
168 except that pavers are permitted provided they expand the driveway width by no more than
169 20 inches.

170

171 **C9. Exterior.** Pastel colors are required on the exterior of houses and must be the same color
172 for the entire house, except for trim, shutters, and window casings, which may be in a

¹³ FCC rule (47 CFR §1.4000) prohibits restrictions that impair the installation, maintenance, or use of antennas used to receive video programming. The rule applies to video antennas including direct-to-home satellite dishes that are less than one meter in diameter, TV antennas, and wireless cable antennas.

173 complimentary color. The exterior siding must be either 4 inch or 5 inch. Corner trim must be
174 provided on all outside walls and windows.

175

176 **C10. Fences.** Fences are prohibited, except for invisible (electric in-ground) fences. Back-
177 yard privacy screens should be short as possible, as low as practicable but in no case higher
178 than six (6) feet, and as close to the house as possible.

179

180 **C11. Laundry Poles.** Laundry poles are permitted provided the laundry is removed daily.

181

182 **C12. Little Libraries.** Little libraries are permitted provided they are not on the terrace and
183 have an enclosed space not exceeding two (2) cubic feet.

184

185 **C13. Mailboxes.** All mailboxes must be standard rural mailboxes approved by the US Postal
186 Service and mounted on sturdy poles or posts, which may not be embedded in cement or
187 concrete. Each mailbox or post shall display the house number using numbers no less than
188 two (2) inches high by one (1) inch wide, in a contrasting color, on both traffic-facing sides.

189

190 **C14. Patios and Porches.** Patios, screened porches, and sunrooms are prohibited except in
191 side yards and back yards.

192

193 **C15. Pools.** Pools are prohibited except small children's wading pools, which may not remain
194 filled for more than 72 consecutive hours.

195

196 **C16. Roofing.**

197

198 C16.1. The roof pitch of the house must be a minimum of 6/12 pitch.

199

200 C16.2. The roof of the house must be a dark gray or other muted color.

201

202 C16.3. The roof of any addition or outbuilding must be a muted color or glass.

203

204 **C18. Swing Sets.** Swing sets are permitted in back yards.

205

206 **Section D: Procedures**

207

208 **D1. Designation.** In this section, "chairperson" also includes any ARB member designated by
209 the ARB chairperson to perform chairperson duties in her or his absence.

210

211 **D2. Application.**

212

213 D2.1. An owner shall submit to the ARB plans and specifications showing the nature, kind,
214 shape, height, materials, and location of any proposed construction, installation, or
215 landscaping changes to her or his property, unless it is explicitly permitted under these rules.

216

217 D2.2. The preferred method of applying to the ARB is electronic submission. However, a
218 paper application may be mailed to the ARB chairperson or hand-delivered in person to any
219 ARB member.

220

221 D2.3. Applications must contain either a completed copy of the application form most recently
222 approved and publicized by the ARB or the equivalent information and one (1) copy each of
223 the plot plan, the landscaping plans, blueprints for additions and outbuildings, and plans for
224 minor objects. The blueprints or plans should include dimensions and materials. Samples of
225 the materials should be submitted if possible.

226
227 D2.4. Photographs or renderings of similar completed projects may be submitted to aid in the
228 ARB's decision.

229
230 **D3. Receipt of Applications.**

231
232 D3.1. Within one week of receiving an application, the chairperson shall notify the applicant
233 that her or his application has been successfully received, review it for completeness, and, if it
234 is incomplete, notify the applicant of its deficiencies.

235
236 D3.2. The 30-day review period begins at the time an application is received.

237
238 **D4. Review of Applications.** The ARB shall review each application to determine if it
239 complies with the DCR and the s ACR. Action on an application requires a majority vote of the
240 ARB.

241
242 **D5. Timing.** The applicant must be given a response within 30 days after receipt of the
243 completed application, or else the application is automatically approved.¹⁴ Construction on an
244 approved project must begin within one (1) year of approval and be completed within three (3)
245 years of submission or else a new application must be filed.¹⁵

246
247 **D6. Notification of ARB Decisions.**

248
249 D6.1. Notices to the applicant shall be in written or electronic form.

250
251 D6.2. If an application is approved, the ARB shall so notify the applicant.

252
253 D6.3. If an application is not approved, the ARB shall give the applicant prompt notice of the
254 decision and the reasons for rejection.

255
256 **D7. Appeal of an Adverse ARB Decision.** The applicant may appeal an adverse decision of
257 the ARB to the Board of Directors, which may by a two-thirds ($\frac{2}{3}$) vote reverse or modify the
258 decision of the ARB.¹⁵

259
260 **D8. Records.** The chairperson shall retain for three (3) years from the date each application
261 was received a copy of the application and all accompanying documents, all relevant notes
262 made by the ARB, a record of any action taken, and the date the applicant was notified of the
263 decision.

¹⁴ From DCR §6.4

¹⁵ See DCR §6.4