

# Proposed Revision of Architectural Control Rules • 2020 Sep. 28

Underlined items are to be added. ~~Struckthru items are to be deleted.~~

Exception: Footnotes, formerly parenthesized cross-references, aren't marked as above.

Explanation of changes highlighted in pink.

OAKBRIDGE COMMUNITY SERVICES ASSOCIATION, INC.

## Architectural Control Rules

Effective Date: February 3, 1986 • Amended and Restated: [month day, year]

### Section A: Policy Statement

A1. The Architectural Review Board (ARB) is required by the Declaration of Covenants and Restrictions (DCR) to regulate the external design, appearance, use, location, and maintenance of the properties and ~~homes~~ houses in such a manner ~~so~~ as to preserve and enhance values and to maintain a harmonious relationship ~~among the homes~~ within the neighborhood.<sup>1</sup>

A2. ~~The Declaration of Covenants and Restrictions~~ DCR provides that no improvements, alterations, repairs, change of paint colors, excavations, changes in grade, or other work which in any way alters the exterior of any ~~home~~ house or property shall be made or done without the prior approval of the ~~Architectural Review Board~~ ARB. ~~The Declaration of Covenants and Restrictions~~ DCR also provides that no ~~building, fence, wall, residence, or~~ other structure (including but not limited to additions, outbuildings, and minor objects) shall be erected, maintained, improved, altered, made, or done without the prior approval of the ~~Architectural Review Board~~ ARB.<sup>2</sup> Items explicitly identified in these rules as "permitted" are considered to be pre-approved by the ARB.

A3. ~~The Declaration of Covenants and Restrictions~~ DCR further provides that the owner shall submit to the ~~Architectural Review Board~~ ARB plans and specifications showing the nature, kind, shape, height, materials, and location of any proposed improvements, alterations, or changes.<sup>3</sup>

A4. ~~The Architectural Review Board~~ ARB is required to interpret the ~~covenants~~ DCR and to adopt general rules to implement the purposes set forth in the DCR Section 6.2, including but not limited to rules to regulate animals, antennas, signs, storage and use of recreational vehicles, storage and use of machinery, use of outdoor drying lines, trash containers, planting, maintenance, and removal of vegetation on the properties.<sup>4</sup>

A5. In adopting these rules, the ~~Architectural Review Board~~ ARB seeks to strike a balance between individual freedom and upholding the ~~covenant~~ restrictions of the DCR in order to maintain the quality of the neighborhood.

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<sup>1</sup> See DCR §6.2

<sup>2</sup> See DCR §6.3

<sup>3</sup> From DCR §6.4

<sup>4</sup> From DCR §7.1(b)

44 A6. These rules also contain for the sake of clarity and convenience the restrictions imposed  
45 by the Declaration of Covenants and Restrictions. Architectural Control Rules (ACR) are and  
46 must remain subsidiary to the DCR and Supplementary DCR (SDCR). Some ACR provisions  
47 have been taken from those documents, as noted in the footnotes, and a change to one of  
48 them must be accompanied by a change to the other. [from Notes for Future Revisors]

49  
50 A7. Homeowners who have questions about whether a proposed change to their property is  
51 covered under these rules should contact the ARB for guidance. The ARB is specifically  
52 empowered to authorize reasonable exceptions to the ACR, including items normally  
53 prohibited, and to rule on items not specifically addressed in the ACR, provided it can show  
54 good cause and acts in accordance with adopted guidelines and procedures.<sup>5</sup> [moved here  
55 from D4.3]

56  
57 A8. In addition to these rules, homeowners must also comply with all applicable laws and  
58 regulations, specifically including zoning codes. To minimize time and cost, obtaining ARB  
59 approval prior to seeking a city building permit is recommended.

60  
61 **A9. Definitions.** Within this document:<sup>6</sup>

62  
63 A9.1. A “structure” is any load-bearing or space-enclosing object more or less permanently  
64 located on the ground. The term does not include:

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

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

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

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

71  
72 A9.2. A “house” is the regular living-space portion of a structure intended as a single-family  
73 dwelling.<sup>7</sup>

74  
75 A9.3. An “addition” is any structure which is attached to or incorporated into a house but not  
76 intended as primary living space, such as attached garages, sunrooms, porches, decks, and  
77 greenhouses. [some portions adapted from {B}1.2]

78  
79 A9.4. An “outbuilding” is any structure on the property not attached to or incorporated into a  
80 house, such as sheds, detached garages, hot tubs, housing for pets or livestock, and  
81 gazebos. [some portions adapted from {C}19]

82  
83 A9.5. “Construction” is the process whereby an existing structure or surface is enlarged,  
84 expanded, altered, or replaced or a new structure or surface is created or emplaced.  
85 “Installation” is the process whereby a minor object is created or emplaced.

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<sup>5</sup> See DCR §7.1(c)

<sup>6</sup> 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.

<sup>7</sup> SDCR §3.1 requires that all Oakbridge houses be single-family dwellings.

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

89  
90 A9.7. “Front yard” is the portion of the yard facing the street of its address; “back yard” is the  
91 portion of the yard on the opposite side of the house; “side yards” are all remaining portions of  
92 the yard.

## 93 94 **Section B: General Rules**

### 95 96 **B1. Compatibility**

97 Colors and designs of any changes shall be compatible with the existing property and  
98 surroundings.

### 99 100 **B2. Construction**

101 ~~4.1 No additions, improvements or alterations construction shall be made commenced~~ without  
102 prior written approval of the ~~Architectural Review Board ARB~~. The owner shall submit to the  
103 ~~Architectural Review Board ARB~~ design plans and specifications showing the nature, kind,  
104 shape, height, materials, and location of the proposed ~~addition, improvement, or alteration~~  
105 construction. The external design, appearance, use, and location of the ~~addition,~~  
106 ~~improvement, or alteration~~ construction shall enhance values and maintain a harmonious  
107 relationship among the structures and the natural vegetation and topography within the  
108 neighborhood.<sup>8</sup>

109  
110 ~~4.2 An addition is any construction which is attached to or within six inches of a building,~~  
111 ~~including but not limited to regular living space, garages, screened porches, sunrooms, decks,~~  
112 ~~patios, and greenhouses. [moved to A9.3]~~

### 113 114 **B3. Outbuildings**

115  
116 B3.1. Outbuildings are prohibited except: [adapted from {C}19]

117 (a) Outside hot tubs may be in back yards only, may not be rated for more than 8  
118 people, and must have a child-proof protective cover in place when not in use. [adapted from  
119 {C}13]

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

123 (c) Solar collectors are permitted.<sup>9</sup>

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

### 125 126 **B4. Space and Sizing of Structures**

127  
128 ~~4.3 B4.1. No first-floor areas of single-family houses, including garages, and porches, and~~  
129 ~~additions thereto, shall occupy more than thirty-five percent (35%) of the lot area the house is~~  
130 ~~sited on.~~<sup>10</sup>

<sup>8</sup> See DCR §§6.3 and 6.4

<sup>9</sup> Wisconsin Statute 236.292(2) prohibits restrictions on solar collectors.

<sup>10</sup> From SDCR §3.4; see also Oakbridge Specific Implementation Plan §2

131  
132 ~~1.4 B4.2.~~ No house, including any additions, improvements, or alterations, shall be closer  
133 than three (3) feet to a side lot line or fifteen (15) feet to a rear lot line. On streets on which  
134 public sidewalks are installed the minimum setback ~~including any additions, improvements, or~~  
135 ~~alterations of such structures~~ shall be twenty (20) feet unless a lesser setback is approved by  
136 the traffic engineer or the traffic official designated by the City of Madison.<sup>10</sup>

137  
138 ~~1.5 B4.3.~~ No houses, including any additions, improvements, or alterations, shall be closer  
139 than ten (10) feet to each other.<sup>10</sup>

140  
141 ~~1.6 B4.4.~~ No ~~building~~ house shall exceed the height of the lesser of two and one-half (2½),  
142 stories or ~~thirty five (35)~~ thirty (30) feet above the adjoining street pavement grade.<sup>11</sup>

143  
144 ~~1.7 Any addition, alteration, or improvement should be compatible with the design of the~~  
145 ~~house:~~ [covered under B2]

146  
147 ~~1.8 Photographs of similar completed projects will aid in the Architectural Review Board's~~  
148 ~~consideration:~~ [moved to D1.4]

149  
150 **B5. Maintenance** [move text here from {C}17]

151  
152 **B6. Vehicle Storage** [move text here from {C}20]

153  
154 **B7. Landscaping** [move text here from {C}14]

155  
156 **Section C: Specific Rules**

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158 **2. C1. Antennas and Satellite Dish Antennas**

159 ~~No exterior antennas, including satellite~~ Exterior dish antennas, exceeding one (1) meter in  
160 their longest dimension are prohibited; those of 1 meter or less are permitted.<sup>12</sup>

161  
162 **3. C2. Awnings**

163 ~~The owner shall submit to the Architectural Review Board design plans and specifications~~  
164 ~~showing ARB must approve~~ the nature, kind, shape, height, materials, and location of the any  
165 proposed awning(s). However, awnings, as a general rule, are not felt to enhance the  
166 aesthetic qualities of a community and are therefore discouraged.

167  
168 **4. C3. Basketball Hoops**

169 ~~Basketball hoops are permitted provided that the backboard and the net are well-maintained,~~  
170 ~~and that the mounting poles are painted to match the house trim~~ area of intended use is  
171 entirely on the homeowner's property.

172  
173 **5. C4. Bird Feeders and Bird Baths etc.**

174 ~~Bird feeders, and bird baths, and bird houses~~ are permitted.

<sup>11</sup> From Oakbridge Specific Implementation Plan §3

<sup>12</sup> 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.

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~~6. Corners~~

~~Cornerboards must be provided on all corners. [covered by expanded C9]~~

~~7. C5. Decks~~

~~7.1 All rules pertaining to additions, improvements or alterations to homes must be followed (1.1 through 1.8) 7.2 Deck Wooden deck trim must be painted or stained within one year of construction to match house trim, unless the deck is a treated wood which does not require painting or staining and is compatible with the house.~~

~~8. C6. Dog Kennels~~

~~Dog kennels and pet runs are not permitted prohibited.~~

~~9. C7. Doors (Exterior and Garage)~~

~~9.1 All exterior and garage doors must be paneled. 9.2 Storm and screen doors must coordinate with door color or house trim color.~~

~~10. C8. Driveways and Driveway Expansion~~

~~10.1 All driveways must be paved or hard surfaced. 10.2 The owner shall submit to the Architectural Review Board design plans showing the location of the proposed expansion. The material of the proposed Any expansion must be contiguous to the existing driveway and match the existing material, except that pavers are permitted provided they expand the driveway width by no more than 20 inches.~~

~~11. C9. Exterior~~

~~11.1 Pastel colors are required on the exterior of the homes houses and must be the same color for the entire house, except for trim, shutters, and window casings, which may be in a complimentary color. 11.2 The exterior siding must be either 4 inch or 5 inch. Corner trim must be provided on all outside walls and windows. [incorporating provisions from {C}6 and {C}28]~~

~~12. C10. Fences~~

~~12.1 No perimeter fences Fences are allowed prohibited, except for invisible (electric in-ground) fences. 12.2 The owner shall submit to the Architectural Review Board design plans and specifications showing the nature, kind, shape, height, materials and location of the proposed privacy fence. The length Back-yard privacy screens should be short as possible, as low as practicable but in no case higher than six (6) feet, and as close to the house as possible.~~

~~13. Hot Tubs~~

~~The owner shall submit to the Architectural Review Board design plans and specifications showing the nature, kind, shape, dimensions and location of the proposed hot tub.~~

~~14. B7. Landscaping [move text to B7]~~

~~14.1 The owner shall submit to the Architectural Review Board landscaping plans. B7.1. The part of any plants which overhang the public sidewalk must be trimmed to a height of at least eight (8) feet off the ground.~~

223 ~~14.2 Front yard and side yards must be sodded. Back yards must be either seeded or~~  
224 ~~sodded. B7.2. The majority of each yard must be grass, neatly trimmed, except pursuant to a~~  
225 ~~landscaping plan approved by the ARB.~~

226  
227 ~~14.3~~ B7.3. Vegetable gardens are permitted only prohibited in front yards; those in side yards  
228 and back yards are permitted. Flower gardens are permitted anywhere on the property.  
229 provided nothing from the garden obstructs or spills onto the public sidewalk.

230  
231 ~~14.4 Plans for extensive changes to existing landscaping must be submitted. B7.4. Hanging~~  
232 ~~or potted plants are permitted anywhere on the property. [ivy prohibition formerly here]~~

233  
234 B7.5. Each owner shall keep his or her lot and landscaping clean, well maintained, and free of  
235 debris. This includes, but is not limited to, the seeding, watering, and mowing of all lawns; the  
236 pruning and cutting of all trees and shrubbery; and other appropriate care of the grounds.<sup>13</sup>  
237 [adapted from {C}17]

### 238 239 ~~15. C11. Laundry Poles~~

240 ~~Laundry poles are permitted provided that they are removable, well maintained and the~~  
241 ~~laundry is removed daily.~~

### 242 243 C12. Little Libraries

244 Little libraries are permitted provided they are not on the terrace and have an enclosed space  
245 not exceeding two (2) cubic feet.

### 246 247 ~~16. C13. Mailboxes~~

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

### 252 253 ~~17. B5. Maintenance of Property~~ [move house-related text to new B5; landscaping covered 254 ~~under new B7.5]~~

255 ~~Each owner shall keep his or her lot and house and other structures, minor objects, and~~  
256 ~~surfaces in good order and repair, clean, well maintained, and free of debris. This includes,~~  
257 ~~but is not limited to, the seeding, watering and mowing of all lawns, the pruning and cutting of~~  
258 ~~all trees and shrubbery and the painting or other appropriate external care of the home all~~  
259 ~~structures.~~<sup>13</sup>

### 260 261 ~~18. New Houses~~ [all covered under B2 and corresponding provisions of Sections B and C]

262  
263 ~~18.1 The owner shall submit to the Architectural Review Board design plans and~~  
264 ~~specifications showing the nature, kind, shape, height, materials, and location of the proposed~~  
265 ~~new house. The external design, appearance, and location of the new house shall preserve~~  
266 ~~and enhance values and maintain a harmonious relationship among the structures and the~~  
267 ~~natural vegetation and topography. (Article III, Sections 6.3 and 6.4 of the Declaration of~~  
268 ~~Covenants and Restrictions)~~

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<sup>13</sup> See DCR §7.2

270 ~~18.2 No first floor areas of single family houses, including garages and porches and additions~~  
271 ~~thereto, shall occupy more than thirty five percent (35%) of the lot area the house is sited on.~~  
272 ~~(Article III, Section 3.4 of the Supplementary Declaration of Covenants and Restrictions)~~

273  
274 ~~18.3 No house, including any additions, improvements, or alterations, shall be closer than~~  
275 ~~three (3) feet to a side lot line or fifteen (15) feet to a rear lot line. On streets on which public~~  
276 ~~sidewalks are installed the minimum setback including any additions, improvements, or~~  
277 ~~alterations shall be twenty (20) feet unless a lesser setback is approved by the traffic engineer~~  
278 ~~or the traffic official designated by the City of Madison. (Article III, Section 3.4 of the~~  
279 ~~Supplementary Declaration of Covenants and Restrictions)~~

280  
281 ~~18.4 No houses, including additions, improvements, or alterations, shall be closer than ten~~  
282 ~~(10) feet to each other. (Article III, Section 3.4 of the Supplementary Declaration of Covenants~~  
283 ~~and Restrictions)~~

284  
285 ~~18.5 No building shall exceed the height of the lesser of two and one half (2½) stories or~~  
286 ~~thirty five (35) feet above the adjoining street pavement grade. (Article III, Section 3.4 of the~~  
287 ~~Supplementary Declaration of Covenants and Restrictions)~~

288  
289 ~~18.6 Pastel colors are required on the exterior of the homes.~~

290  
291 ~~18.7 The exterior siding must be either 4 inch or 5 inch.~~

292  
293 ~~18.8 All exterior and garage doors must be paneled.~~

294  
295 ~~18.9 Storm and screen doors must coordinate with door color or house trim.~~

296  
297 ~~18.10 Cornerboards must be provided on all corners.~~

298  
299 ~~18.11 All windows must have cornerboards.~~

300  
301 ~~18.12 The roof pitch must be a minimum of 6/12 pitch.~~

302  
303 ~~18.13 The color of the roof shingles must be dark gray.~~

304  
305 ~~18.14 The chimney must be finished off to match the exterior of the house.~~

306  
307 ~~18.15 The owner shall submit to the Architectural Review Board landscaping plans. Front yard~~  
308 ~~and side yards must be sodded. Back yards must be either seeded or sodded. Vegetable~~  
309 ~~gardens are permitted only in back yards.~~

310  
311 ~~**19. Outbuildings (Accessory Buildings)**~~

312 ~~No outbuildings are permitted. An outbuilding is any structure not attached to the residence,~~  
313 ~~with or without a foundation, including but not limited to storage buildings, detached garages,~~  
314 ~~housing for pets, free standing energy collection units, wind generators, and satellite dish~~  
315 ~~antennas. [restriction moved to new B3; definition moved to A9.4]~~

316  
317 ~~**20. Parking or B6. Vehicle Storage on Areas Other Than Driveway** [move text to new B6]~~

318 Parking or storage of any vehicle, including but not limited to boats, cars, and recreational  
319 vehicles, on areas other than the driveway is ~~not permitted~~ prohibited, except that not more  
320 than one (1) motorcycle may be parked on a paved area adjacent to a driveway. Parked  
321 vehicles may not obstruct the public sidewalk.

322

323 **21. C14. Patios and Porches**

324 ~~All rules pertaining to Additions, Improvements or Alterations to Homes must be followed. (1.1~~  
325 ~~through 1.8) Patios, screened porches, and sunrooms are prohibited except in side yards and~~  
326 ~~back yards.~~

327

328 **22. C15. Pools**

329 ~~No pools~~ Pools are permitted ~~prohibited~~ except small children's wading pools, which may not  
330 remain filled for more than 72 consecutive hours.

331

332 **23. Roof (Pitch and Color of Shingles) C16. Roofing**

333

334 ~~23.1~~ C16.1. The roof pitch of the house must be a minimum of 6/12 pitch.

335

336 ~~23.2~~ C16.2. The color of the roof shingles of the house must be a dark gray or other muted  
337 color. [This language would allow metal and slate roofs but doesn't address tile, wood, or  
338 glass roofs.]

339

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

341

342 **24. C17. Sandboxes**

343 Sandboxes are permitted ~~provided they are well-maintained~~ in back yards.

344

345 **25. Screened Porches**

346 ~~All Rules pertaining to Additions, Improvements or Alterations to Homes must be followed.~~  
347 ~~(1.1 through 1.8)~~

348

349 **26. Solar Collectors**

350 ~~Solar collectors are not permitted.~~

351

352 **27. C18. Swing Sets**

353 Swing sets are permitted ~~provided that they are~~ of good quality and well-maintained in back  
354 yards.

355

356 **28. Windows**

357 ~~All windows must have cornerboards. [covered by expanded C9]~~

358

359 OAKBRIDGE COMMUNITY SERVICES ASSOCIATION, INC.

360

Architectural Review Board Procedures

361

Effective Date: February 3, 1986

362

363 ~~The Architectural Review Board is required by the By Laws to adopt procedures to carry out~~  
364 ~~these responsibilities. (Article X, Section 10.3 of the By Laws)~~

365



366 **1. Architectural Review Board Size**  
367 ~~The Board of Directors shall appoint the Architectural Review Board of five (5) members. At~~  
368 ~~least three (3) of the Architectural Review Board members shall be chosen from the~~  
369 ~~community and at least one member shall be selected from the Board of Directors. The~~  
370 ~~director shall be the chairperson of the Architectural Review Board. A quorum shall consist of~~  
371 ~~three Architectural Review Board members. (Article VI, Section 6.1 of the Declaration of~~  
372 ~~Covenants and Restrictions and Article X, Section 10.1 of the By-Laws) [covered in the~~  
373 ~~Bylaws and DCR]~~  
374

375 **Section D: Procedures**

376  
377 **D1. Designation**

378  
379 In this section, “chairperson” also includes any ARB member designated by the ARB  
380 chairperson to perform chairperson duties in her or his absence.

381  
382 **D2. Application**

383  
384 D2.1. An owner shall submit to the ARB plans and specifications showing the nature, kind,  
385 shape, height, materials, and location of any proposed construction, installation, or  
386 landscaping changes to her or his property, unless it is explicitly permitted under these rules.

387  
388 D2.2. The preferred method of applying to the ARB is electronic submission. However, a  
389 paper application may be mailed to the ARB chairperson or hand-delivered in person to any  
390 ARB member.

391  
392 D2.3. Applications must contain either a completed copy of the application form most recently  
393 approved and publicized by the ARB or the equivalent information and one (1) copy each of  
394 the plot plan, the landscaping plans, blueprints for additions and outbuildings, and plans for  
395 minor objects. The blueprints or plans should include dimensions and materials. Samples of  
396 the materials should be submitted if possible. [adapted from {D}2.2]

397  
398 D2.4. Photographs or renderings of similar completed projects may be submitted to aid in the  
399 ARB's decision. [consolidating {B}1.8 and {D}2.3]

400  
401 **2. D3. Receipt of Applications**

402  
403 ~~2.1 Applications can be received by any Architectural Review Board member. The member~~  
404 ~~receiving the application reviews the application for completeness.~~

405  
406 ~~2.2 Applications should contain the application form, which is attached to this Resolution, and~~  
407 ~~three copies of the following:~~

408

<del>House Additions</del>	<del>Decks/Porches/Patios</del>	<del>Decorative/Privacy Fences</del>
<del>Plot Plan</del>	<del>Plot Plan</del>	<del>Plot Plans</del>
<del>Blueprints</del>	<del>Blueprints or Plans</del>	<del>Plans</del>
<del>Landscaping Plans</del>	<del>Landscaping Plans</del>	<del>Landscaping Plans</del>

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413 ~~The blueprints or plans should show the dimensions and the materials. Samples of the~~  
414 ~~materials should be submitted if possible. [covered by D2.3]~~

415  
416 ~~2.3 Photographs of similar completed projects may be submitted to aid in the Architectural~~  
417 ~~Review Board's decision. [covered by D2.4]~~

418  
419 ~~If the application is complete, the Architectural Review Board member registers it with the~~  
420 ~~chairperson.~~

421  
422 D3.1. Within one week of receiving an application, the chairperson shall notify the applicant  
423 that her or his application has been successfully received, review it for completeness, and, if it  
424 is incomplete, notify the applicant of its deficiencies.

425  
426 D3.2. The 30-day review period begins at the time a complete an application is received.

### 427 428 **3: D4. Review of Applications**

429  
430 ~~3.1. The Architectural Review Board ARB shall review the each application to determine if it~~  
431 ~~complies with the Declaration of Covenants and Restrictions DCR and the Architectural~~  
432 ~~Control Rules ACR. 3.2. The opinion of the immediate neighbors may be sought by the~~  
433 ~~Architectural Review Board concerning any application. 3.3. Action on an application requires~~  
434 ~~the a majority of the members vote of the Architectural Review Board ARB.~~

### 435 436 **4: D5. Timing**

437 The applicant must be given a response within 30 days after receipt of the completed  
438 application, or else the application is automatically approved.<sup>14</sup> ~~The construction Construction~~  
439 ~~on an approved project must begin within one (1) year of acceptance. After one year approval~~  
440 ~~and be completed within three (3) years of submission or else a new application must be~~  
441 ~~filed.<sup>15</sup>~~

### 442 443 **5: D6. Notification of Architectural Review Board ARB Decisions**

444  
445 ~~5.1. D6.1. Notices to the applicant shall be in written or electronic form.~~

446  
447 ~~D6.2. If an application is approved, it shall be marked "approved" and signed by a majority of~~  
448 ~~the members of the Architectural Review Board and and returned to the ARB shall so notify~~  
449 ~~the applicant.~~

450  
451 ~~5.2. D6.3. If an application is not approved, the Architectural Review Board ARB shall give the~~  
452 ~~applicant prompt notice of the decision and the reasons for rejection. The Architectural~~  
453 ~~Review Board shall make an effort to explain to the applicant how the application could be~~  
454 ~~made acceptable.~~

### 455 456 **6: D7. Appeal of an Adverse ARB Decision of the Architectural Review Board**

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<sup>14</sup> From DCR §6.4

<sup>15</sup> See DCR §6.4

457 The applicant may appeal an adverse decision of the ~~Architectural Review Board ARB~~ to the  
458 Board of Directors. ~~The Board of Directors~~ , which may by a two-thirds ( $\frac{2}{3}$ ) vote of the  
459 ~~directors~~ reverse or modify the decision of the ~~Architectural Review Board ARB~~.<sup>15</sup>

460

## 461 **7. ~~D8.~~ Records**

462

463 ~~7.1 The chairperson shall maintain a log book with~~ retain for three (3) years from the date the  
464 each application was received a copy of the application and all accompanying documents, all  
465 relevant notes made by the ARB, the a record of any action taken, and the date the applicant  
466 was notified of the decision. ~~The chairperson shall also keep a file on each application. The~~  
467 ~~file shall contain the application form, one copy of all documents submitted and all relevant~~  
468 ~~notes made by the Architectural Review Board.~~

469

470 ~~7.2 The chairperson shall maintain a minute book which shall contain the minutes of all~~  
471 ~~meetings of the Architectural Review Board.~~

472

## 473 **8. Amendment of Architectural Control Rules**

474

475 ~~The Architectural Control Rules may be amended by a two-thirds vote of the Architectural~~  
476 ~~Review Board following a public hearing for which proper notice has been provided and~~  
477 ~~pursuant to an affirmative vote of two-thirds of the Board of Directors. (Article VII, Section~~  
478 ~~7.1(b) of the Declaration of Covenants and Restrictions) Notice of the public hearing shall be~~  
479 ~~provided in writing to each member at the address last appearing on the books of the~~  
480 ~~Association or at the address supplied by the member for the purpose of notice. Notice may~~  
481 ~~be contained in the Association newsletter, which is delivered to the residence of each~~  
482 ~~member, delivered personally or delivered by mail. Notice shall specify the place, day and~~  
483 ~~time of the meeting and the purpose of the meeting. (Article II, Section 2.7 of the By Laws)~~  
484 [covered in the Bylaws]