

1 OAKBRIDGE COMMUNITY SERVICES ASSOCIATION, INC.

2 **Architectural Control Rules**

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

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5 **Section A: Policy Statement**

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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.<sup>1</sup>

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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.<sup>2</sup> Items explicitly identified in these rules as “permitted” are considered to  
18 be pre-approved by the ARB.

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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.<sup>3</sup>

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.<sup>4</sup>

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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.<sup>5</sup>

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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:<sup>6</sup>

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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.<sup>7</sup>

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.

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## Section B: General Rules

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

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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,

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<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 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.<sup>8</sup>

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91 **B3. Outbuildings.**

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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 may house inanimate objects only.

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

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

101  
102 **B4. Space and Sizing of Structures.**

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

106  
107 B4.2. No house, including additions, shall be closer than three (3) feet to a side lot line or  
108 fifteen (15) feet to a rear lot line. On streets on which public sidewalks are installed the  
109 minimum setback of such structures shall be twenty (20) feet unless a lesser setback is  
110 approved by the traffic engineer or the traffic official designated by the City of Madison.<sup>10</sup>

111  
112 B4.3. No houses, including additions, shall be closer than ten (10) feet to each other.<sup>10</sup>

113  
114 B4.4. No house shall exceed the height of the lesser of two and one-half (2½) stories or thirty  
115 (30) feet above the adjoining street pavement grade.<sup>11</sup>

116  
117 **B5. Maintenance.** Each owner shall keep his or her house and other structures, minor  
118 objects, and surfaces in good order and repair, clean, well maintained, and free of debris. This  
119 includes, but is not limited to, the painting or other appropriate external care of all structures.<sup>12</sup>

120  
121 **B6. Vehicle Storage.** Parking or storage of any vehicle, including but not limited to boats,  
122 cars, and recreational vehicles, on areas other than the driveway is prohibited, except that not  
123 more than one (1) motorcycle may be parked on a paved area adjacent to a driveway. Parked  
124 vehicles may not obstruct the public sidewalk.

125  
126 **B7. Landscaping.**

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

<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

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

<sup>12</sup> See DCR §7.2

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

133  
134 B7.3. Vegetable gardens are prohibited in front yards; those in side yards and back yards are  
135 permitted. Flower gardens are permitted anywhere on the property provided nothing from the  
136 garden obstructs or spills onto the public sidewalk.

137  
138 B7.4. Hanging or potted plants are permitted anywhere on the property.

139  
140 B7.5. Each owner shall keep his or her lot and landscaping clean, well maintained, and free of  
141 debris. This includes, but is not limited to, the seeding, watering, and mowing of all lawns; the  
142 pruning and cutting of all trees and shrubbery; and other appropriate care of the grounds.<sup>12</sup>

143

## Section C: Specific Rules

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145

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

148

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

151

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

154

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

156

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

160

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

162

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

164

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

169

170 **C9. Exterior.** Pastel colors are required on the exterior of houses and must be the same color  
171 for the entire house, except for trim, shutters, and window casings, which may be in a  
172 complementary color. The exterior siding must be either 4 inch or 5 inch. Corner trim must be  
173 provided on all outside walls and windows.

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<sup>13</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.

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

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

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

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

188  
189 **C14. Patios and Porches.** Patios, screened porches, and sunrooms are prohibited except in  
190 side yards and back yards.

191  
192 **C15. Pools.** Pools are prohibited except small children's wading pools, which may not remain  
193 filled for more than 72 consecutive hours.

194  
195 **C16. Roofing.**

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

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

200  
201 C16.3. The roof of any addition or outbuilding must be a muted color or glass.

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

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205

## Section D: Procedures

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

209

210 **D2. Application.**

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

215

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

219

220 D2.3. Applications must contain either a completed copy of the application form most recently  
221 approved and publicized by the ARB or the equivalent information and one (1) copy each of  
222 the plot plan, the landscaping plans, blueprints for additions and outbuildings, and plans for

223 minor objects. The blueprints or plans should include dimensions and materials. Samples of  
224 the materials should be submitted if possible.

225

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

228

### 229 **D3. Receipt of Applications.**

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

234

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

236

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

240

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

245

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

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

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

251

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

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

258

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

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<sup>14</sup> From DCR §6.4

<sup>15</sup> See DCR §6.4