

## **Land Use Rules and Regulations**

### **25. Architectural Control Committee (ACC)**

**a.** The Architectural Control Committee shall be established by the Board of Directors of the Association (By-Laws 11.1) with the expressed responsibility of enforcing and protecting the design standards and restrictions set forth in the Declaration and Bylaws and to protect the rights of both the individual property owners and the community (Declaration 10.3).

#### **Enforcement of Covenants**

**a.** It is known that many covenant violations exist in Greentrees Village, Inc. Some are minor violations and can be easily corrected. Others, however, are major violations and would be expensive to rectify.

**b.** It is the long-term objective of the ACC to correct all of these violations. Plans to implement these corrections, however, should avoid major financial burden to the lot owners whenever possible. Structural violations shall be corrected when the structures are removed or undergo major renovations. New construction will not be authorized until violations are corrected or penalties assessed.

**c.** Sanctions or penalties may be applied to compensate for the violations until they are corrected.

**d.** If violations are severe and intractable, the Greentrees Village, Inc., Board of Directors may choose to apply Section 9.5 and 9.8 of the Declarations or to litigate.

**e.** When lots are offered for sale, the owner should check for violations and disclose them to his sales agent, prospective buyers, and the ACC. Once sold the buyer becomes responsible for correcting any violations and reporting the corrections to the ACC.

**f.** When a lot owner applies for a construction permit, the lot will be inspected for existing violations. If survey stakes are not visible, the ACC may require that the correct stake locations be found and flagged by a qualified surveyor, if clarification of property boundaries is necessary for the ACC to properly evaluate the project outlined in the request.

**g.** Repair of residential structures and other existing structures is not considered an improvement and may be done without ACC approval provided that said work does not alter the existing structure (for example, no ACC approval is needed for re-roofing a home or replacement of windows).

## **Design Restrictions**

### **Greenbelts**

- a. See Table 1 for setback restrictions of greenbelts. Any encroachment into the allotted greenbelt must be presented to the ACC for consideration and approved by the Board of Directors.
- b. Except for variances, greenbelts may not be used for lot development, storage, fences or lot access other than in an emergency.
- c. Rectangular lots shall maintain greenbelts on the sides and back of properties.
- d. Triangular/corner lots shall maintain two greenbelts, the side next to neighbor and the back of the property.
- e. No structure or landscaping, which is higher than 2-1/2 feet, shall be located within the vision clearance zones at street intersections. Vision clearance zone is a triangular area at an intersection with the legs of the triangle extending 15 feet from the closest corner of the intersection. Common areas at street intersections shall be inspected and trimmed by the maintenance crew of Greentrees Village, Inc.
- f. Any structure, including paving and fences, located within greenbelts shall be removed before any permits will be authorized for any construction on a lot. The removal of major structures may be deferred until the structure is replaced.

### **28. Structure Height Restriction**

- a. The definition of structure height shall be the vertical distance between the base point and the top point as defined as:

**Base point**: the average finished grade at the front of the structure, the front being defined as the street side of the structure.

**Top point**: the peak or crest of the upper roof of the structure

- b. Soil shall not be imported to the lot to elevate the finished grade at the front of the structure without specific approval of the Architectural Control Committee. (See Table 1 for height restrictions allowed without a variance).

### **29. Lot Coverage Restrictions**

- a. See Table 1 for summary of the acceptable building codes as for Greentrees Village. Note the differences from those adopted for the city of Florence.

- b.** The maximum width of all driveway/parking area of rectangular lots can be the width of the street side of the property excluding the greenbelts.
- c.** The maximum width of all driveway/parking area of triangular/corner lots cannot exceed 36 feet.
- d.** No driveway shall be blacktopped or cemented without prior approval of the Architectural Control Committee.
- e.** If lot coverage limits are exceeded, appropriate structures or paving shall be removed. Major costly corrections may be deferred until the structures are replaced.
- f.** If structures are determined to be across property lines, the adjacent property owners shall negotiate a solution acceptable to both lot owners.
- g.** Corner lots may develop driveway access to both streets, which border the lot.

### **30. Fence Restrictions**

- a.** The challenge is to control the proliferation of fence-like structures in Greentrees, to create better definitions of restricted fences and to preserve the visual appeal of Greentrees Village, Inc.
- b.** All fences require review from the ACC and approval of the board and are not to be placed in the greenbelts.
- c.** Fences and walls should not be major features at the front of the lot.
- d.** Manicured greenbelts, and not fences or walls, should provide visual privacy screens between lots.
- e.** Certain fence-like structures can be submitted for consideration by the ACC, including dog runs, limited enclosures beside or behind the home, certain walls around decks and patios to provide wind screens or privacy, garden trellises, and low backdrops and wind screens for flowers and bushes.

### **31. Lot Maintenance**

- a.** The area fronting homes, mobile homes, travel trailers, 5<sup>th</sup> wheels and recreation vehicles shall be maintained in a neat and presentable appearance. Grasses and ground covers shall be kept trimmed. Dead or dying trees, garbage, trash or unused vehicles are

not allowed. The Association shall have the right, after giving 30 days notice to the owner to correct the violation, to have the lot maintenance performed. All costs and expenses incurred shall be borne by the lot owner.

**b. Common Property Tree Removal.** The Association maintains control for maintenance and development purposes, of a five foot (5') strip of property from the edge of the pavement on each side of the existing road ways (Resolution A-12-02-10). The removal of trees from this five-foot area shall require the permission of the Board of Directors. Any owner or renter who cuts down a tree within this common area with a trunk diameter of six inches or greater without prior approval of the Board of Directors shall be subject to a fine of \$100 for each tree removed.

### **32. New homes**

**a.** Owners who wish to place a new or replacement home on their lot shall be required to have a survey performed and recorded by a qualified survey engineer who places new lot pins to mark the lot's boundaries and provides the ACC with a certified survey of the lot.

**b.** When developing a lot, residents are required to obtain a permit from the ACC to remove or deconstruct a home prior to such work beginning. If it is necessary to deconstruct the home, proof of all proper State and County permits. Including asbestos removal shall be provided to the ACC before a permit will be issued.

**c.** See Attached.

**d.** Greentrees Village requires that a water meter, meter box and backflow prevention device be installed on the water line which supplies the home, when a new or replacement manufactured home is installed, when a new home is built or when the present dwelling unit is removed or demolished and the lot is again developed for use and when any work is done over the existing utility lines or service that would require a ACC application to be submitted.

The water meter and meter box should be installed close to the property line within the common area and shall include a lock-off valve.

The meter, box, backflow prevention device and fittings will be provided by the Association's maintenance department but paid for by the resident/owner.

The Association Maintenance Department shall furnish an installation standard diagram to the contractor installing the water service system.

The Water Meter Service System shall be installed by a licensed professional, hired by the Association and paid for by the owner of the lot. Once installed, the Meter Service assembly becomes the property of Greentrees Village Inc. and all responsibility for the maintenance and repair of the water meter assembly shall be that of the Association.

### **33. Other**

**a.** For reasons of safety and appearance, Canvas Carports are not allowed on lots on Greentrees property.

### **34. Required Steps for Lot Development**

**a.** Obtain a Lot Development Packet from Office.

**b.** Prepare a current plot plan of the property, which shows to scale the location of all structures and coverings (sealed driveways and parking areas, sidewalks, etc.).

**c.** Indicate proposed changes with reference to the CC&Rs, and Rules and Regulations, adopted by Greentrees Village, Inc.

**d.** Complete and sign the *Request for Approval of Lot Development Project* form.

**e.** Submit all above to the Greentrees Office to be forwarded to the ACC to be acted upon at the next regularly scheduled ACC meeting.

**f.** Lot Owners and/or their contractor should meet with the ACC prior to receiving a Greentrees permit.

**g.** If there are questions about interpretation of the Rules and Regulations, please contact the ACC for clarification.

**h.** Once approval of the ACC has been obtained, you can request a building permit from the City of Florence if one is required for the proposed project. A copy of the city permit shall be provided to the ACC.

**i.** Upon approval by the ACC, owners will be issued a Greentrees Building Permit that should be posted in an area that will be visible from the street. The purpose of this permit is to provide visual confirmation to your neighbors that you have complied with the Rules and Regulations of Greentrees Village, Inc., by having your project reviewed and approved by the ACC.

**j.** Upon completion of the proposed project, notify the Architectural Control Committee for final site inspection and closure of the Greentrees Permit process. Any deficiencies and or violations found of Greentrees Rules and Regulations will be recorded and reported to the Board of Directors for consideration of any further appropriate action.

**Table 1 Building Codes Setbacks**

<b>Code</b>	<b>City of Florence</b>	<b>Greentrees</b>
<b>Lot Coverage</b>		
<b>Enclosed</b>	<b>35%</b>	<b>35%</b>
<b>Total</b>	<b>65%</b>	<b>65%</b>
<b>Building Height</b>		
<b>Home</b>	<b>28 ft</b>	<b>28 ft</b>
<b>Other</b>	<b>15 ft</b>	<b>20 ft</b>
<b>Front Setback</b>		
<b>Home</b>	<b>20 ft</b>	<b>5 ft</b>
<b>Garage/Carport</b>	<b>20 ft</b>	<b>3 ft</b>
<b>Other</b>	<b>20 ft</b>	<b>20 ft</b>
<b>Side Setback</b>		Greentrees greenbelt note*
<b>Home</b>	<b>5 ft</b>	<b>5 ft</b>
<b>Other</b>	<b>5 ft</b>	<b>5 ft</b>
<b>Rear Setback</b>		
<b>Home</b>	<b>10 ft</b>	<b>5 ft</b>
<b>Other</b>	<b>5 ft</b>	<b>5 ft</b>

\*Driveway Widths: Reference Rules and Regulations paragraph 29-b, c & d

Side and rear setbacks are to be used as greenbelts of vegetation only, and are to be used as a natural visual screen barrier between lots.