

Date: October 5, 2010
To: Barrington Heights Board
From: Neighborhood Standards Committee
Re: Recommendations on Rules & Regulations

This committee was formed to evaluate the current Association Rules and Regulations, and to make recommendations to the Board concerning changes to the rules, communication of the rules and enforcement of the rules. The members of the Committee were: Susanna Bacon, Dave Cavanaugh, Marijean Johnson, Margaret Juarez and Hazel Plunkett, with Brad Arms as facilitator. To date, the Committee has met four times including an orientation, a walk-around of the neighborhood and two working sessions.

Findings

- The current Rules and Regulations date back to 2003. Most of them are based on the CC&Rs. Since the CC&R's vary by phase, the current rules were an attempt to create common standards across all phases. Hence, they do go beyond the CC&R requirements for some phases.
- When reviewed against the purpose of the Association (ie: to maintain property values) and against the CC&Rs, the current rules do not appear to be excessive or burdensome on the homeowners.
- When the Committee walked the neighborhood, a number of issues were identified where the appearance of some of the lots is detracting from the property values of the community, including: Planting strips with weeds, mulch or stones; Portable basketball hoops left up all year, even when not used; Street trees and bushes interfering with sidewalks; Parked cars in streets and driveways for an extended period of time; Excessive decorative objects in front yard (cluttered appearance); Cracked stucco walls/stained brick walls; and Landscape not maintained
- For the most part, these issues can be addressed by communicating and enforcing existing rules. The issues with planting strips and basketball hoops are not addressed in the rules.

Recommendation on Changes to the Rules

Rule Recommendation #1 on Planting Strips. Add a new rule as follows:

***"10. Planting Strips:** In addition to the street trees, grass or evergreen vegetation that provides solid/contiguous ground cover approved by the Architectural Review Committee must be planted and maintained between the curb and the sidewalk. No other planting, ground cover, or landscaping is allowed in this space."*

The planting strips between the sidewalk and the curb were originally grass or evergreen ground cover approved by the ARC. Some homeowners have now placed bark or stones there, or left the area bare (plain dirt). The Committee finds that bark, stone and dirt in the planting strips detracts from the look of the neighborhood. The rules do not address planting strips. The CC&Rs in 9 out of 10 phases already contain the language in the proposed rule. In the interest of harmony with the community and attractiveness of appearance, the Committee proposes adding this rule so that all phases are consistent.

Exceptions: For small areas where planting grass is not feasible, homeowners will be allowed to use mulch (and stones/brick with ARC approval) provided that the area does not exceed 25 square feet (not counting hardscape objects such as utility boxes, mail boxes and street sign posts). Homeowners may also place mulch for a distance of 2 feet around street trees.

Rule Recommendation #2 on Basketball Hoops. Add an additional requirement to the current rule #5 on basketball hoops (existing rule with change underlined):

“5. Basketball Hoops: No basketball backboards or hoops shall be installed on the residential structure, or on a post, pole or other base. Temporary basketball hoops are not allowed to be in the street or on the sidewalk, or to extend over any street area, or protrude into the sidewalk area.

Temporary basketball hoops must be removed and placed out of sight of the street during extended periods of non-use defined as 30 days.”

The appearance of temporary basketball hoops was found to adversely affect the appearance of the community (a negative for property values). These hoops can contribute to the enjoyment of homeowner property (a positive for property values), but only so long as they are being used on a regular basis.

Recommendations on Communication

Communication Recommendation #1 on ARC Prior-Approval: This is the top priority.

- Send out newsletter every two months and highlight ARC approval requirements. Add a standing column in the newsletter that focuses on the ARC process, requirements and that summarizes ARC requests received and approved. In addition to communicating the requirements, this article will reinforce the fact that many homeowners are submitting ARC requests.
- Send out a letter to homeowners that addresses the importance of ARC approval and gives the homeowners options for funding the issue.

Communication Recommendation #2 on Communicating Rules:

- The Committee recommends that the rules be sent out to all homeowners in a more engaging format (see attachment), that incorporates the changes to the rules.

Communication Recommendation #3 for Landscape Maintenance:

- Add a standing column in the newsletter that focuses on homeowner landscape. It should contain season-appropriate information on landscape maintenance. In the spring, it should discuss landscape standards and how they are monitored so that homeowners are aware of both expectations and how standards are enforced in the site reviews.

Recommendations on Enforcement

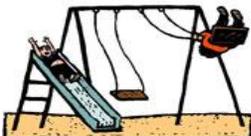
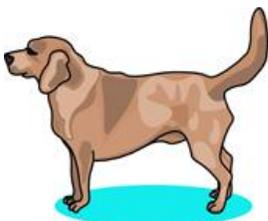
The Committee recommends that the Community Manager be directed to add an area of special focus to the site reviews in addition to the general site review process. This should result in more consistency across homeowners for the particular focal topic. Recommended areas of focus are:

- Dead grass in lawns and planting strips. This should be the focus in early July, just when lawns that are not properly watered and fertilized begin to show stress.
- Pruning trees/bushes that interfere with sidewalks. This is a good topic in the fall as trees go dormant.
- Focus on cars frequently parked on the streets (both a safety and an appearance issue). This area would require that all cars parked on the street be compared at two or more site reviews, before citations are issued.

Ideally, newsletter articles could let homeowners know that these areas would be covered in future site reviews.

Rules & Regulations

Barrington Heights Association of Homeowners

CC&R Requirement	
	<p>Improvements, Landscaping & Alterations: No improvement or landscaping shall be commenced, erected, placed or altered on any Lot until the construction plans and specifications showing the nature, shape, heights, materials, colors and proposed location of the improvement have been submitted to and approved in writing by the Architectural Review Committee.</p>
<p>Rules & Regulations</p>	
	<p>1. Signs: No signs shall be erected or maintained on any Lot, except one “For Sale”, “Open House” or “For Lease” sign may be temporarily displayed on any Lot. Sign shall not exceed twenty-four (24) inches high and thirty-six (36) inches long. The restrictions contained in this paragraph shall not prohibit the temporary placement of “political” signs on any Lot by the Owner or Occupant. No signs of any kind, other than regulatory signage placed at the direction and approval of the ARC, will be allowed on Common Areas.</p>
	<p>2. Garage Sales: Garage or tag sales are not allowed.</p>
	<p>3. Trash Cans: Containers for trash, yard waste, recycling or other debris awaiting removal or collection must be kept inside a garage or in another location entirely out of view from adjoining streets, and sidewalks, except on the evening before and the day on which they are to be made available for collection or disposal.</p>
	<p>4. Play Structures: Any play structure, including but not limited to sports courts, tennis courts, climbing and swing structures, requires ARC approval prior to installation. Such structures will be well maintained.</p>
	<p>5. Basketball Hoops: No basketball backboards or hoops shall be installed on the residential structure, or on a post, pole or other base. Temporary basketball hoops are not allowed to be in the street or on the sidewalk, or to extend over any street area, or protrude into the sidewalk area. Temporary basketball hoops must be removed and placed out of sight of the street during extended periods of non-use defined as 14 days.</p>
	<p>6. Animals: No animals, livestock or poultry of any kind shall be raised, bred, kept or permitted within any Lot other than a reasonable number of household pets which are not for commercial purposes, and which are reasonably controlled so as not to be a nuisance. Any inconvenience, damage or unpleasantness caused by such pets, including noise, shall be the responsibility of the respective Owners thereof. No dogs shall be permitted to roam the property unattended, and all dogs shall be kept on a leash while outside a Lot. An Owner may be required to remove a pet from the property upon the receipt of the third notice in writing from the</p>

	<p>Association Board of Directors of a violation of any rule, regulation or restriction governing pets within the Property.</p>
	<p>7. Parking: Recreational vehicles, boats, trailers, motor homes, campers, motorcycles, trucks over ¾ ton rated carrying capacity, or like equipment shall be allowed so long as they are kept in the side yard (i.e. alongside the garage), behind an ARC approved screen which meets fence requirements, and behind the front elevation of said residence. Such vehicles may be kept if wholly confined in an enclosed portion of the building. Guests may park for a maximum of twelve (12) hours on the public street. No vehicles in disrepair are to be visible from the streets.</p> <p>No vehicles shall be parked in driveways, or in public streets, for the purpose of repairs, maintenance or convenience of ingress and egress for a period not to exceed five (5) days in any one twenty (20) day period. No vehicle shall extend over the public sidewalk or driveway apron. Residents and their guests shall make all reasonable efforts to avoid parking on the public streets. Vehicles and equipment owned by others, who are guests of the occupants, shall be allowed to park on the driveway for a period not to exceed fourteen (14) days in any one thirty (30) day period. No “For Sale” signs will be displayed in vehicles within the Barrington Heights community.</p>
	<p>8. Commercial Uses of Property: Lots shall be used for residential purposes only. No trade, craft, business, profession, commercial or similar activity of any kind shall be conducted on any Lot, nor shall any goods, equipment, vehicles, materials or supplies used in connection with any trade, service or business be kept or stored on any Lot. Nothing in this paragraph shall be deemed to prohibit (a) activities relating to the sale of residences, (b) the right of any contractor or homebuilder to construct residences on any Lot, to store construction materials and equipment on such Lots in the normal course of construction in Barrington Heights, and (c) the right of the Owner of a Lot to maintain his professional or personal library, keep his personal business or professional records or accounts, handle his personal business or professional telephone calls or confer with business or professional associates, clients or customers, in his residence, so long as such activity is not observable outside of the residence, does not significantly increase parking or vehicular traffic, or is in violation of applicable local government ordinances.</p>
	<p>9. General Property Maintenance: Each Owner shall maintain their Lot and Improvements in a clean and attractive condition, in good repair and in such a fashion as not to create a hazard of any kind. Such maintenance shall include, without limitation, painting or staining, repair, replacement and care of roofs, gutters, downspouts, surface water drainage, walks and other exterior improvements. In addition, each Owner shall keep shrubs, trees, grass and plantings of every kind neatly trimmed, fertilized, property cultivated and free of trash, weeds, and other unsightly materials.</p>
	<p>10. Planting Strips: In addition to the street trees, grass or evergreen vegetation that provides solid/contiguous ground cover approved by the Architectural Review Committee must be planted and maintained between the curb and the sidewalk. No other planting, ground cover, or landscaping is allowed in this space.</p>