

Buckingham Homes Association, LTD

Architectural Control Committee Rules and Guidelines

The authorizing authority for architectural control is Clause VI of the Restrictions, Conditions and Covenants, Charges and Agreements affecting Real Property in Buckingham Park, commonly called the CC & Rs. The most recent revision is dated 2007. Clause VI states only a few restrictions, but authorizes the establishment of “Architectural Rules and Guidelines,” which are the standards used during the review of any proposed project. The project review process called out in the CC & R’s is for the review of plans by the Architectural Control Committee (ACC), which must have one board member on it.

The key explicit restrictions on buildings and plan review in the CC&Rs are:

1. The ACC does not allow shipping containers on any lot in Buckingham Park during construction or at any other time.
2. The ACC has the authority to approve or disapprove plans for construction of a new home on a lot in Buckingham Park. Approval will be based on the “Harmony” with the general surroundings of the lot and adjacent buildings or structures in Buckingham Park.
3. No construction of homes, garages, auxiliary buildings, pools, fences, etc. is allowed in Buckingham without prior approval of the ACC.
4. The plans must include a plot plan showing the location of all new or modified construction and exterior finishes and colors. In addition, roofing material must be identified.
5. Minimum house size is 1600 square feet of enclosed living space; porches do not count for compliance with the minimum size restriction.
6. Any changes to existing exterior structures (colors, finishes, roofs, etc.) must be approved as well.
7. The overriding factor in review is “Harmony” with the general surroundings of such lot or with the adjacent buildings or structures.
8. Plans which are incomplete or determined by the ACC to be “contrary to the best interests” of Buckingham may be rejected at the sole discretion of the ACC.
9. A property owner may appeal any rejection of plans to the Board of Directors of the Buckingham Homes Association.

The review of plans looks at a list of issues, with the authority for that review derived from the CC & R’s and the appropriate ACC process documents. The following list covers many but not all of the issues which the ACC should consider when reviewing a project. Details of any

particular set of plans may make some of these issues irrelevant or raise additional issues not included here.

1. SETBACKS: The County has specific requirements for front, side and rear setbacks. The rear setback varies based on the height of the building. We normally check for compliance with the county requirements both as a courtesy and just to get established in our minds where the construction sits on the lot.

2. EAVES: The ACC has consistently looked for 18-inch eaves. In some cases, the 18-inch eave is not consistent with the architectural design of the proposed building. If the eave, as designed fits with the design and if the apparent quality of the design is high, we have approved eaves that are less than 18 inches. However, in several cases, the county has overturned these decisions and required 18-inch eaves.

3. ROOFS: We look for the material, finish and color of the roofing material.

a. Composition shingles are the most common submission. We typically look for color expressing a preference for a neutral or dark finish.

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b. We approve of tile if it fits with the building design.

c. We discourage property owners from using shakes because of the potential fire hazard.

d. We require a minimum slope of 3 in 12 inches although the county minimum is 2 in 12.

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4. STYLE: Within reason, we are neutral on style. Anything within reason is acceptable. In deciding what is reasonable, we use “harmony” as the guideline.

5. INTERIORS AND DETAIL: We typically look at the interior to make sure that the quality is reasonable.

6. HEIGHT- The county has guidelines, which we have used. The height allowed for a house is greater than that for an auxiliary building

7. COLORS AND FINISHES: We typically look hard at this, just to make sure the overall color scheme is reasonable and in “harmony.”

8. FENCES: The County has guidelines for height and front setbacks for fences. We check for compliance. In addition, we have consistently tried to preserve the open feeling of our community. Most often, we look for open fences in front yards with solid fences allowing for privacy on the sides or rear of a property. We have allowed closed fences in the front of properties, when the elevation allows the view through to the house to be maintained and where the hard structure of the fence is offset by planting.