

# Bollinger Hills Homeowners Association

## Architectural Rules (BHHA Rule 4)

October 18, 2017

### ***Introduction***

The Bollinger Hills CC&Rs require homeowners to gain approval whenever they wish to make architectural change to their property. This document is for the purpose of helping owners understand the architectural guidelines within the development. It has been developed by the Architectural Committee and approved by the Board of Directors.

“Architectural change” is defined in the definitions below. It is recognized that these rules cannot address every conceivable architectural change. However, any architectural change that is not addressed within these rules does not exempt an owner of the requirement for architectural approval. Please address questions to the Architectural Review Committee (ARC), using one of the methods shown at the end of this document.

### ***Definitions***

**ARC:** Architectural Review Committee.

**Architectural Change:** The act of changing the appearance of the house or lot within the development. See Scope for additional information.

**Backyard:** The portion of the property behind the front yard.

**Board:** The Bollinger Hills Homeowner Association Board of Directors.

**Driveway:** Driveways are defined as paving that a vehicle moves over and/or parks upon.

**Fast Track:** An expedited review and approval process. Normally invoked when architectural improvements fit within these guidelines.

**Front yard:** The area forward of the front of the house and the fences that bisect the front portion of the property from the rear portion of the property. If no fence is present, or there is an existing “see-through” fence, the front yard is defined as any property that can be seen from the street, except any property that would not be seen if a 7’ high fence was in place dividing the front and back areas of the property.

**Property:** The lot and all structures on that lot.

## ***General Information and Procedures***

- The exact procedure and rules for architectural approval are found in the Procedure Summary (next section). This information is based on existing CC&R rules and procedures. Please refer to the CC&Rs for complete information pertaining to Architecture.
- The ARC must review all construction, modification, alteration, or any other architectural change in a property. The only exception are those changes which are minor, such as the change of plants from one type to another, small trim changes, etc. If in doubt, check with the Architectural Committee.
- Failure to submit an architectural review form to the ARC may result in fines, stoppage of work, and/or enforcement of CC&R provisions to reverse work already started or completed.
- The ARC's recommendations may be appealed (see below). Board decisions are final. See the Procedural Summary or the CC&Rs for additional details on this process.
- The ARC will exercise its best judgment in the interpretation of the rules and the intended spirit of the listed guidelines.
- Projects that meet these guidelines will be "fast tracked" with a target turnaround time of one week or less.
- Projects that do not fall within these guidelines, either in specification or scope of work, shall be reviewed and a response provided within the turnaround time stated in the CC&Rs (30 days maximum).

## ***Procedural Summary***

- Complete the Architectural Approval Request Form. The form is also available on the Bollinger Hills Homeowners Association website as a pdf file. You will need Adobe Acrobat Reader (free) to read this file. We can also e-mail (or mail) a form to you. Contact us at [arc@bollingerhills.org](mailto:arc@bollingerhills.org) or call us at (925) 415-0847.
- Once the form is completed, mail it to: Bollinger Hills Homeowner Association, P.O. Box 449, San Ramon, CA 94583-0449, attn Architectural Review Committee.
- Alternatively, you can email the form to us or FAX it to (925) 307-7181. If your project requires review of a physical sample, the form includes provisions for that situation.
- The Architectural Review Committee (ARC) will review your application, and make a written recommendation to the Board. You will be advised of that recommendation. Per the CC&Rs, the ARC has up to 30 days to submit the request to the Board for approval or ask the homeowner for additional information. Please note we are making every effort to respond and secure Board response within seven days. The committee may recommend approval, have additional questions, or may not recommend approval. You can check on status by calling (925) 415-0847, emailing us, or writing to us. You will always receive a final disposition letter, either by US Mail or email. Please keep this letter as proof of Association action. A copy of the letter also goes into your permanent file.
- If you wish to challenge the ARC recommendation, you may do so by advising the ARC within 10 days of the date found on your copy of the recommendation sent to the Board.
- Specific pertinent sections of the CC&Rs that apply to architecture are included at the end of this document. The sections included are intended as general information only and not as the final word on rules and procedures. Please refer to the CC&Rs and the By-Laws for complete information.

## ***Scope of Guidelines***

- The front yard and any portion of the property visible from the street.
- Exceptions to the above are noted where applicable.

## ***Guidelines***

### **Awnings**

Awnings, such as cloth or metal overhangs that are above windows or other openings are disallowed.

### **Mailboxes (including supporting post or structure)**

- Mailbox design, structure and materials must be reviewed and approved by the ARC prior to installation.
- Mailboxes must be maintained in good condition.

### **Home Additions**

- Any addition to a home, including additional living space(s), garage space or other permanent structures (i.e. a stand-alone garage), must be reviewed and approved by the ARC prior to construction.
- The addition or new structure must also meet any applicable San Ramon ordinances and Building Code requirements.

### **Roof Material**

- All roof replacements must be approved by the ARC, even if the roof material fits into an approved general category. Material and color will be evaluated on a case-by-case basis.
- Approved roof types include tile, lightweight concrete, steel, aluminum, composite (asphalt) shingles, or a material that mimics shake or tile and also fits in with the general architectural style of the neighborhood as determined by the ARC during the approval process.
- Installation of a composite shingle roof is subject to ARC evaluation of weight, definition, type and color. Only premium high-definition products will be considered.
- The installation of wood shakes as a replacement roofing material is not allowed.

### **Painting**

- The ARC will review requests to repaint portions of the house visible from the street on a case-by-case basis, recognizing that each house and color combination is unique.
- Fluorescent, bright, or otherwise loud or gaudy colors as determined by the ARC are not permitted.
- Colors that are close to the original color will be fast-tracked.

## **Antennas and Satellite Dishes**

Any individually-owned outside television antennas and satellite dishes constructed, installed, or maintained in said Properties are subject to reasonable standards regarding placement, screening, maintenance and indemnity obligation as specified in section 207 of the Telecommunications Act of 1996 and the FCC OTARD Rule.

Installation of a vertical or wire antenna for the purpose of transmission or reception of radio signals is subject to local zoning ordinances as provided by FCC PRB-1, with the following exceptions:

- Free standing towers are prohibited.
- Roof mounted antenna support structures are prohibited. A waiver may be granted by the Board if the structure is deemed necessary for CERT (Community Emergency Response Team) or RACES (Radio Amateur Civil Emergency Service) communications.

## **Front Doors**

- Replacement front doors must always be approved by the ARC.
- Doors must be of a design and color that is consistent with the rest of the house, as well as the development.
- Additional, secondary door(s) (such as a standard screen door or storm door placed in front of existing door) are not permitted on the front of the house, or the side of the house that is located within the front yard. Installation of retractable screen doors (such as ClearView) is permitted, but must be approved by the ARC.

## **Driveways and Paving**

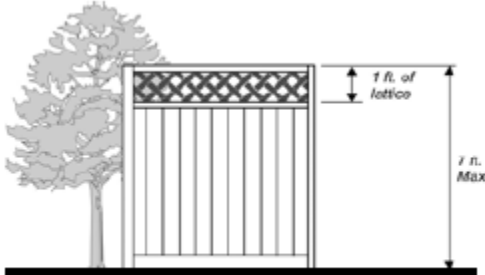
- All paving and driveway paving construction requires the approval of the ARC.
- Driveways, steps and walkway surfaces may take the form of standard concrete, stone, brick, slate, or other masonry.
- Loose gravel surfaces, railroad ties, plastics, and/or other synthetic materials are not permitted.

## **Garage Doors**

- Garage door replacement requires the approval of the ARC.
- Garage doors can either be the flip-up type or roll-up type.
- Carriage doors may be acceptable depending on the style of the house.

## Fences & Walls

- A solid (not see-through) redwood fence is the only approved fence type for dividing the front yard from the backyard. This is the only fence type that may be used when any fence borders a street.
- Maximum fence height must not exceed 7'. For fences exceeding 6', the top 12 inches must be constructed of a lattice material.



### 7 FT. Fence Elevation

- The redwood material can be left in a natural state (unfinished) or be stained. Paint colors that complement the house design and color may also be acceptable.
- Chain link, wrought iron, or decorative fences may be used on other portions of the property.
- Rolled plastic, chicken wire, and other inexpensive fence types may not be used where visible from the street.
- Walls constructed of masonry that function as a fence may be permitted, depending on the design, color, and size.
- Retaining walls over 3' in height will require an engineering permit as per the building code.
- The ARC will evaluate each fence or wall project on a case-by-case basis. The construction of a fence or retaining wall is subject to local ordinances.

### Retrofit or Modification of an Existing Fence:

The addition of a 12-inch lattice frame to extend the height of an existing 6' fence is allowed *only* if the frame can be integrated with the fence structure. This may require replacement of the existing fence posts with longer posts. **Installation of the lattice frames without proper support is both unsafe and unattractive and will result in enforcement action.** An Architectural Approval Request must be submitted for retrofit or modification of an existing fence.

## Sheds & Storage Buildings

- Construction of a shed or other storage building that will be visible from the street must be approved by the ARC. Shed construction is also subject to local ordinances
- Sheds are not permitted in the front yard.
- Sheds, if visible from the street, and within 25' of any fence, must not exceed 7' in height and 8' in width.
- Colors are to be natural or earth tone and blend in with the surrounding fence, foliage, and home.
- Masonry and brick structures are not permitted.

## Landscaping (General)

- Landscaping rules apply to all portions of the lot forward of the house and the fence dividing the front yard from the side and rear of the house (the front yard).
- A barren plot of ground is not considered landscaped. Selection of ground cover material for large areas visible from the street must be approved by the ARC.
- Minor landscaping projects such as tree maintenance, gardening, or lawn care are not governed by the ARC. Check with the ARC to be sure.
- Significant landscaping projects include but are not limited to:
  - Use of heavy equipment, including tractors, grading equipment, cement trucks, rototillers, and other professionally operated power equipment.
  - Excavation above and beyond holes for trees, plants, or where powered equipment by a professional is required.
  - Installation of large or heavy hardscape components (boulders, stone work, railroad ties, etc.).
  - Erection, relocation, or replacement of fences.
  - Driveway replacement or alteration.
  - Destruction and/or relocation of any existing paving.
- Significant landscaping projects must be approved by the ARC, based on submitted plans.
- Submitted plans for significant landscaping projects must include:
  - all dimensions of hardscape, structures and planting areas
  - a list and location of plant materials in detail.
  - building material colors
  - samples (or photos) of hardscape materials to be used
- Any changes from the approved plan **must** be approved by the ARC before the project can proceed.
- Upon final completion, a final review and sign-off by the ARC is required.
- Failure to follow ARC rules may have repercussions, including possible fines or a requirement to remove the non-compliant portions.

## Lawns

- Lawns visible from the street must be maintained in a neat, orderly and well-kept condition. There can be no visible weeds, areas of dead grass or bare patches (dirt).
- Lawns should be natural turf and of a type that is suited for the area (such as Kentucky bluegrass, perennial ryegrass, or tall fescue).
- Installation of synthetic turf may be allowed depending on the proposed usage and materials selected. Use of this type of material must be approved by the ARC.
- The lawn area may be replaced by approved landscaping that promotes water conservation.
- Lawns cannot be replaced entirely by mulch or hardscape materials (such as gravel, stones or paving).

## Maintenance

All parts of the property architecture visible from the street are to be maintained in good condition. This includes paint, plants, paving, fencing, roofing, and all other components addressed by this document and/or any other component of the property architecture.

## **Holiday Decorations**

Holiday decorations must be removed within 30 days of the date of the holiday.

### ***How to Reach Us or Submit a Request for Approval Form:***

- Use the U.S. mail. Our address is:  
Bollinger Hills Homeowner Association  
PO Box 449, San Ramon, CA 94583-0449  
attn: Architectural Review Committee.
- Contact us via e-mail us at [arc@bollingerhills.org](mailto:arc@bollingerhills.org). See more info on Architecture at our website, [www.bollingerhills.org](http://www.bollingerhills.org).
- Call us at (925) 415-0847.
- Be sure to use the Request for Architectural Approval Form when requesting approval for an architectural change. The form is also on the Bollinger Hills website at [http://www.bollingerhills.org/ARC\\_Request.pdf](http://www.bollingerhills.org/ARC_Request.pdf)
- Fax the form to (925) 307-7181.



The adoption of the this Rule was moved by Director \_\_\_\_\_,  
seconded by Director \_\_\_\_\_, and passed on \_\_\_\_\_  
by the following vote.

**DIRECTORS**

Victor Petersen	Yes _____	No _____	Absent/Not Voting _____
John Youngblood	Yes _____	No _____	Absent/Not Voting _____
Jeff Kehr	Yes _____	No _____	Absent/Not Voting _____
Janet Miller	Yes _____	No _____	Absent/Not Voting _____
Mike Continillo	Yes _____	No _____	Absent/Not Voting _____

WHEREUPON, the President declares the foregoing Rule duly adopted, to be effective  
\_\_\_\_\_.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Victor Petersen, President