

# **Amesbury West Homes Association Architectural/Landscaping Guidelines, Procedure & Request Form**

The following are the guidelines, procedures and request form for approval of changes/modifications by the Architectural/Landscaping Committee (ALC) and Board of Directors (BOD) of Amesbury West Homes Association (AWHA).

Article VII of AWWA Covenants provides as follows:

“No building, fence, wall or other structure shall be commenced, erected, or maintained upon the Properties, nor shall any exterior addition to or change or alteration there in be made unless the plans and specifications showing the nature, kind, shape, height, materials, and location of the same shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by the Board of Directors of the Association, and by an architecture committee composed of three (3) or more representatives appointed by the board. In the event the board, or its designated committee, fails to approve or disapprove such design and location within thirty (30 ) days after the plans and specifications have been submitted to it, approval will not be required and this Article will be deemed to have been fully complied with.”

## **Architectural Guidelines**

The following architectural guidelines are promulgated by the Board of Directors in order to provide guidance to homeowners as the requirements imposed by the Amended Declaration of Covenants, Conditions and Restrictions of the Association. Any homeowner desiring to make any modification to the exterior of the unit and/or the surrounding land, should also refer to the Architectural Request Procedures and to complete the Architectural/Landscaping Modification Request.

Any exception to these guidelines need ALC/BOD approval. Generally, any project which essentially replaces an existing structure with the same materials, quality of construction and color will generally be approved. For example, if an existing patio fence were replaced with the same materials, colors and design, the request would normally be approved.

No improvement may be made which extends (in whole or in part) beyond the lot of the Owner making the request, unless it is permitted (and then only to the extent permitted) under the Covenants of the Association with respect to certain easements. **Please note that the lot of each unit ends at the outside of the unit's foundation. There is an easement for the roof/eave overhang into the common area.**

- All changes or modifications shall comply with City and State building Codes and Regulations.
- Any modification or addition which substantially changes the exterior appearance of a unit will only be approved if it is in harmony with the external design of not only that unit but of surrounding units and will not interfere to any significant degree with the use, sight lines or view of any other unit.
- Shutters, mullions, solar panels and invisible fences are not permitted. Large pots/urns are acceptable at the gate entry and/or either side of the garage if appropriate.

Trellises or other lawn ornaments are acceptable on the interior courtyard, but not on the outside of the fence facing the street.

**It is the sole responsibility of the homeowner to maintain and/or replace the following:**

- **Siding:** Material must be wood of the same quality and type as the original construction of the main unit. Exceptions may be made on a case-by-case basis based upon the location, quality and appearance of the substitute material (i.e. James Hardy Board, LP Smart Siding).
- **Replacement windows, sliding and hinged hung doors** must have the same style and appearance of the majority of units in the Association. The color shall match the window or door being replaced.
- **House Numbers:** must be the same throughout the Association. If the numbers do not match, the suggested numbers need to be approved by the ALC.
- **Exterior Light Fixtures:** The lights on either side of the garage door on the townhomes are to be identical. The light fixtures on the townhomes are original and will have to be replaced at the same time. A schedule will have to be set up. The lights on the patio homes are different per unit, but must be essentially of the same character and appearance as the existing fixtures or approval will be needed. Lightbulbs must be soft white in color.
- **Garage Doors:** Doors must have the appearance of the existing doors and be painted the exact color.
- **Fences:** Heights and design of fencing and gates need to be approved by both the AC and city of Shorewood, unless it is the same height/material and design as the existing fencing. Permits are still required by the city before construction begins.
- **Driveways:** It is the responsibility of the homeowner to maintain the driveway. Replacement or resurfacing of driveways will be consistent with the existing material.
- **Landscaping:** Any landscaping changes with respect to a unit which is on Association property must be approved in the same way as modifications to the buildings. If approved, any upkeep (i.e. trimming, weeding, watering, etc.) or modification or removal of the landscaping will be the sole responsibility of the owner of the unit and his/her successors.
- **Front Doors:** There are several front doors that are not painted the color of the siding. This is acceptable, but the color must be subtle and approved by the ALC.
- **Screen Doors:** If a screen door is added to a side garage door or entry door, it must be painted the same color as the siding.
- **Roofs:** Roofs, gutters and downspouts are the sole responsibility of the homeowners to replace and maintain.

## **Architectural Procedure**

All requests for architectural modifications must be made in writing, reviewed by the ALC and final approval will be issued by the BOD. Failure to obtain approval for changes (or other types of violations) can result in penalties including fines. (See: [Penalties-Article III, Section 3.c. of the AWhA Covenants](#)). The history of the Association (“AWhA”) demonstrates a high level of goodwill and a desire to do the right thing and the Board of AWhA anticipates that this will continue in the future.

- **Required Information:** Requests must include an outline of the proposed change(s), diagrams, photos, a plot plan, materials to be used, etc. to clarify or improve the committee's understanding of the proposed modification's description. All members of the ALC should be forwarded copies of the required information.
- **Timeline:** Completed requests should be submitted to the ALC at least one month prior to any work being scheduled to start. If the request is not complete or lacks a clear description, the committee will return the unapproved request and ask for clarification or additional information. The ALC is required to respond no more than 30 days after receipt of a complete request and all required information. If all information is not available, the request will be treated as a new submission with a new 30 day period for consideration.
- **Architectural Committee Response:** The ALC meets on an as needed basis. All requests will be reviewed and the ALC will make a recommendation to the BOD for approval or disapproval. The BOD will then notify the homeowner with its decision via email. For major items, as determined by the ALC, the ALC will notify and discuss the proposal with the homeowners that share a common wall(s), or others whom the ALC considers might be affected in a substantial way. The ALC will consider any and all comments and/or concerns of those homeowners. ALC members who might be affected in regards to a specific request will recuse themselves.
- **Compliance Inspection:** All modifications are subject to a compliance inspection upon completion of the project. If the project as completed is not in accordance with the submission and approval by the BOD, this will be considered a violation of the rules and subject to fines until corrected. **All changes or modifications shall comply with City and State building Codes and Regulations.**
- **Record keeping:** It is the responsibility of the homeowners to maintain a copy of the architectural approval letter, application and relevant correspondence. Additionally, all city and State permits that were required are to be held by the homeowner.

# Architectural/Landscaping Modification Request Form

Date: \_\_\_\_\_

Homeowners Address: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Describe Project Requested (or see attached description):

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List and attach supporting documents (all plans, photos, vendor quotes, etc): \_\_\_\_\_

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Will you be obtaining building permits?

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Declaration and Agreement by Applicant: the undersigned agrees, as a condition of approval of this application, that to the best of the information and belief of the applicant, the proposed architectural modification request complies with the rules and regulations of Amesbury West Homes Association. The undersigned also agrees to indemnify and hold harmless Amesbury Homes Association and its representatives from all claims, losses, liabilities, and cost which may be caused by or related to any architectural modification done by the homeowner. The undersigned also agrees to reimburse Amesbury West Homes Association for any claims, losses, and liabilities related to installation, maintenance, repair, use, removal and/or replacement of any architectural modification. The undersigned agrees that all modifications will be done in a professional manner and will comply with all ordinances, regulations, and building permits from the city of Shorewood, Minnesota. The undersigned will also obtain all necessary permits before starting any work on the property. The undersigned also will notify Amesbury West Homes Association when the project is completed and ready for inspection.

Homeowner's

Signature: \_\_\_\_\_

NOTE: The above request can be mailed, e-mailed or delivered by hand to the members of Amesbury West Homes Association Architectural/Landscaping Committee: Please see the AWhA Website for the current ALC or contact a member of the BOD for information.

The remainder of this form will be completed by the architectural/landscaping committee of AWhA.

Date Reviewed and Voted upon by Board of  
Directors: \_\_\_\_\_

Approved with the Following  
Conditions: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Disapproved for the following  
reasons: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Project completion date (reported by  
homeowner): \_\_\_\_\_

Compliance Inspection Date: \_\_\_\_\_

Format and layout of this document approved by the AWHHA Board on January 3, 2023 for  
posting on the AWHHA website and distribution by e-mail to all AWHHA members for use on  
and after January 3, 2023.

/s/ Juliana Kottke, AWHHA Secretary