

# Neighborhood Architectural Rules and Guidelines

**St. Andrews at Bernardo Heights Homeowners'  
Association  
2012**



March 2012

## Neighborhood Architectural Rules and Guidelines

---



## **Table of Contents**

### **1 BACKGROUND AND PROCESS**

1.1	Foreword .....	1
1.2	Neighborhood Architectural Committee .....	2
1.3	Amendments .....	2
1.4	Variance Request.....	3
1.5	Completion Inspection .....	4
1.6	Enforcement.....	4

### **2 SPECIFIC GUIDELINES**

2.1	Air Conditioners.....	5
2.2	Antennas.....	5
2.3	Attic Ventilation .....	5
2.4	Solar Collectors and Photovoltaic Panels .....	5
2.5	Fireplaces, Chimneys and Flues .....	6
2.6	Storage Sheds and Greenhouses .....	6
2.7	Gutters and Downspouts .....	6
2.8	Lighting - Exterior Walkway and Security .....	7
2.9	Landscaping and Irrigation .....	7
2.10	Fences .....	7
2.11	Painting.....	9
2.12	Doors and Gates .....	10
2.13	Windows, Window and Door Shades, and Awnings.....	11
2.14	Decks Patios, Patio Covers and Ground.....	12
2.15	Spas and Swimming Pools .....	13
2.16	Room Additions.....	15
2.17	Other Restrictions.....	14

### **EXHIBITS**

Exhibit B	Application for Architectural Improvement	15
Exhibit C	Notice of Completion	16
Exhibit D	Satellite Dish Installation and Maintenance	17

## **1 BACKGROUND AND PROCESS**

### **1.1 Foreword**

This document supplements information found in three general places of the Covenants, Conditions and Restrictions (CC&R's) applicable to St. Andrews Homeowners' Association. They are as follows:

Reference A	The Community Association of Bernardo Heights (CABH)– Architectural Rules & Guidelines
Reference B	Declaration of Covenants, Conditions and Restrictions for the Community of Bernardo Heights – Article VIII
Reference C	Declaration of Covenants, Conditions and Restrictions for St. Andrews – Article V, VII, and IX
Reference D	City of San Diego Municipal Code

This document highlights those conditions and restrictions each homeowner should know when planning, constructing, modifying and maintaining any exterior improvement to their lot. Moreover, these rules are deemed to be in effect as of the date of implementation, and supersede any previous regulations. However, any approved architectural changes installed by homeowners prior to this date will be considered to be in compliance. The CABH Architectural Rules and Guidelines must be complied with in every case. Adherence to these Rules and Guidelines will assure homeowners of the distinctive, neighborhood intended by the developer and expected by all who live here. No architectural rule or guideline can supersede Section V of the Community Association of Bernardo Heights CC& R's.

## **1.2 Neighborhood Architectural Committee**

The Neighborhood Architectural Committee was established in accordance with the rules of the CC&R's and is the first point of contact for a homeowner when considering any exterior improvement to their lot. The Architectural Committee consists of three (3) members of the community, two (2) of whom are not members of the Board of Directors. All requests must be forwarded to the committee via the management company.

All requests shall be **in writing** using the “**Application for Architectural Improvement**” form published by the CABH (**See Exhibit “B”**) using the procedures specified in this supplement. Notification of adjoining neighbors shall accompany the improvement plan. It is requested that their signatures of acknowledgement appear on the improvement plan form. The plan should be submitted with a description of the proposed improvements. The plan should be prepared on an 11”by 17” paper at a scale of not less than 1”= 10’ and include an outline of the house with the side, rear and front yard boundaries clearly marked. Plants, fences, irrigation and drainage conveyance must each be clearly delineated. Three copies of the plan shall be submitted for approval. The completed plan shall be submitted to the St. Andrews Homeowners’ Association, Architectural Committee in care of the management company.

**Special Note:** It is each owner’s responsibility to obtain City Building Department Permits where required. Each plan must note which improvements, if any, require a permit. Rulings on permit requirements are obtained from the San Diego Building Permit Department (telephone: 619-446-5000).

The Neighborhood Architectural Committee may, from time to time, and at it’s sole discretion; adopt, amend and or repeal, by unanimous vote, rules and regulations to be known as “Neighborhood Architectural Rules and Guidelines” as well as any fees required to process plans, specifications or approvals. Reviews are subject to the approval of the homeowners and applicable California law.

## **1.3 Amendments**

This supplement to the rules and guidelines may be amended to reflect the wishes of the homeowners from time to time. It is expected that such changes will not be in any way lower than the architectural standards of the neighborhood.

## **1.4 Variance Request**

This supplement contains a procedure whereby a homeowner may request a variance to their improvement plan if unique circumstances exist. In those cases, the following procedure shall apply:

**1.4.1 A Homeowner must apply in writing for a variance to the rules and guidelines giving sufficient specific detail for a complete evaluation. If a City of San Diego Building Permit is required, the homeowner must so state and specify that one will be obtained if variance approval is granted.**

**1.4.2 The St. Andrews Homeowners' Association Architectural Committee will arrange for a hearing date with the Board of Directors to rule on the variance request and take the following actions:**

***1.4.2.1 Notify the homeowner(s) living within 300 feet, (by address and lot number), that a variance request is being submitted and the lot number for which the request is made.***

***1.4.2.2 Conduct a special investigation of the variance request.***

**1.4.3 The Board of Directors will hold a hearing to rule on the variance request. The hearing will include at a minimum the following:**

***1.4.3.1 The homeowner requesting the variance gives a presentation and gives reason(s) why a variance should be granted.***

***1.4.3.2 The Architectural Committee reports a recommendation for or against the request.***

***1.4.3.3 Hear presentation(s) from any other homeowner(s) affected by the variance including recommendations for or against the variance.***

***1.4.3.4 Forward their conclusions and recommendations to the Board.***

The Board of Directors will render its ruling for or against the request for a variance giving the reason(s) or special conditions that apply.

The ruling of the Board of Directors shall be final and binding on all interested parties.

### **1.5 Completion Inspection**

Upon completion of the approved improvement, the homeowner shall arrange with the Architectural Committee, an inspection of the improvement to ensure compliance with the improvement plan. A **Notice of Completion (NOC)** (see **Exhibit C**) received from the CABH Architectural Committee will be initiated and forwarded to them. The NOC will be provided as per the timelines of the CABH.

### **1.6 Enforcement**

Enforcement of the rules and guidelines of this supplement is in the best interests of all homeowners in the neighborhood. It is expected that notification by the Board of Directors of a violation of the rules and guidelines will receive immediate voluntary correction by the homeowner because everyone benefits if all homeowners support and obey the rules.

Enforcement will proceed when voluntary correction of a violation is not completed within 30 days of notification. The Board of Directors may levy an assessment against the homeowner after notice and hearing to enforce the rules.

In the unlikely event that a correction is still not achieved within the above timeframe, then Article VII, Section 3 will apply and will be implemented at the direction of the Board of Directors.

**Each homeowner is reminded that in the event legal action is commenced to enforce the provisions of this declaration, the prevailing party shall be entitled to costs of suit and reasonable attorney's fees.**



## **2 SPECIFIC GUIDELINES**

### **2.1 Air Conditioners**

- 2.1.1 Units extending from windows are not permitted.**
- 2.1.2 Condensers and other equipment are to be screened from address street views where possible by landscaping or fencing.**
- 2.1.3 Air conditioning equipment is to be installed in the position designated by the developer.**

### **2.2 Antennas**

- 2.2.1 Exterior antennas are not permitted.**

### **2.3 Attic Ventilation**

Ventilators or other mechanical apparatus requiring roof installations are to be as small as is functionally possible and painted to match the roof color. Units should be located on the least visible side of the roof and may not extend above the ridgeline.

### **2.4 Solar Collectors and Photovoltaic Panels**

- 2.4.1 Solar Collectors are to be placed flush with and in the same plane as the roof slope.**
- 2.4.2 All plumbing lines from collectors to the tank must be concealed and or matched with the surfaces on which they are mounted.**
- 2.4.3 Community area trees will not be altered to facilitate solar collectors.**
- 2.4.4 No more than two collectors shall be used by any one homeowner/home.**

- 2.4.5 Photovoltaic panels, solar fans, and solar energy systems must be placed in the most unobtrusive location as long as there is no unreasonable compromise of its efficiency. All miscellaneous appurtenances such as conduits and electric box panels must be made of durable materials, weatherproof and painted to match the surfaces on which they are mounted.**

## **2.5 Fireplaces, Chimneys and Flues**

The exterior appearance of a fireplace must match the existing or new structure. Where metal flues are used for prefabricated fireplaces, the roof vent must conform to City code. .

## **2.6 Storage Sheds and Greenhouses**

Greenhouses, and large or permanent storage sheds are not permitted without the approval of the Architectural Committee and the Board of Directors.

Portable storage sheds may be kept in the side yard but may not be taller than the lot fence or be visible from the street. They, as well as other apparatus related to gardening and storage should be out of neighbor's view.

## **2.7 Gutters and Downspouts**

Gutters and downspouts must be painted to be compatible with the stucco finish of the house. Runoff from gutters must not affect adjacent property.

## **2.8 Lighting – Exterior Walkway and Security**

- 2.8.1** Seasonal lighting must be removed by fifteen (15) days after the holiday.
- 2.8.2** Lights should not be directed outside of or away from homeowner's property.
- 2.8.3** Fixtures should be compatible with the style and scale of the home.
- 2.8.4** Lighting plans should include the wattage of lights to be used, and the area to be illuminated and location should be specified.

## **2.9 Landscaping and Irrigation**

- 2.9.1** Trees and shrubs should be selected and planted so as not to unreasonably obstruct the view of or impact adjacent neighboring lots or common area(s). Trees and shrubs should not extend into the neighbor's or common area(s) and should not cause undesirable refuse or droppings on neighbors or common area(s). Examples are, but not limited to, olive fruit, and eucalyptus and liquid amber droppings. Plants shall not encroach on walkways or block walkway lighting.
- 2.9.2** Irrigation and drainage lines should not be exposed and are to be subsurface.
- 2.9.3** Drainage flow is to be directed such to prevent runoff onto adjacent or common area properties. Runoff must be directed toward the street and city sewer system.
- 2.9.4** Landscape plans shall include the listing of plant; the location of the plant on the lot; the size of the plant at maturity, the planter dimensions; material and construction and details of the irrigation lines and drainage.
- 2.9.5** Rockscapes and Xeriscapes are permitted, but should predominantly consist of vegetation. Artificial turf is only permitted in the rear yard. Composition of all artificial materials including representative samples of material must be submitted to and approved by the Architectural Committee. Additionally, installation of artificial turf must be performed by a contractor licensed and bonded to perform this type of installation and must conform to industry standards.

## **2.10 Fences**

All fences shall be designed and constructed to maintain the architectural appearance of St. Andrews. The maintenance and or the replacement of all fences, including the perimeter fence is the sole responsibility of the individual homeowner and must be done routinely and in a timely manner. The fence and the stucco base must be regularly maintained. Portions of metal or stucco which are significantly rusted or corroded, markedly flaked, chipped, or cracked should be repaired or replaced.

The perimeter fences may be replaced only with like style, color and measurements. A perimeter fence may not be removed on a permanent basis.

Location of the fence, appearance, lot topography and compatibility with other structures will be carefully studied by the Architectural Committee before approval is given so as to prevent unreasonable infringement on the rights of neighboring owners.

**2.10.1 Fence materials shall be masonry or wood frame with stucco finishes to match the perimeter wall. The slat portion of the perimeter fence must be constructed of steel, aluminum or vinyl, while the base must be a mason block with stucco finish. The color of the metal portion must match the rest of the perimeter fence.**

**2.10.2 While the builder originally provided rear yard perimeter fencing, the homeowner may add additional side yard fencing and must adhere to the following rules:**

**2.10.2.1 No wood fences shall be constructed or permitted to remain on any lot. Any fences or walls shall be constructed of wrought iron, masonry block, stucco or combination of these materials. Where trellises, fences, hedges or walls are permitted, review and approval by the Board in relation to normal enjoyment of view by other lot owners shall be required.**

**2.10.2.2 The location of side and rear yard fences shall be set back a measurable distance from the adjoining property line (usually 1" minimum). Public street parking (typically 10 feet from the curb edge) shall not be encroached upon with permanent structures such as walls, planters and the like. Owners on both sides must approve any significant changes made to an existing "common fence" (a fence sharing a property line). A homeowner may, on their side of the fence, complete any reasonable repairs and or maintenance of this fence. Duplication of a fence(s) between two contiguous properties is prohibited.**

**2.10.2.3 The dimensions of solid side yard fences shall not exceed 6 feet in height from the front edge of the house to 10 feet rearward of the house but in no case higher than 6 feet from the ground, unless it is necessary to conform to existing building codes. The height of the fence is measured from the foundation on which it is constructed per City of San Diego Building Code.**

## **2.11 Painting**

All exterior paint to the main structure shall be one of the approved colors listed below. Prior to the start of any exterior painting, a request must be submitted in writing, for approval by the Architectural Committee. Building, trim or accent trim that does not conform to the approved current color schemes completed prior to March 1, 2004 must conform to the approved colors the next time repainting or fog coating is done.

Stucco must be painted or color coated to match one of the following approved colors with (*approved trim colors*) Arizona White (*Crisp Khaki*), White (*Sawyer's Fence*), Sandy Lane (*Arizona White*), Swiss Coffee (*Arizona White*), White Shadow (*Botany Beige*), Meadowlark (*Clay Beige*), Crisp Khaki (*Sawyer's Fence*), Sienna Sand (*Botany Beige*). The trim colors listed may also be used as the primary color for the stucco.

The following are Frazee paint codes but other paint companies can mix comparable colors that can be used. White/001, White Shadow/181, Arizona White/182, Swiss Coffee/487, Sandy Lane/8211W, Meadowlark/8231M, Clay Beige/8721, Botany Beige/8221W, Sawyer's Fence/8231W, Crisp Khaki/8233M, Sienna Sand/8223M.

## **2.12 Doors and Gates**

- 2.12.1** Front entry doors are to be stained the original oak color or a suitable wood color. Wrought iron and or glass may be included in the door and are permitted.
- 2.12.2** Garage doors are to be painted to match the stucco color of the home or of the trim. The frame around the garage door may be painted the same color as the stucco or an alternative color to match the approved trim colors. Windows are permitted in the top 25% of the garage as follows:
  - 2.12.2.1** Plain, Frosted or Opaque glass may be used in the glass portion of the doors.
  - 2.12.2.2** The configuration must match the front windows of the home and must be uniform in shape, being either short or long. They are to be Martin Windows: Virginian/Ranch Virginian and the Sherwood/the Sherwood Short.
- 2.12.3** Security screen doors or swing style screen doors on front entry doors are prohibited. Retractable screen doors are acceptable provided the frame is compatible with the stucco color of the home.
- 2.12.4** All entrance gates that are visible from the street address of the house shall be wrought iron, wood or mono-extruded vinyl or it's equivalent and painted to match or compliment existing perimeter wall color. Gate designs should be consistent with the Architectural appearance of the neighborhood.

## **2.13 Windows, Window and Door Shades, and Awnings**

Windows, window treatments, window and door shades and awnings must be maintained. Damaged glass panes and or frames must be replaced with equivalent materials and be compatible with the style and color of the residence.

**2.13.1 Wrought iron bars are prohibited on windows.**

**2.13.2 Awnings and shades are only permitted in the rear of the home. Awnings should be constructed of sun and mildew resistant material such as “Sunbrella outdoor fabric” or it’s equivalent. The appearance of both the awnings and shades must be compatible with the style and color of the house.**

**2.13.3 Interior window treatments must be maintained especially as viewed from the street.**

## **2.14 Decks Patios, Patio Covers and Ground**

Patios, patio covers and decks are to be located only in rear yards.

Architectural application shall include at a minimum the location, a listing of materials, drainage details and the dimensions. Obstruction of the view of adjacent neighbors shall be considered when reviewing applications for patio covers.

**2.14.1 Provisions for drainage are to be made to prevent standing water or runoff to adjacent properties,**

**2.14.2 Railings are permitted providing no cover is installed.**

**2.14.3 Patios with solid covers are permitted up to 400 square feet providing other requirements of this supplement are met.**

**2.14.4 Up to two skylights of a size that is in proportion to the cover are permitted on solid covers.**

**2.14.5 No fences or siding of any type is permitted between support posts of solid covered patios.**

**2.14.6 Support post shall not exceed 6" X 6" and not less than 8 feet apart.**

**2.14.7 Metal or fiberglass covers shall not be permitted however support beams may be metal or fiberglass.**

**2.14.8 All exposed wood of patio covers shall be painted the same color as the house stucco or the wood trim of the house.**



## **2.15 Spas and Swimming Pools**

- 2.15.1** Permanent above ground pools are prohibited.
- 2.15.2** Portable or aboveground spas are permitted.
- 2.15.3** Pool or spa equipment is to be placed so as not to disturb nearby homeowners.
- 2.15.4** *All fences and gates must conform to applicable city codes and requirements.*
- 2.15.5** Pool and Spa equipment is to be enclosed.
- 2.15.6** Plumbing lines to the pool or spa must be subterranean.
- 2.15.7** An application for a pool or spa must include the following information:
  - 2.15.7.1** *The location of the pool or spa in relationship to existing structures and property lines*
  - 2.15.7.2** *The dimensions of the pool or spa*
  - 2.15.7.3** *The drainage detail*
  - 2.15.7.4** *The material for the decking*
  - 2.15.7.5** *The location of equipment and shed details*
  - 2.15.7.6** *The detail of the fencing to surround the pool or spa*

## **2.16 Room Additions**

- 2.16.1** Additional rooms are to be compatible in scale, material and color of the applicant's existing structure.
- 2.16.2** The location of the addition is not to impair the view, sunlight or natural ventilation of adjacent homeowners/properties.
- 2.16.3** The architectural design of the addition must relate well with existing structure and openings such as windows, doors roof slopes etc.
- 2.16.4** Any change in the grade that will affect drainage is to be clearly noted in the application.

## **2.17 Other Restrictions**

- 2.17.1** Permanent barbeques are permitted in rear yards only and must be compatible with the color of the house. Placement should be made such to avoid smoke drift to adjacent homes. Applications to install a barbeque should include dimensions, color, materials and the location on the lot. The constructions should comply with applicable local code.
- 2.17.2** Exterior satellite equipment measuring more than 36" in diameter is not permitted. (Please see Exhibit D for current satellite dish policy).
- 2.17.3** Playground equipment is permitted in rear yards only. Portable basketball equipment may be used in the driveway but should be removed when not in use for periods of more than 2 days. Permanent basketball installations are not permitted in the front of a home.
- 2.17.4** Holiday flags may be flown for the week prior to and the week of said holiday (excluding seasonal décor). The American flag must be flown in accordance with federal guidelines.
- 2.17.5** Mailboxes are to be standard size, white only with black or white address numbers on the post or box. Standard USPS Lock Boxes may also be used. The posts are to be painted white, and the integrity of the posts must be maintained.
- 2.17.6** No rubbish or debris of any kind shall be placed or permitted to accumulate or adjacent to a lot or in a common area. No odors shall be permitted to arise therefore, so as to render any lot or portion thereof unsanitary, unsightly, harmful or detrimental to any of the property in the vicinity.
- 2.17.7** Power equipment such as mowers, trimmers, blowers, saws, drills or comparable tools must not be used prior to 8:30 a.m. or after sundown in consideration of our neighbors.
- 2.17.8** Trash and recycling containers should be placed in an area not visible from the street except on designated pick up days. They should be placed at the curb *no earlier* the evening before pick up day. They should be removed from the curb by the end of the pick up day.
- 2.17.9** Advertising signs for contractors providing homeowner services are not permitted. Standard real estate signs compatible with CABH regulations and political signs if removed within 5 days of an election are permitted.