

RESOLUTION

A Resolution of the H.O.A. of “The Villages At Barrington Downs”

The Trustees of the Villages at Barrington Downs do hereby establish an Architectural Control Committee (ACC) as authorized by the Sub-Indentures of Trust.

Such committee shall consist of a minimum of three Trustees and a minimum of three homeowners, all of whom shall be appointed by the Board of Trustees at a regular meeting, so recorded in the minutes of that meeting. Any other homeowner or Trustee who wishes to participate may do so, but shall maintain advisory status only unless appointed to the ACC by the Board of Trustees at a regular meeting.

There shall be, for proper order, the positions of Chair and Secretary established. These positions will be selected by the ACC members with the position of Chair being filled upon concurrence of the Board of Trustees. There shall be at least one regularly scheduled meeting of the ACC per month. There shall be minutes for each meeting recorded, listing each request submitted, type of request, accepted or rejected (with reason why) or any other action taken. These minutes must be presented to the Board of Trustees for inclusion in the regular meeting minutes.

ACC APPROVAL shall require a majority.

REJECTION shall require a majority.

ACC may not consider any requests specifically reserved by the Sub-Indentures for a decision by the Trustees.

ACC must use the Sub-Indentures and the established Architectural Review Guidelines in their decision making.

ACC may deny variance requests but not grant such requests without Board approval.

ACC is responsible for notification to homeowners of approvals, rejections and violations. (Refer to violation and fines policy.)

ACC is responsible for reporting such violations found to the Board of Trustees, at each meeting, for proper enforcement.

Design review and architectural control, properly exercised by the Association, protects property values, and preserves the attractive and harmonious design of our community.

DEFINITIONS

Barrington HOA – The private, mutual benefit Not-for-Profit Corporation that is established by the Trust Indentures/Sub-Indentures of the Homeowners Association of “The Villages at Barrington Downs”, and any amendments.

Homeowner – the owner of a lot or living unit (residence) governed by the Barrington HOA.

Resident – any occupant of a residence governed by the Barrington HOA. This includes individuals who rent a residence from the homeowner. An occupancy permit issued by St. Louis County is required to rent any residence governed by the Barrington HOA.

GOVERNING ARTICLES

The governing articles are those as set forth in the Trust/Sub-Indentures and those policies established by the Trustees as set forth under Article V of the Sub-Indentures. The Board of Trustees have the authority and the right to charge a security deposit to insure completion of the improvements including but not limited to, swimming pools, retaining walls, additional rooms, greenhouses, sunrooms, porches, etc. and the repair of any common areas damaged.

ASPECTS AND OBJECTIVES OF REVIEW

The Architectural Control Committee and Trustees in examining the application and design for approval will consider the various aspects of design with special emphasis on the following objectives.

1. Landscape and Environment: To prevent the unnecessary destruction or blighting of the natural landscape or of the achieved man-made environment.
2. Relationship of Structures and Open Spaces: To ascertain that the treatment of a built-up and open space is designed so that they relate harmoniously to the terrain and to existing buildings that have a visual relationship to the proposed development.
3. Protection of Neighbors: To protect neighboring owners and users by making sure that reasonable provision has been made for such matters as surface water drainage, sound and sight buffers, the preservation of views, light and air and other aspects of design, which may have substantial effects on neighboring property.
4. Compliance: To ensure that proposed structure or design conforms to the Trust/Sub-Indentures.

ASSOCIATION REQUEST PROCEDURES

1. Homeowner must obtain a "Request for Additions or alteration to Lot" from the Clubhouse office. A separate form is required for each project.
2. Homeowner must fill out the form and attach the following:
 - a. A detailed drawing (top, front and side views, except fences) of the improvement or alteration with dimensions.
 - b. A list of materials.
 - c. A copy of the Plot Plan of the property, showing the improvement drawn in place.

3. The completed request package is then returned to the Clubhouse office by the homeowner, where it is stamped with the date of receipt.
4. The complete package is then examined by the Architectural Control Committee for approval or in the case of disapproval, the reason(s) for disapproval.
5. ACC must forward complete application after approval or disapproval by A.C.C to the Board of Trustees for their approval or disapproval.
6. The homeowner is then notified via mail, of approval or disapproval.

This entire process can take up to but not exceed the 45 -day limit set by the Sub-Indentures. In the case of disapproval, a letter stating such will be sent certified, return receipt requested, to the homeowner. The homeowner may appeal the decision at the next regular meeting of the Trustees by notifying the ACC committee, clubhouse manager or the Board of Trustees at least two days prior to the meeting.

Copies of all forms and correspondence dealing with Architectural review and approval will be kept at the Clubhouse.

ST. LOUIS COUNTY BUILDING PERMITS GUIDELINES

1. Request and prepare a building permit application for a St. Louis County Building Permit which is obtained from the St. Louis County Dept. of Public Works office.
2. Obtain zoning approval from St. Louis County Dept. of Public Works, where applicable.
3. Prepare and submit four (4) separate copies of detailed building construction plans drawn to scale containing the following:
 - a) Site Plan (approved by St. Louis County - if applicable.)
 - b) Foundation or pier plan for sundeck @ 1/4" = 1'0".
 - c) Deck floor/framing plan @ 1/4" = 1'0".
 - d) Sectional details and/or other details as part of the plan submitted provide a checkmark (x) in the box located in the right hand corner of the detail drawing and complete the pertinent information requested.
 - e) Section through complete stairway @ min. 3/4" = 1'0".
 - f) Elevations @ min. 1/4" = 1'0".
4. The following are common code requirements that need to be indicated on the site plan and building constructions plans:
 - a) Guardrails (minimum of 36 inches in height) shall be provided around the perimeter of the deck and along the stair (if provided) when the deck floor is more than 15 1/2" above either the finished grade or a lower deck level.
 - b) Open guards shall have vertical balusters spaced less than 4 inches apart, or other infill construction, such that a 4 inch diameter sphere cannot pass through any opening. Infill construction on guards shall not have an ornamental pattern or be constructed in such a manner as to provide a ladder effect.

COMMON GROUND

1. Private or commercial signs are not allowed at any time.

2. Garage Sale signs are allowed up to two (2) days prior to the event, to be removed immediately after event.
3. For Sale or For Rent are only allowed on private property.
4. Election signs allowed for limited time period, as provided by St. Louis County voting laws.
5. No permanent or temporary structure belonging to a homeowner/resident of any kind are allowed to be installed, built, stored or in any way infringe upon Common Ground.
6. Removal or trimming by homeowners/residents of shrubs or trees located upon Common Ground are permitted only with the express permission of the ACC or Board of Trustees.
7. Basketball hoops cannot be used, placed or stored on Common Ground.
8. No compost bins allowed on common ground.
9. No discharge of firearms on common ground.

REVIEW CRITERIA

The Architectural Control Committee and/or the Trustees will evaluate all submissions on individual merits and are not based on personal opinion or taste. Besides evaluation of the particular design proposal, this includes consideration of the characteristics of the housing type and the individual site, since what may be an acceptable design of an exterior in one instance may not be for another. Failure to comply completely with these policies can subject homeowner to fines and legal action by the Barrington HOA.

Judgments of acceptable design are based on the following criteria, which represent in more specific terms, the established general standard.

RELATION TO THE NATURAL ENVIRONMENT

Factors such as the removal of trees, disruption of the natural topography and changes in rate of direction of storm water run-off, also adversely affect the natural environment.

CONFORMANCE WITH COVENANTS

All applications are reviewed to confirm that the project is in conformance with the Declaration.

VALIDITY OF CONCEPT

The basic idea must be sound and appropriate to its surroundings.

DESIGN COMPATIBILITY

The proposed improvement must be compatible with the architectural characteristics of the applicants' house, adjoining houses, and the neighborhood settings. Compatibility is defined as similarity in architectural quality of workmanship, similar use of materials, color and construction details.

DEFINITION OF STRUCTURE

"Anything constructed or erected, the use of which requires permanent location on or in the ground of attached to an object(s) having permanent location on or in the ground. Including, but not limited to the generality of the foregoing; Pergolas, decks, fences, patios, basketballs goals and/or backboards, radio towers, memorials and/or ornamental structures or shrines."

All designs/structures must be submitted to the ACC for approval.

LOCATION AND IMPACT ON NEIGHBORS

The proposed alteration should relate favorable to the landscape, the existing structure and the neighborhood. Primary concerns are access, view, sunlight, vegetation and drainage. For example, an alteration may obstruct views, breezes, or access to neighboring property. Decks or larger additions may cause unwanted shadows on an adjacent patio or infringe on a neighbor's privacy. When a proposed alteration has a possible impact on adjacent properties, it is suggested that the applicant discuss the proposal with neighbors prior to making applications. It may be appropriate in some cases to submit neighbor comments along with the application.

SCALE

The size (in three dimensions) of the proposed alteration should relate well to adjacent structures and its surroundings. For example, a large addition to a small house may be inappropriate.

COLOR

Color may be used to soften intensity of visual impact. Parts of any addition that is attached to the existing house, such as roof and trim, should be of matching color.

MATERIALS

Continuity is established by use of the same compatible materials as were used in the original house.

The options may be limited somewhat by the design and materials of the original house. For instance, vertical wood siding in the original house should be reflected in the addition.

WORKMANSHIP

Workmanship is another standard which is applied to all exterior alterations. The quality of work should be equal to or better than that of the surrounding area. Poor practices, besides causing the homeowner problems, can be visually objectionable to others. Poor workmanship can also create safety hazards and devaluation of property.

TIMING

Projects that remain uncompleted for long periods of time are visually objectionable, and can be a nuisance and a safety hazard for neighbors and the community. All applications to the ACC Committee must include estimated completion dates. If such time period is considered unreasonable, the application may be rejected.

THE HOMEOWNER ASSOCIATION ASSUMES NO RESPONSIBILITY FOR THE SAFETY OF NEW CONSTRUCTION BY VIRTUE OF DESIGN OR WORKMANSHIP NOR DOES IT ASSUME ANY RESPONSIBILITY FOR COMPLIANCE WITH LOCAL GOVERNMENT STANDARDS.

ARCHITECTURAL GUIDELINES

ADD ON ROOMS/SUNROOMS

Construction shall be so as to conform to the existing house with regards to color, roofing style, roof color and not to intrude on neighbor's sight nor cause a redirection of storm water flow.

BASKETBALL BACKBOARDS and RIMS

1. Can only be attached to the rear of the residence or the garage if the garage is at the rear of the residence.
2. Shall not be permanently installed in concrete at the side or in front of the residence.
3. A St. Louis County Building Permit is not required.

PORTABLE BASKETBALL BACKBOARDS

1. Shall not be left out in front of the residence overnight.
2. Shall not be placed or erected on a public roadway or sidewalk.

CHILDREN'S PLAYHOUSES

1. Must be of "kit-type" construction and be easily disassembled and moved.
2. Must not occupy more than twenty-five (25') square feet.
3. Height must not be more than seven (7) feet.
4. Playhouse must be located at ground level (not stilts.)
5. If wooden or kit construction can be stained, left natural or if painted, must match color scheme of home's structure.
6. Location is subjected to ACC approval.
7. Structure must not be within five (5') feet of property line.
8. Must not be used for homeowner/resident storage purposes.
9. May not be built on concrete foundation without St. Louis County Building Permit.

CLOTHESLINES

Clotheslines are not allowed.

COMPOST BINS and COMPOST PILES

Prior to the erection of a compost bin, the ACC committee must approve type, size and the placement thereof on the property.

1. No composting will be allowed in a below ground pit, an open or uncontained pile.

2. All composting must be done in an above ground, storage type bin structure.
3. Total cubic feet of such bins or containers shall not exceed 75 cubic feet for the first 10,000 sq. ft. of lot size. Additional area will be considered on a case by case basis.
4. Bins shall not be placed closer than two (2) feet from the property line and anchored to prevent wind damage.
5. Bins shall not be placed where they will impede the natural flow of water.
6. Bins shall be maintained to prevent unpleasant odors. Care shall also be exercised to prevent the presence of rodents and pests. In order to help prevent the aforementioned, the use of meat scraps, nuts, manure, animal carcasses, sludge, lake or waterweeds, bones, grease, whole eggs and dairy products in the composting process shall be prohibited. Grass clippings, leaves, fruit and vegetable scraps are acceptable items for composting.

DECKS/SUN DECKS

1. All decks must be constructed of cedar, pressure treated lumber, vinyl or composite material.
2. Construction and material must comply with all existing St. Louis County regulations. (The distance from the proposed deck to the nearest lot line shall be dimensioned perpendicular to the lot line.)
3. A St. Louis County Building Permit is required.

DOG/ DOG HOUSES

1. Dogs are not permitted to remain outside of residence overnight.
2. Dog houses must be located at ear of house that is not viewable from a street position in front, center of house. St. Louis County Building permit is not required.
3. Dog owners must comply with St. Louis County Leash law.
4. Dog waste must be picked up and properly disposed.
5. Dog Runs are not allowed.

DRIVEWAY/ PARKING PADS

ACC committee will review on a case by case basis regarding placement.
St. Louis County Building Permit is required.

EXTERIOR LIGHTING

Lighting must not be directed outside the boundary of the property.

EXTERIOR PAINTING

Painting requests are reviewed on a case by case basis to ensure conformance with existing color scheme and compatibility with the surrounding housing.

EXTERIOR SECURITY CAMERAS

Cameras must not surveil another homeowner's property.

FENCING

1. Maximum height of forty-eight (48") inches for full perimeter fencing.
2. Fencing must be full perimeter. No fencing shall be erected or maintained on any lot between the rear of the building and the street(s) upon which such lot fronts, not in the case of corner lots, shall the fence extend beyond the rear corners of the residence constructed. Fencing must be within four (4") inches of the lot lines and lot corners. Lots may have exceptions at the sole discretion of the Board of Trustees. Such an exception may be where the placement of houses on two adjoining lots would cause an offset in the fence line running between the houses.
3. Cedar or wolmanized (treated wood) fencing may have any picket width up to a maximum of six (6") inches in width. The minimum open space between pickets must be two (2") inches regardless of the picket.
4. All fencing will be made only of the following materials:
 - a) Wrought iron or aluminum simulated wrought iron.
 - b) Cedar, Vinyl or Wolmanized (Treated) wood.
 - c) Picket style (Shadow box type may be allowed)
5. All picket fences to be installed with the good side facing out.
6. It is recommended that lots be professionally surveyed to assure proper fence locations.
7. All wood fences are to remain in their natural state. That is, they cannot be painted a color. They should be stained or sealed.
8. Swimming pool and patio privacy fencing will be handled by the ACC committee on a case-by-case basis. Request must be made in writing.

FENCING – ORNAMENTAL/DECORATIVE

1. May be no more than 36" in height.
2. Must have same type ornamental or decorative design to match the style of the dwelling. Primary function must be to enhance appearance.
3. Must not encompass the front yard or back yard or to be used as any type of perimeter fencing.
4. Materials must be Cedar, Treated lumber, Vinyl or Wrought Iron.
 - a. Treated lumber or Cedar can be painted or left in natural state.
 - b. Wrought iron ornamental fencing must be painted.
5. All allowed ornamental/decorative fencing must be well maintained.
6. All requests for ornamental/decorative fencing must be reviewed and approved on an individual basis.

FLAG POLES

Flag poles will be reviewed by the ACC committee on a case-by-case basis as to placement, height and color.

GREEN HOUSES

Green houses are reviewed on a case-by-case basis by the ACC committee.

MAILBOXES:

Well maintained with reasonable appearance.
Mail boxes must conform to U.S. Postal regulations.

PATIOS

Concrete must be at least four (4") inches thick and wire reinforced.

PATIO SCREENING

1. Must not be more than three feet (3') from any edge of the patio.
2. Must not be more than six feet (6') high, measured from the patio top surface.
3. Must be constructed of cedar, redwood, pressure treated lumber, or vinyl.
4. Style of screening must be compatible with presently approved fence styles.
5. Must be finished in a manner compatible with presently approved fencing policy.
6. Patio screening may only be installed on two (2) sides of the patio. One side of the patio must be open.

PORCHES

Construction should be so as to conform to the existing house with regard to color, roofing and style. St. Louis Count Building is required and must meet St. Louis County regulations. ACC Committee will review on a case-by-case basis.

RECREATIONAL AND PLAY EQUIPMENT

Any pre-manufactured equipment less than seven feet (7') in height and covering less than 100 sq. ft. is exempt from Barrington Downs design policies.

RETAINING WALLS

Retaining walls must not adversely affect water flow of neighboring property. Location, structure, design and materials must be approved by the ACC committee on a case-by-case basis.

SIDEWALKS

ACC Committee will review on a case-by-case basis regarding placement. St. Louis Count Building Permit is required.

SIDING

ACC Committee will review on a case-by-case basis to ensure conformance with existing color scheme and compatibility with housing in the surrounding community.

SIGNS

Business signs are allowed on private property for a maximum of one (1) week. No private signs are allowed on common ground at any time. Garage sale signs are allowed up to two (2) days prior to event, and must be removed immediately after the event. FOR SALE and FOR RENT signs are permitted on private property for only a limited time. Election signs are permitted pursuant to St. Louis County statutes and regulations.

SOLAR COLLECTORS

ACC Committee will review on a case-by-case basis.

STORAGE/UTILITY SHEDS

ACC Committee must approve on a case-by-case basis. Sheds will be no larger than ten feet by ten feet (10' x 10') in size. Shed must be constructed on a concrete foundation. Shed must have roofing shingles that closely match the color and type of shingles on the home.

STORM DOORS, WINDOW FRAMES and SCREENS

These components must have the same color scheme as the home.

SWIMMING POOLS

Swimming pools are reviewed on a case-by-case basis.

Placement of all equipment that pertains to operating the pool must be a minimum of ten (10') feet from any lot line.

Pool safety fencing must comply with government requirements.

No permanent above-ground pools are allowed.

STORAGE BINS/PODS/DUMPSTERS

Storage bins, pods, and dumpsters must be approved on a case-by-case basis.

SWING SETS

Any pre-manufactured swing set that is seven (7) feet in height or less, covering 100 square feet or less in ground area, are exempt from the need for ACC committee or Trustee approval. All swing sets must be placed to the rear of the existing house, located no closer than five (5) feet from lot line.

TRAILERS

Trailers must not be parked on the grass area of home's yard at any time.

Trailers are permitted to be on residential property overnight.

TRASH BINS/RECEPTACLES

Trash bins/receptacles must be stored/placed behind or adjacent to side of residential structure so as not to be visible from the street of residence.

TRASH BIN/RECEPTACLE SCREENING

1. Must be less than five (5') feet in height.
2. Must prevent trash receptacle from view from street curb, located at the front entrance in the center of the property.
3. Must have one side open without a gate.
4. Constructed of Cedar, Redwood, Pressure treated lumber or Vinyl.
5. Landscaping or shrubs may be used in lieu of fence to obscure trash bin.

VEHICLES - PARKING/STORING

No vehicles/boats/trailers/camper shells/motorcycles of any type are permitted to be stored overnight on any grass area of home's property without specific permission of the ACC or the Board of Trustees.

PICKUP TRUCKS

Will be exempt from these restrictions and may be parked in home's driveway.

CAMPERS/CAMPER SHELLS

Campers/Camper Shells that will clear a standard residential garage door will be exempt from this restriction.

COMMERCIAL VEHICLES

Any vehicle that is painted or signed to advertise a business, has been modified to handle any type of commercial equipment such as tool boxes, ladder racks, side boxes, utility beds, or mechanized beds are not permitted to be stored on home's driveway, unless placed inside a garage of the residence. Such commercial vehicles that are used for homeowner's/resident's employ may be parked overnight at the residence to facilitate the homeowner's/resident's employment.