

# Abbington Downs Homeowners Association

P.O. Box 1264, Madison, AL 35758

January 25, 2022

Dear AHDA Homeowners,

The ADHA Board sends greetings of health and wellness to all our neighbors as we start this new year!

The board recently distributed for approval three potential changes to our current Abbington Downs Homeowner Restrictions. The vote for each proposed change required at least 68 approval votes to be enacted by the ADHA. The final voting has been tabulated and verified, with 83 properties voting to approve/disapprove, and 19 properties abstaining (vote registered as disapproval). The ADHA proposed changes that were distributed for consideration are provided at Addendum 1 for quick reference.

The voting results are provided in the diagram below. The proposed changes to Para C-1 **are not approved**, and changes to C-8 and C-17 **are approved**. The Board also received comments/suggestions from several neighbors and City Planning that the Board may include in the ADHA restriction update. The comments do not impact the intent of the proposed changes but may add some positive aspect to the change (ex. allowing electrical connection to the accessory building, as approved by building code and permit; and accessory buildings must be kept off and at least a foot from easements and not closer than 4 feet from lot lines).

## Voting Results

C-1		C-8		C-17	
64	38	70	32	76	26
Yes	No	Yes	No	Yes	No
Not Approved		Approved		Approved	

Our next steps are to draft up the ADHA Restrictions and file them with the County. The Board will distribute the updated Restrictions once that process is complete. Until such time, please do not take any action on the approved changes.

Thanks to all for participating.

**The ADHA Board**

## Addendum 1

**Disapproved** - Paragraph C-1 of the ADHA Restrictions currently reads as follows:

***C-1 LAND USE AND BUILDING TYPE.** No lot shall be used except for residential purposes. There shall not exist on any lot at any time more than one residence. No building shall be erected, altered, placed or permitted to remain on any lot other than one detached single-family dwelling not to exceed two and one-half stories in height and a private **garage for not more than three cars.***

Language would change to reflect the following:

**C-1 LAND USE AND BUILDING TYPE.** No lot shall be used except for residential purposes. There shall not exist on any lot at any time more than one residence. No building shall be erected, altered, placed, or permitted to remain on any lot other than one detached single-family dwelling not to exceed two and one-half stories in height and a private **garage for not more than five cars.**

**Approved**- Paragraph C-8 of the ADHA Restrictions currently reads as follows:

***C-8 TEMPORARY STRUCTURES.** No structure of a temporary character, trailer, tent, shack, garage, barn, or other outbuildings shall be permitted on any lot at any time either temporarily or permanently.*

Language would change to reflect the following:

**C-8 TEMPORARY STRUCTURES.** No structure of a temporary character, trailer, tent, shack, garage, barn, or other outbuildings shall be permitted on any lot at any time either temporarily or permanently **with one exception. ADHA members desiring to expand utility storage space on their property must present for approval to the ADHA Architectural Control Committee a permanent detached accessory building plan that conforms to the following guidelines and restrictions before any such building commences on their property:**

- 1) The only accessory buildings that will be approved are permanent structures which meet the following requirements.
  - a) Maximum size: 10'x14'
  - b) Maximum height: 9.5'
  - c) Built on a concrete slab
- 2) The building exterior must be compatible with the home (no metal, plastic or plain plywood)
- 3) It must have a pitched roof (no barn style)
- 4) It is to be used for storage only, e.g., yard equipment
- 5) The accessory building location will be reviewed on a case-by-case basis; some considerations:

- a) Behind fence/not visible from the street
- b) Should normally be at least 4-6 feet from property lot/fence line (pending easement)
- c) Must avoid easements
- d) May have power or other utility connections (permits required)
- e) Neighbor comments may be required in some circumstances

**Approved** - Paragraph C-17 of the ADHA Restrictions currently reads as follows:

***C-17 LAND ELEVATION AND LANDSCAPE PLAN.** No substantial changes in the elevations of the lot shall be made without the prior written approval of the Architectural Control Committee. A detailed landscaping plan must be submitted to the Architectural Control Committee and its written approval obtained prior to the commencement of any work. Such plan must include a minimum of **seven (7) trees (4 in the front yard and 3 in the rear yard)** each being at least 8 to 10 feet in height. Front yards must be sodded. Side and rear yards may be seeded. The entire yard may be seeded however, only if a sprinkler system is installed at the same time (i.e., during initial construction landscaping).*

**Language would change to reflect the following:**

**C-17 LAND ELEVATION AND LANDSCAPE PLAN.** No substantial changes in the elevations of the lot shall be made without the prior written approval of the Architectural Control Committee. A detailed landscaping plan must be submitted to the Architectural Control Committee and its written approval obtained prior to the commencement of any work. Such plan must include a minimum of **four (4) trees (2 in the front yard and 2 in the rear yard)** each being at least 8 to 10 feet in height. Front yards must be sodded. Side and rear yards may be seeded. The entire yard may be seeded however, only if a sprinkler system is installed at the same time (i.e., during initial construction landscaping).