



From: Tuscany Hills II Property Owners Association, Inc., Architectural Control Committee (ACC)

Re: Tuscany Hills Building Requirements and ACC Submittal

Dear Homeowner:

This letter outlines the requirements for planning, constructing, and improving residential Lots within Tuscany Hills and the process for Architectural Control Committee (ACC) review and approval.

**ACC approval required.** No structure, building, fence, wall, mailbox, lot drainage works, cover, enclosure, awnings, exterior area lighting, or any exterior change or alteration (including change of color) may be made without prior written ACC approval after submission of complete plans, specifications, and plot plans showing the nature, kind, shape, height, exterior design, materials and color scheme, the horizontal and vertical location on the Lot, and the location of driveways and fencing. **The applicant must pay \$500.00 for any single initial submission of a new build and \$50 thereafter for any additions or improvements.** The ACC will approve or disapprove within thirty (30) days of receiving all necessary information, keep copies of approved materials, and act by majority vote. If the ACC fails to act within thirty (30) days after a complete resubmittal marked as such and meeting the stated conditions, approval will be presumed.

**Use and permitted structures.** Except for commercial Lots C1–C6, all Lots are for single-family residential use only. No room rentals to boarders; guests or extended family may not reside more than six consecutive weeks without written Association permission. A Lot may include one residence; a detached garage and up to two outbuildings for storage or hobby activities may be erected with ACC approval as to location and design.

**Minimum dwelling size and garages.** Minimums: one-level residences must have at least 2,200 sq. ft. on the ground floor; residences with a basement must have at least 1,900 sq. ft. on the main floor and 900 sq. ft. in the basement; two-story residences must have at least 1,900 sq. ft. on the main floor and 900 sq. ft. on the second floor. Attached garages must have space for at least three vehicles and three garage doors.

**Setbacks and building location.** No building may be located nearer to any Lot line than the minimum setback shown on the recorded plat; horizontal and vertical

building location must be approved in writing by the ACC unless constructed by or under Developer control.

**Fencing.** All fences require prior ACC approval for permission, construction, and aesthetics. Fences must be constructed of metal with masonry columns; maximum height is 48 inches; columns must be brick, stone, or stucco (or combination) spaced no less than 8 feet and no more than 16 feet apart; no fence may extend forward past the back corners of the residence; maintain a minimum five-foot buffer from Lot boundaries at sides and back, except where the back of the Lot is not adjacent to another Tuscan Hills Lot; dog runs are not permitted.

**Driveways and parking areas.** Driveways and parking areas must be concrete in ACC-approved locations; maximum of one driveway per Lot unless a second is approved by the ACC; no vehicles may be parked on gravel or grass; curb cuts must match existing design and radius.

**Landscaping.** Complete ACC-required landscaping before occupancy unless a written weather or similar delay is approved. Front and side yards must be sodded. Owners must maintain lawns and plantings; the Association may remedy and assess costs if maintenance fails. Each Lot must preserve and maintain a minimum five-foot-wide perimeter buffer yard of lawn grass (properly mowed) with trees and ornamental shrubbery; preserve all existing trees in good condition over two inches caliper at twelve inches above grade within this buffer; no structures in the buffer without ACC approval. Cutting any tree over two inches caliper requires prior written ACC approval, except for reasonable trimming or cutting necessary for approved construction. Owners must plant street-scaping trees with minimum two-inch caliper, ten feet in from rights-of-way, spaced 25–30 feet apart, selected for fall color and spring flowering; Owners must maintain and replace such trees as needed.

**Timing of construction.** Purchasers must commence construction within twelve months of purchase and complete within twenty-four months after commencement. The ACC may grant special permissions for reasonable construction schedules, but no schedule may exceed three years from acquisition; delays beyond Owner/contractor control will not violate an approved schedule if a timely written request is submitted to an ACC officer.

**Building materials and exteriors.** Roofs must be architectural composition shingles, tile, slate, or other ACC-approved materials. No “boxed” or “sheet metal” construction unless all outside walls are covered with stucco, brick, stone, or other ACC-approved materials. Exterior surface changes require prior written ACC approval.

**Garages operations.** Garage doors must remain closed except for ingress/egress and must be equipped with powered openers.

Additional restrictions frequently implicated in planning: (a) Temporary occupancy and construction staging: no trailers or temporary buildings for residence;

temporary construction structures subject to Board Rules and must be removed after completion. (b) Antennas/satellite dishes: visible-from-street devices require prior ACC approval; otherwise must be inconspicuous and within height limits unless a variance is granted. (c) Machinery and equipment: construction machinery must be actively used, stored in ACC-approved areas, and not kept between 10:00 p.m. and 7:00 a.m. without ACC permission. (d) Mailboxes: design and construction specified by ACC; all Owners must use the approved design. (e) Basketball goals and exterior lighting: no permanent goals visible from neighboring property; portable units allowed on driveways only and must be secured out of sight when not in use; exterior lighting must minimize glare and be compatible. (f) Signs: no signs without ACC approval.

**Submission logistics and notices.** Notices to the Association or ACC may be delivered by email to: [tucanyhillsnixahoa@gmail.com](mailto:tucanyhillsnixahoa@gmail.com) or to Tuscany Properties II Property Owners Association, Inc., 2036 Tuscany Ln. Nixa, MO 65714, unless changed by written notice.

Please review the enclosed ACC Application for Plan Approval and Compliance and submit a complete package for each Lot before commencing work. The ACC will not consider incomplete submittals.

Sincerely,

Tuscany Hills Board



**ACC Application for Plan Approval and Compliance Tuscany Hills II Property Owners Association, Inc.**

Instructions: Submit a complete, legible package for each Lot. ACC review will begin when all required items and fees (\$500.00 per initial new build submission or \$50 for addition or improvement) are received. No work may commence before written ACC approval. The ACC endeavors to act within thirty (30) days of receiving all necessary information.

**1. Project and Lot Information**

1.1 Lot number and street address: [\_\_\_\_\_] [City, State, ZIP]

1.2 Owner name(s): [\_\_\_\_\_] | Mailing address: [\_\_\_\_\_]

1.3 Builder/Contractor: [Company, Contact, Phone, Email, License]:  
[\_\_\_\_\_]

1.4 Project type: [New residence] [Addition] [Exterior alteration] [Fence]  
[Driveway] [Landscaping/Tree removal] [Outbuilding] [Garage]  
[Roofing/Exterior materials] [Lighting] [Other]: [\_\_\_\_\_]

**2. Required Plans and Documents**

**2.1 Site/plot plan showing:**

- (a) Property boundaries, easements, setbacks per recorded plat [attach plat reference], and proposed horizontal and vertical building locations;
- (b) Driveway and parking locations (concrete) and curb cut details matching existing radius/design;
- (c) Fence layout, materials, column spacing, heights, and five-foot buffers;
- (d) Proposed outbuildings and detached garage locations (if any);
- (e) Mailbox location at end of driveway using ACC-approved design.

**2.2 Architectural plans and exterior specifications:**

- (f) Floor plans with square footage calculations demonstrating compliance with minimum dwelling sizes (as applicable to one-level, with basement, or two-story);
- (g) Elevations with height, exterior design, and color scheme;
- (h) Roofing material specification (architectural composition shingles, tile, slate, or ACC-approved alternative);

- (i) Exterior wall materials (stucco, brick, stone, or ACC-approved materials; no exposed “boxed/sheet metal” walls);
- (j) Garage configuration showing space for at least three vehicles and three doors;
- (k) Exterior lighting plan minimizing glare and using compatible fixtures.

**2.3 Landscaping plan:**

- (l) Sod plan for front and side yards;
- (m) Perimeter buffer yard (five feet minimum) with trees/ornamental shrubs; preservation of existing qualifying trees;
- (n) Street-scaping trees: species list, caliper ( $\geq 2$ ”), placement 10 feet from rights-of-way, spaced 25–30 feet apart;
- (o) Irrigation plan for sod and plantings.

2.4 Fencing submittal (if applicable): materials (metal with masonry columns), height ( $\leq 48$ ”), column materials and spacing (8–16 feet), location relative to residence back corners and five-foot buffers, and confirmation of no dog runs.

2.5 Tree removal request (if applicable): identify each tree over two inches caliper proposed for removal, with justification (e.g., necessary for approved construction).

**2.6 Schedule:**

- (p) Proposed commencement date (must be within 12 months of Lot purchase) and completion date (within 24 months of commencement) or request for special construction schedule not to exceed three years from acquisition, with justification.
- (q) Note any anticipated delays beyond Owner/contractor control for potential written extension requests.

2.7 Signage request (if any): description and rationale consistent with community character.

2.8 Antennas/satellite equipment (if any): location, visibility, and height details or request for variance.

2.9 Temporary construction facilities and equipment staging plan, including after-hours parking/storage compliance.

2.10 Mailbox product submittal matching ACC standard.

3. Compliance Acknowledgments (initial each)

3.1 No exterior work will commence before written ACC approval. \_\_\_\_\_

3.2 Dwelling size and garage requirements will be met. \_\_\_\_\_

- 3.3 Setbacks and ACC siting approvals will be honored. \_\_\_\_\_
- 3.4 Driveways and parking areas will be concrete in ACC-approved locations, with no parking on gravel/grass. \_\_\_\_\_
- 3.5 Fencing will conform to ACC-approved materials, dimensions, buffers, and placement; no dog runs. \_\_\_\_\_
- 3.6 Landscaping, sod, buffer yard, and tree requirements will be met before occupancy unless an ACC-approved delay is obtained; Owners will maintain and replace street-scaping trees. \_\_\_\_\_
- 3.7 Exterior materials (roofing and walls) will comply with restrictions and approvals. \_\_\_\_\_
- 3.8 Construction timelines meet Section 2.6, or a special schedule request is attached. \_\_\_\_\_
- 3.9 All signs and exterior lighting require and will obtain ACC approval. \_\_\_\_\_
- 3.10 ACC fees and expenses (up to \$500 per single change/improvement) will be paid with this application. \_\_\_\_\_

4. ACC Fee and Contact

- 4.1 Fee enclosed: \$[\_\_\_\_\_] (check payable to Tuscany Hills II Property Owners Association, Inc.)
- 4.2 Primary contact for submittal: [Name, Phone, Email]
- 4.3 Delivery address for notices and submittals: Notices to the Association or ACC may be delivered by email to: **tuscanyhillsnixahoa@gmail.com** or to Tuscany Properties II Property Owners Association, Inc., 2036 Tuscany Ln. Nixa, MO 65714, unless changed by written notice.

By signing, the undersigned certifies the information is true and complete, and acknowledges that any ACC approval is limited to compliance with the recorded Declaration and ACC authority and does not constitute compliance with governmental codes or permits. ACC approval may be conditioned, and any deviation from approved plans requires further ACC approval.

Signatures Owner: \_\_\_\_\_ Date: \_\_\_\_\_  
 Builder/Contractor: \_\_\_\_\_ Date: \_\_\_\_\_