

*Pavilions of Leawood
Homes Association
Architectural Review Handbook*



COMMITTEE HANDBOOK

(updated January 2021)

Pavilions of Leawood Homes Association

*FirstService Residential
(816) 414-5300*

Completed request forms may be sent via email to modifications.csc@fsresidential.com, via fax to (816) 454-0661 or mailed to 11125 NW Ambassador Dr., Suite 200, Kansas City, MO 64153, Attn: Modifications Department

Important Community Phone Numbers

- *Ambulance/Emergency/Fire/Police* 911
- *Police Department – Non-Emergency* 888-6066
- *City Hall* 895-6000
- *Court House* 782-5000
- *Reporting Lights Out/Street Light Repair* 897-4299
- *Post Office* 800-275-8777
- *Kansas City Power & Light* (816)471-5275
- *KPL Gas Service* 800-794-4780
- *Southwestern Bell Telephone* 800-464-7928
- *Time Warner Cable* 451-9393
- *Water District #1 of Johnson County* 895-1800

Introduction

The Pavilions of Leawood Homes Association has an architectural review process. This process is one of the primary tools by which the Association seeks to preserve, promote and enhance the guidelines of your Covenants. This, in turn, protects and increases your property value.

The guidelines for this process have been established and are outlined in the Declaration of Restrictions of the Community.

It is relatively simple to get a copy of the Declaration of Restrictions on all of the lots in Pavilions of Leawood by going to the Johnson County, Kansas Court House. The Declarations are also available on the community website.

The architectural review process is overseen by a committee called the Architectural Control Committee (“ACC”).

It is important to remember that these covenants are enforceable in a court of law because the covenants are part of the contract to purchase land in Pavilions of Leawood. However, the covenants are enforceable only if certain conditions are met, such as: proper procedures for their enforcement are followed, the proper parties to the covenant are involved; the covenant is applied fairly, consistently, and in good faith, and the covenant is enforced in a timely manner as to give the parties involved notice and options for further action.

This manual is designed to help you and the Community Association know what these covenants are and what procedures are to be followed in their enforcement and application.

Legal Authority for the Architectural Control Committee:

In order to maintain a consistent and higher-quality atmosphere in Pavilions of Leawood, the developer placed certain restrictions on the land. When each of the homeowners in Pavilions of Leawood purchases a home, there are certain restrictive covenants attached to the land. The restrictive covenants are attached to the land, so to speak, as they do not terminate or move with the homeowners when the home is subsequently sold to another.

These restrictive covenants are basically contractual promises to use the land and home in a manner that will benefit all of the homes in the subdivision. The benefit is the consistency and quality of the homes, which is designed to maintain a certain atmosphere and increase property values in Pavilions of Leawood. With the same covenants attached to each and every lot in Pavilions of Leawood, the goals of quality and value can be more easily achieved.

Purpose of the Architectural Control Committee (“ACC”):

The ACC shall regulate the external design, appearance and location of the properties and of improvements therein in such a manner as:

- ✓ To promote those qualities in the environment that bring value to the properties; and
- ✓ To foster the attractiveness and functional utility of the community as a place to live, including a harmonious relationship among structures, vegetation and topography.

Objectives of Architectural Review:

- ✓ Make all members of the association aware that successful architectural review is a benefit, not a burden.
- ✓ To create and preserve an attractive design for the community.
- ✓ Protect Homeowners against property value losses due to non-compliance of standards established in the “Declarations of Restrictions”.
- ✓ Clarify the Associations governing documents.
- ✓ Inform homeowners of exactly what is required of them.
- ✓ Establish a workable system for the architectural review process.
- ✓ To treat all applicants fairly, consistently and in a timely manner.
- ✓ Approve or disprove with reasons homeowner’s applications for any changes in the exterior of their property.
- ✓ If needed, inspect the approved work to make sure it confirms with the approved proposal.
- ✓ Inspection and review of the community to make sure all standards in the “Declarations of Restrictions” are followed.
- ✓ Take corrective action against a homeowner who is in non-compliance of standards established in the “Declarations of Restrictions.”

Overview of what must receive approval:

The following items, but not limited to, must have ACC approval prior to commencing the work:

- ✓ Fences
- ✓ Exterior painting
- ✓ Swimming pools or hot tubs
- ✓ Roofing
- ✓ Satellite dishes
- ✓ Decks, room additions, patio covers
- ✓ Gazebos
- ✓ Landscaping
- ✓ Driveways
- ✓ Swing Set / Play Equipment
- ✓ Basketball Goal
- ✓ Sport Courts
- ✓ Solar Panels

Approved Roofing Materials:

Below is the updated list of the Board-approved roofing materials for The Pavilions of Leawood. Though these colors/materials are approved, prior to installing a new roof, the ACC must approve the request.

GAF–Grand Canyon:	Mission Brown Stone Wood Storm Cloud Gray	GAF–Camelot:	Aged Oak San Gabriel Antique Slate
CertainTeed–Presidential TL:	Weathered Wood	Stone Coated Steel:	Weathered Timber Pompeii Ash Shadowood Terra Cotta
CertainTeed-Grand Manor:	Weathered Wood		
DaVinci Bellaforte Shake:	Tahoe		Any other color must be approved
Concrete Tile:	Color must be approved		

General Information for the Pavilions of Leawood Homes Association

The following are some of the specific items detailed in the Declaration of Restrictions:

Basketball Goals	No basketball goals shall be attached to any building. All goals shall be free standing and located behind the front building set back line shown on plat. All goals are subject to approval by ACC.
Clothes Line	No portion of residence shall be used as a drying or hanging area for laundry.
Construction	No exterior alterations of any existing building or structure without ACC approval. May not be left in a partly finished condition for more than 30 days without written approval of ACC.
Deck – estates	Exterior decks and porches shall be painted or stained to match the exterior color of the residence
Deck – manor	Exterior decks and porches shall be natural wood color, or stained, or painted to match the color of the residence.
Driveway	All paved surfaces shall be of high quality finish such as brick, concrete or other permanent material approved by the ACC. A max of 50\$ hard surface materials will be allowed within the front yard areas on any lot, with ACC approval.
Fence – estate	All fencing and walls shall be subject to approval of ACC. No chain link, wire, wood panel or stockade fencing shall be permitted. Only wrought iron shall be considered by ACC. No fencing shall exceed 5 feet in height unless required by the city for pool, hot tub, or spa screening. Retaining or screening walls shall be made of natural materials or face with quality materials approved by ACC.
Fence - manor	All fencing and walls shall be subject to approval of ACC. No chain link or wire fencing shall be permitted. Only wrought iron or wood shall be considered by ACC. Wrought iron fencing shall be required along lot lines adjoining landscape easements along 148 th st, 151 st st, and Mission Rd. No fencing shall exceed 5 feet in height unless required by the city for pool, hot tub, or spa screening. Retaining or screening walls shall be made of natural materials or face with quality materials approved by ACC.
Garage – estate	Must be attached and fully enclosed. Not less than two or more than four vehicle garage unless ACC approved. ACC may approve rear or front entry garage. Garage shall remain closed except when vehicles entering or exiting. Not permitted to be enclosed for living or used for purposes other than storage or vehicles.
Garage - manor	Must be attached and fully enclosed. Not less than two or more than four vehicle garage unless ACC approved. ACC may approve rear or front entry garage. Garage shall remain closed except when vehicles entering or exiting. Not permitted to be enclosed for living or used for purposes other than storage or vehicles.
Garage Sale	No owner shall hold a garage sale, estate sale, or public auction except during the community-wide sales. Date(s) for these events to be announced. Limited to two days per event on Friday and Saturday only. If a homeowner holds a sale at times other than the specific community wide garage sale dates, the violating homeowner will be fined \$200 for each day of the sale.
Gardens	No vegetable gardens are allowed unless approved by ACC in advance.
HVAC	No window AC or heating units permitted.
Hot Tub	No external or outdoor hot tubs or spas shall be above-ground or above-grade

	or otherwise allowed without prior approval of ACC and shall provide appropriate screening.
Landscaping	No excavation will be made except in conjunction with approved construction. All exposed openings will be back filled and graded.
Landscaping – sight lines	No fence, wall, hedge, or shrub planting which obstructs sight lines at elevations between 2 and 6 feet above the roadways will be placed or permitted to remain on any corner lot within the triangular area formed by the street property lines and a line connecting them at points 25ft from the intersection of the street lines or in the case of a rounded property corner from the intersection of the street lines extended. The same sight line limitations will apply on any lot within 10ft of the intersection of a street property line with the edge of the driveway or alley pavement. No tree will be permitted to remain within such distance of such intersections unless the foliage line is maintained at a sufficient height to prevent obstruction of such sight lines.
Landscaping - estates	Each lots must have at least 3 shade trees in the front yard and 2 shade trees in the backyard. Approval by the ACC of any landscaping plan shall be required.
Landscaping - manor	Each lots must have at least 2 shade trees in the front yard and 1 shade tree in the backyard. Approval by the ACC of any landscaping plan shall be required.
Lawn	No lawn ornaments are permitted in yards visible from any street with ACC approval
Lights	No sport lights, flood lights, or other lighting shall be placed or utilized upon any lot in a manner which unreasonably interferes with the enjoyment of other lots. All exterior lights shall be white in color.
Lights - Holiday	Permitted only during the holiday.
Outbuilding	No building or other detached structure may be erected without ACC approval
Patio	No screening of a patio or other recreation area will be installed without ACC approval
Playsets	All playground equip shall be subject to approval by the ACC; consideration of placement, color, design, and landscaping/screening shall be made by the ACC.
Paint	No residence, fence, wall or structure, or improvement of whatever type shall be commenced, erected or maintained within the community, nor shall there be any additions to or changes to the exterior of any residence, or other structure or improvement upon a Lot, or the landscaping, grading, or drainage thereof, including without limitation, the painting (other than painting with the same color of paint as previously existed) of exterior walls, patio covers and fences, except in compliance with plans and specifications therefor which have been submitted to and approved by the ACC.
Pool	Shall be subject to approval of the ACC.
Pool	No above-ground pools or above-grade pools shall be allowed; provided, however, that in the event of topographical features of the lot, in the opinion of the ACC, require a swimming pool to be partially above-grade, the ACC shall have the right to approve such partial above-grade construction.
Roof	Approved Roofing Materials include: GAF-Grand Canyon: Mission Brown, Stone Wood, and Storm Cloud Gray; GAF-Camelot: Aged Oak, San Gabriel, and Antique Slate; CertainTeed-Residential TL: Weathered Wood; CertainTeed-Grand Manor: Weathered Wood; Stone Coated Steel: Weathered Timber,

	Pompeii Ash, Shadowood, and Terra Cotta. DaVinci Bellaforte Shake Tahoe Concrete Tile color must be approved. Any other color must be approved by the ACC. Shall be cedar shake (medium or heavier, hand split), wood shingles, slate, tile or such other material approved by ACC. No asphalt shingles are permitted.
Satellite Dish	Shall not be placed or maintained without ACC approval. All approved devices shall be completely screened from view outside the lot.
Siding	Shall be faced on all sides with quality materials (Dryvit, brick, wood shingles, stone or stucco) as approved by ACC. Exposed concrete block, prefab metal, lava rock, batt and board or simulated brick/stone, will not be allowed. Exposed foundations shall be painted and those exceeding 12inches shall be covered with the same quality of material as the residence.
Signs	No permanent or temporary sign of any kind shall be displayed to the public view or from any lot, without approval of the ACC, except for temp signs: signs required by legal proceedings, advertising the lot as being for sale, promoting political candidates but only 30 days before and 5 days after election, placards or other permanent signs, not exceeding 576sq inches, installed to display street address. Permitted signs, except address signs, shall not exceed 5sqft in total area or be more than 3ft tall.
Solar Panel	Must have ACC approval. Cannot face any street.
Sport Court	All swimming pools and pool areas, hot tubs, spas, tennis courts, equipment associated therewith (including lighting) sport courts and screening therefor shall be subject to approval of the ACC.
Storage Tank	Not allowed
Tennis Courts	All swimming pools and pool areas, hot tubs, spas, tennis courts, equipment associated therewith (including lighting) sport courts and screening therefor shall be subject to approval of the ACC.
Trampolines	No above-ground or in-ground trampolines shall be allowed; provided, however, that trampolines existing on lots at the date of the amendment (8/20/05) shall be allowed to remain in use until ownership of the lot is transferred to a third party.
Trash	No garbage or trash shall be visible from another lot. No incinerator. No refuse pile.
Trees - removal	Written permission is required from ACC before removing any trees of 4" or over in caliper.
Vehicle – Rec	No boats, trailers, buses, motorhomes, mobile homes, campers, recreational vehicle or other similar vehicles shall be parked or stored in, or upon the lot except within an enclosed garage.
Vehicles – repairs	No vehicle shall be repaired (except minor repairs) or rebuilt on any lot.
Windows	Window frames shall either be wood or wood clad with anodized aluminum. Wood frames shall be painted, sealed, and stained or have another coating approved by the ACC.

When in doubt of any external improvements, fill out and submit an Architectural Change Request Form.

Review Criteria

1. **HARMONY WITH OVERALL COMMUNITY DESIGN OR CONTEXTUAL RELATIONSHIP:** The contextual relationship pertains to the characteristics of any existing structures, the neighborhood, and the individual site. What may be acceptable in one instance may not be in another, depending on location.
2. **LOCATION AND IMPACT ON NEIGHBORS:** The proposed alteration or improvement should relate favorably to the planning, landscape, topography and existing character of the neighborhood. The primary concerns are preservation of access, sunlight, ventilation, view and drainage, as well as impact on the privacy and normal use of neighborhood privacy. In reviewing the impact on neighbors, the ACC must balance the property rights and expectations of a property owner with the expectations of the neighbors. There is not always a perfect solution but the ACC will consider all aspects before making its decision.
3. **WORKMANSHIP:** The quality of work should be equal to or better than originally used in the neighborhood. If past practices are no longer acceptable, current and better practices must be followed.
4. **REQUIREMENT:** No building, fence, wall, residence, structure, or projection from a structure (whether of a temporary or permanent nature, and whether or not such structure shall be affixed to the ground) shall be commenced, erected, maintained or improved, nor may the exterior appearance be altered in any way without the prior written approval of the ACC regarding: (a) the harmony of its exterior design and location in relation to (b) the character of the exterior materials and (c) the quality of the exterior workmanship.
5. **PROCEDURES:** Prior to the commencement of any modifications, homeowners are responsible to submit, in writing, a Change Request Form to the Architectural Control Committee. The Committee will review the request and respond, in writing, to the homeowner with the decision of the Members. The applicant may appeal an ACC decision to the Board of Directors for the Association in writing within seven (7) days after the date the Architectural Control Committee renders its decision and notifies the applicant. Any decision rendered by the Board on appeal shall be final and conclusively binding on all parties.
6. **APPLICABILITY TO HOMEOWNER:** The provisions of the Declaration of Restrictions section shall be applicable to the homeowner only with respect to lots that are improved with buildings that are or have been occupied.
7. **CONSTRUCTION TIMELINE:** Homeowners will be required to submit a construction timeline, list of any onsite construction materials and/or equipment, and completion date to the Architectural Control Committee (ACC). The provided timeline, completion date, onsite materials/equipment, and approved modification must be adhered to by the homeowner. Should the construction be delayed due to unforeseen circumstances, the homeowner must submit a new Architectural Change Request Form with all updated information. If the construction work is not completed by the approved completion date and an extension has not been approved, a fine of \$100 per day will be assessed to the homeowners account for every day the construction exceeds the originally approved completion date.

How to Obtain ACC Approval:

The ACC has developed a Change Request Form (“CRF”) to assist the community with the review and approval process. A CRF has been included in the handbook. Additional copies can be downloaded from the community website or by contacting the management company.

Plot Plans for the Pavilions of Leewood Homes Association

A Plot Plan must be submitted with your Change Request Form if you are requesting any of the following:

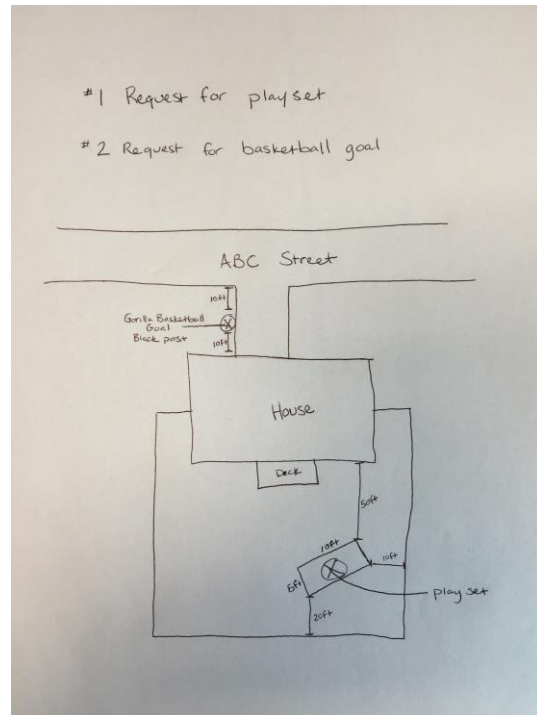
- √ Outbuilding(s)
- √ Landscaping
- √ Basketball Goal
- √ Swing Set/Play Structure
- √ Fence
- √ Hot Tub
- √ Gazebo
- √ Swimming Pool
- √ Satellite Dish
- √ Deck
- √ Driveway

Below are two SAMPLE Plot Plans. Homeowners are asked to create their own Plot Plans to be submitted to the ACC.

Using Google Map & Marking Areas:



Hand Drawn Map & Marking Areas:



Pavilions of Leawood Homes Association
Application and Review Form
Architectural & Landscape Improvement and/or Alteration

CHANGE REQUEST FORM

All homeowners are asked to submit their Architectural Review Request Form by going to the website below to complete the form:

<http://form.jotform.com/210915307695156>

If you are unable to complete this online, you may fill out the form below and mail, fax or email. Please understand that doing so can create a delay in receipt.

MAIL: Attn: Modifications Dept, 11150 NW Ambassador Drive, STE 360, KCMO 64153,

FAX: 816-454-0661.

EMAIL: modifications.csc@fsresidential.com

IMPORTANT: Please provide as much detail as possible so that the Committee Members can understand your request fully and provide a prompt response. The Architectural Review Committee has not and does not express any opinion regarding the strength, engineering design or safety of said construction project. If a building permit is required, it must be obtained from your city of residence and submitted to the Architectural Review Committee along with the request for construction of your project. It is the homeowner's responsibility to see that the project is in compliance with all building codes, zoning ordinances and other laws and regulations.

Homeowners Name: _____

Address: _____

Phone: _____ Cell Phone: _____

Email Address: _____

Project Start Date _____

Project End Date _____

REQUIRED: a construction timeline must be included with this request. You may use the template on the last page or submit your own.

Note: Before submitting this request, please read your Covenants and Restrictions. This can save both time and expense. If the improvement is not addressed in the Covenants and Restrictions, the final decision will be based on type, size, style and location of requested improvement.

The Committee Members will review your request and provide a response within 30 days.

If the form is incomplete or the committee requests additional information, this can extend the process time.

Type of change to be made: Please circle each item to be changed or added:

Roof	Siding	Swimming Pool
Painting Door(s)	Animal Shelter	Painting Trim
Hot Tub	Replacing Garage Doors	Windows
Landscaping	Composting	Decks
Painting Garage Door(s)	Gazebo	Driveway
Basketball Goal	Painting	Swing Set / Play Set
Exterior Doors	Antenna	Radon System
Sidewalk	Other _____	

***FENCE INSTALLATION REQUIREMENTS**

If you planning to install a new fence you need to supply your lot number_____

Fence Color: _____ Fence Materials: _____

Description of the change to be made: Is photograph available? Yes No

Include size, height, and location on property:

Will there be any of the following items onsite during the project?

Dumpster Yes No Overnight Const Vehicles Yes No
Port-A-Potty Yes No Overnight Const Equip Yes No

Sample of materials, paint chips or sketch outlining change to be made is attached?

Yes: _____ No: _____ Paint Color Numbers: _____

The following information must be included with the request form. Please check the box to the left to indicate the items are attached to this form

1. Construction Timeline to include start and end date
2. Type of material used. (manufacturer, color, model, etc)
3. Actual drawing of modification with specifications/dimensions as it pertains to the property lot. (ie distance from property line, distance from home, etc)
4. A description, pictures, drawings and diagrams to support the request.

By submitting the Change Request Form you agree and understand the following:

WORKMANSHIP: The quality of work should be equal to or better than originally used in the neighborhood.

PROCEDURES: Prior to the commencement of any modifications, homeowners are responsible to submit, in writing, a Change Request Form to the Architectural Control Committee.

APPLICABILITY TO HOMEOWNER: The provisions of the Declaration of Restrictions section shall be applicable to the homeowner only with respect to lots that are improved with buildings that are or have been occupied.

CONSTRUCTION TIMELINE: Homeowners will be required to submit a construction timeline, list of any onsite construction materials and/or equipment, and completion date to the Architectural Control Committee (ACC). The provided timeline, completion date, onsite materials/equipment, and approved modification must be adhered to by the homeowner. Should the construction be delayed due to unforeseen circumstances, the homeowner must submit a new Architectural Change Request Form with all updated information. If the construction work is not completed by the approved completion date and an extension has not been approved, a fine of \$100 per day will be assessed to the homeowners account for every day the construction exceeds the originally approved completion date.

CITY / STATE / COUNTY: Under no circumstance does approval by the Homeowner's Association indicate full authorization. In addition, it may be necessary to obtain building permits and structural approval as required by the City and/or County. All improvements are subject to local building regulation and restrictions of record. If the homeowner proceeds without all necessary approvals, Residents may be subject to legal proceedings as well as having to remove all unauthorized improvements.

Homeowner Signature (electronic or written)

Date

CONSTRUCTION TIMELINE

Property Address _____

Homeowner Name(s) _____

Company Name: _____

Company Contact: _____

Company Phone: _____

Company Email: _____

Start Date: _____

Project 1 _____ (description & timeframe)

Project 2 _____ (description & timeframe)

Project 3 _____ (description & timeframe)

Project 4 _____ (description & timeframe)

Equipment Onsite _____ (description & timeframe)

Materials Onsite _____ (description & timeframe)

End Date: _____

The provided timeline, completion date, onsite materials/equipment, and approved modification must be adhered to by the homeowner. Should the construction be delayed due to unforeseen circumstances, the homeowner must submit a new Architectural Change Request Form with all updated information. If the construction work is not completed by the approved completion date and an extension has not been approved, a fine of \$100 per day will be assessed to the homeowners account for every day the construction exceeds the originally approved completion date.

Homeowner Signature (electronic or written)

Date

Pavilions of Leawood Homes Association, Inc.
Architectural Control
Agreement Form

It is my understanding that my neighbor _____

who lives at _____ is planning to install the following on their lot. (*check modification below*)

- Hot Tub
- Play Set
- Swimming Pool
- Fence

I live at _____ and have been informed of their plans and have no objection.

Signature

Date

Pavilions of Leawood Homes Association, Inc.
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It is my understanding that my neighbor _____

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