

**Avignon Villa Homes Community Association, Inc.**  
**Architectural Guidelines**  
**February 27, 2025**

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## **ARCHITECTURAL GUIDELINES**

### **INTRODUCTION**

The Architectural Review Committee (ARC) was created as part of the Declaration of Covenants, Conditions and Restrictions (DCCR) for Avignon Villa Homes under Article VII and operates within the authority granted by that document. The purpose of the ARC is to ensure that any requested changes comply with the DCCR. The ARC is not responsible for evaluating or expressing an opinion as to the strength, engineering design or safety of a project.

Homeowners are responsible for contacting the City of Olathe to obtain all necessary permits and for ensuring that their project complies with all laws, codes and ordinances.

The following is an addendum to the DCCR and intended as a clarification of certain guidelines and procedures that were issued by the Avignon developer following the filing of the DCCR on January 6, 2006. However, in the event of any conflict between this document and the DCCR, the DCCR will prevail. These guidelines may be changed, amended, modified or deleted at any time in accordance with the DCCR of the Avignon Villa Homes Community Association, Inc.

### **1. PROCEDURE FOR REQUESTING MODIFICATIONS, ENHANCEMENTS OR ADDITIONS TO THE**

#### **EXTERNAL APPEARANCE**

- A. All exterior improvements, enhancements, modifications, major repairs or rebuilding of the home or lawn (including paint, lighting and landscaping) must be approved in writing by the ARC. Some exceptions, as stated within this document, are allowed and do not require ARC approval.

- B. In advance of any work or action being performed, all ARC requests shall be submitted in writing to the Community Association Management (CAM) manager using the hard-copy or electronic format provided on eNeighbors. For those unable to access the website, hard-copy request forms are also available from the CAM manager.
- C. Additional information such as drawings, pictures and literature pertaining to the project in question should be submitted in order for the ARC to make an informed decision.
- D. All requests will be reviewed on a timely basis within 2-3 weeks of submission by the ARC, which will approve or deny the request by a majority vote.
- E. Once approval is granted, the homeowner has 6 months in which to complete the requested change or a new request must be submitted to the ARC. Residents should inform the CAM manager when the project has been completed.

## **2. STANDARD CONSTRUCTION REQUIREMENTS**

### **2.1. Shingles**

- a) Installation of new roofing shingles requires ARC approval. Roofing shingles are to be GAF Timberline ASII in Weathered Wood. It is highly recommended that a GAF-certified roofing contractor perform the installation. The ARC is available for consultation if necessary. See

<https://www.gaf.com/en-us/roofing-contractors/residential>

### **2.2. Siding and Stucco**

- a) Siding should be stucco or stone to match the original design, material and color. Brick is not allowed. Re-siding or repainting exterior stucco must be approved by the ARC prior to the start of work.
- b) Stucco color variations are limited to the colors used on existing homes in the neighborhood but not the same color as adjacent homes.
- c) Homeowners may order the paint from a vendor of their choice. "Elastomeric paint" or other high-quality acrylic paint for stucco should be used.

### **2.3. Windows, Railings, Gutters, Soffits**

- a) All windows designed to open must be white vinyl casement style to match the original.
- b) White aluminum must be used for railings on decks, porches and other features.
- c) Gutters and gutter guards must be white aluminum to match the original.
- d) Soffits and fascia must be white to match the original.

### **2.4. Foundations**

- a) Visible foundations must be maintained and painted to match the color of the adjoining stucco wall. Repainting does not require ARC approval.

### **2.5. Garages and Driveways**

- a) Garage doors must be steel and painted to match the house trim color. Repainting garage doors in the same color does not require ARC approval.
- b) Severely deteriorated driveways must be repaired or replaced. ARC approval is not required.

### **2.6. Paint for Trim, Porches, Doors**

- a) Repainting trim and porch columns in the same color does not require ARC approval.
- b) Repainting front exterior doors requires ARC approval if the color is changed.
- c) Permanent front and rear doors, if replaced, must be identical to the original and painted to match the original. Color variations must be approved by the ARC.

## **2.7. Patios, Pergolas, Fireplaces, Hot Tubs**

- a) Patio walls must be constructed of 6-inch natural stone limestone (or similar) or Anchor Highland Stone by Pavestone (or similar) with loose paver or stone flooring.
- b) Stamped concrete for under-deck patios is allowed. The pattern must include various sizes and have the appearance and color of stone pavers.
- c) Patios shall not be installed closer than 3 feet from lot lines or in easement space.
- d) All patio construction (design, type, color, shape, etc.) must be submitted with drawing, material specifications and other pertinent details for approval by the ARC.
- e) Patio pergolas must be white aluminum. Plans for new pergolas must be approved by the ARC prior to installation.
- f) Backyard fireplace construction and height should be considerate of surrounding neighbors and not obstruct views or be conspicuously out of place as determined by the ARC. Generally, a maximum height of 6 feet for gas and 9 feet for wood-

burning fireplaces is acceptable. Requests will be reviewed on a case-by-case basis.

- g) Outdoor hot tubs and clotheslines are not permitted.

## **2.8. Retaining Walls**

- a) Retaining walls are only allowed where the slope or gradient of a yard exceeds 0.2 (20%) and soil or mulch erosion is evident.
- b) Retaining walls on front yards or sides facing the street must be 6-inch natural stone (limestone or similar). Retaining walls on backyards or sides not facing the street must be 6-inch natural stone (limestone or similar) or Anchor Highland stone by Pavestone or similar in Ozark Blend or similar color.
- c) Each submitted ARC request will be reviewed on a case-by-case basis. No wall may be constructed without ARC approval.

## **2.9. Doors**

- a) Front and rear storm doors may be full view or partial view including self-storing storm doors.
- b) Permanent front and rear doors must be identical to the original if replaced and painted to match the original. Color variations must be approved by the ARC.
- c) The frames for all storm doors should closely match the house trim color.
- d) Acceptable doors are Anderson 2500 (partial-view) or Larson Tradewinds Classic (full-view).
- e) All new and replacement storm doors must be approved by the ARC.

## **2.10. Radon Mitigation Piping**

- a) Radon mitigation systems should be installed in the interior of the house with the exposed piping extending through the roof, not the exterior walls of the home. This limits outside noise from the fan that is required for the system to operate.

### **2.11. Address Plaques**

- a) Repainting house numbers does not require ARC approval but must comply with the following:
  - Use gold and black enamel paint to restore to the original look, or
  - Use white enamel on the numbers only.

## **3. LANDSCAPING**

### **3.1. Maintenance, Modifications, Drainage**

- a) Lawns, shrubs and trees are to be maintained to ensure continued growth.
- b) Any modification to the outline or height of landscaping must be approved by the ARC prior to the start of work. The homeowner is responsible for calling Kansas 811 before digging.
- c) Landscaping should promote drainage away from the house.
- d) Homeowners are responsible for their own property's drainage and for eliminating any nuisances such as excessive water, slime or ice on public sidewalks or streets.
- e) Failure to properly maintain landscaping, foliage and the yard in accordance with these guidelines will subject the homeowner to Article III, paragraph 3.01(p) of the DCCR.

### 3.2. Edging and Mulch

- a) Altered or new edging must be approved by the ARC prior to the start of work.
- b) Edging is to be natural trench or flush embedded natural stone that does not impede mowers. Embedded concrete stone with the appearance of natural stone is also allowed. Samples of concrete stone must be available for review by the ARC.
- c) Natural stone, including river rock or cobble, can be used to help with drainage within planting areas, mulch areas and under decks and must be approved by the ARC prior to the start of work. Rainbow river rock is not allowed.
- d) Mulch should be black or dark brown shredded tree material, black or dark brown rubberized material or natural stone with the following stipulations:
  - Only 3-4 inch stone (river rock); no pebbles or gravel.
  - Stone may only be used in the landscape, not in tree rings.
  - Stone must be in natural colors (not black or white) compatible with the home's exterior paint color.
  - Stone mulch is considered an exception and requires ARC approval.

### 3.3. Landscape Trees

- a) New trees may be planted but require ARC approval prior to the start of work.
- b) Removal and replacement of a like species (hardwood for hardwood or ornamental for ornamental) do not require ARC approval. For tree selection and recommended species see a list of preferred trees for northeast Kansas at [www.kansasforests.org/community\\_forestry/community\\_docs/NE%20Kansas%20Preferred%20Trees.pdf](http://www.kansasforests.org/community_forestry/community_docs/NE%20Kansas%20Preferred%20Trees.pdf)



or a list specific to Metropolitan Kansas City at

<https://www.johnson.k-state.edu/docs/lawn-and-garden/emerald-ash-borer/Recommended%20Landscape%20Trees%20for%20KC.pdf>

- c) Variances or alternative requests are to be accompanied by documentation from the [Johnson County Kansas State Research and Extension Office](#).
- d) Tree stumps in the yard must be removed or ground up and replaced by grass if no replacement tree is planned.

### **3.4. Street Trees**

- a) Street trees are the responsibility of the individual homeowner. This includes maintaining mulch tree rings, trimming limbs to prevent them from impeding foot or vehicle traffic, and maintaining the overall health of trees.
- b) Damaged or diseased street trees must be removed and replaced with maple trees approved for the neighborhood (Sienna Glen, October Glory and Autumn Blaze).
- c) Replacement trees must be a minimum of 2 ½ inches in diameter. ARC approval is not required.

### **3.5. Irrigation**

- a) All homes must have an operating individual in-ground lawn irrigation system with spot watering used when needed.
- b) Appropriate amounts of water should be applied during drought periods in compliance with city mandates. Avoid over watering per city or county recommendations.

### **3.6. Foliage**

- a) Dead ornamental grasses, shrubs and plants must be removed.

- b) Ornamental grasses, shrubs and plants can be added within the existing landscape planting beds without ARC approval.
- c) New plantings that include modifications to the landscaping require ARC approval.
- d) Homeowners must review and abide by the current list of Kansas-banned plant species before installation.
- e) Vegetation up to 24 inches high and not overhanging or extending on the lawn may be grown in backyard beds.
- f) Growth from shrubs and other foliage must be kept 6 inches below front-facing windows.
- g) Landscaping must not obscure the address plaque.

#### **4. OUTDOOR FEATURES AND DECORATIONS**

##### **4.1. Fences**

- a) Fences, partitions or privacy screens of any kind are not permitted anywhere in yards.
- b) Invisible pet fences are allowed but must be approved by the ARC prior to the start of work.

##### **4.2. Lighting**

- a) No external wiring is allowed above ground except accent lighting in patio areas, which must be submitted to and approved by the ARC.
- b) A minimum of three exterior dusk-to-dawn soffit lights shall be maintained on the front of the house. Additional dusk-to-dawn soffit lights must be approved by the ARC prior to installation.
- c) Dusk-to-dawn soffit lights should have the same type bulbs and be the same wattage. Burned-out bulbs must be replaced.

- d) Only white lights are to be used for exterior lighting for porches, patios and soffits.
- e) Low Voltage Electrical (wired) walkway, patio, bedding or landscaping lights must be approved by the ARC prior to installation. Lighting should avoid glare and excessive light spillage into adjacent properties.
- f) Solar lights are permitted but only in backyards with the following stipulations:
  - Color must be some shade of white and all the same.
  - No more than 6 lights allowed and height should not exceed 18”.
  - Downward projection only; examples can be found by Googling “Downward walkway solar lights.”
  - Lighting only allowed in berms or on decks and patios that border the foundation of the home.
  - No lighting allowed in grassy areas which could impede mowing.
  - No ARC approval is necessary as long as guidelines are followed.
  - Neighbor complaints should first be resolved between home owners and, second, to a Board member. See Article 8.11 of the DCC&R.

#### **4.3. Yard Art, Bird Accessories, Awnings, Furniture, Potted Plants**

- a) Figurines, gazing balls, plaques, and yard art are not permitted anywhere on driveways, sidewalks, in the front yard or front landscape beds.
- b) Birdbaths, birdfeeders, freestanding birdhouses and fountains are permitted but only in the back beds of the house with prior ARC approval. Birdhouses suspended in trees are only allowed in the backyard and do not require ARC approval.
- c) Statues, metal trellises and benches are permitted in the side or backyard beds

but must be approved by the ARC prior to installation.

- d) Benches, tables and chairs on porches, patios and decks are allowed without ARC approval.
- e) Retractable sunscreens or awnings are allowed but must be approved by the ARC prior to installation. They should be the same color as the house or house trim.
- f) Potted plants are allowed on patios, porches, decks and in backyard beds but not on driveways, sidewalks or front or side beds. Potted plants are permitted on either side of the front steps with ARC approval.
- g) Window boxes for flowers attached to the house are not allowed.
- h) Artificial plants and flowers are not permitted in yards or flowerbeds.
- i) Wind chimes are allowed on patios, decks and in backyards but must be removed or relocated if there are complaints from neighbors.

#### **4.4. Flags (Year-Round)**

- a) Location of the pole must be approved by the ARC prior to installation.
- b) Only the United States flag, military branch flags, seasonal flags or sports team flags are allowed and do not require ARC approval. The flag must be in good condition and no more than 3 x 5 feet.
- c) The U.S. flag must be displayed according to the rules of the [U.S. Flag Code](#) for residences.
- d) Sports and team flags may be displayed only on game days.

#### **4.5. Flags (Seasonal) and Decorations**

- a) Seasonal flags for recognized U.S. holidays may be flown during the appropriate holiday seasons and occasions, such as Valentine's Day, St. Patrick's Day, Easter, Thanksgiving, Christmas
- b) Small seasonal flags and banners are permitted in mulch beds but only for the

appropriate holiday season.

- c) All flags and banners should be removed by one week after the holiday.
- d) Seasonal decorations are permitted without ARC approval but for specific holidays such as Easter, July 4th or Thanksgiving. Decorations should be removed within a week after the holiday ends. Year-end holiday lighting and decorations are allowed from Thanksgiving Day until January 15 of the following year.
- e) Lighting and decorations may not be installed before November 1 and must be removed by March 1, weather permitting.

#### **4.6. Signs**

Signs in yards or windows are not permitted with the following exceptions, which do not require ARC approval.

- a) A home-for-sale real estate box holding fliers or brochures in the yard, placed near the front of the house.
- b) One home-for-sale sign placed in a window of the house, visible from the street or yard.
- c) Open house, estate sale and moving sale signs for a home for sale or recently sold.
- d) Security system signs measuring no more than 12 x 12 inches placed in the front-yard landscaping beds.

#### **4.7. Satellite Dishes and Antennas**

- a) Homeowners may install a satellite dish one meter (39.37 inches) or less, or an antenna designed to receive local television broadcast signals, on the homeowner's property or "exclusive use area" as defined by FCC Rule 47 C.F.R. Section 1.4000, without ARC approval. This rule permits the Association to

establish a placement preference.

- b) A satellite dish may not be installed in the area in front of the home as defined by a line even with the front entry door across the property and parallel to the front street side of the home. The established placement preference is:
- Backyard of home near foundation;
  - Back roofline of home;
  - Side yard to the extent that the dish or antenna is minimized when viewed from the front of the property and screened by the landscape.
- c) The homeowner must notify the ARC upon completion of installation to verify its compliance with the placement preference.
- d) No external wires, antennas or poles shall be allowed that are for the transmission of electricity, telephone, video or radio signals.

## **5. APPEARANCE AND SECURITY**

### **5.1. Garage Doors, Trash**

- a) Garage doors must be closed when the homeowner is not home or in the vicinity of the garage.
- b) Trash receptacles should be kept inside the garage and moved outside and curbside only on the day of trash pickup or after dusk the evening before.

### **5.2. Parking**

- a) Parking by residents and visitors in Avignon must comply with a Motor Vehicle Parking Policy adopted by the Association and enforced by the ARC.
- b) The Motor Vehicle Parking Policy covers driveway parking, street parking, recreational vehicle parking, and exceptions during holidays or for long-term

guests.

- c) The complete Parking Policy is available in Documents on eNeighbors. For more information or clarification, contact the ARC.

### **5.3. Snow Removal**

- a) Removal of snow (but not ice) will be performed when there is an accumulation of more than 2 inches at any one time on a majority of homes in the neighborhood as determined by the Avignon Board. Homeowners may place flexible plow stake along their driveways to assist in snow removal but stakes should be no more than 4 feet long and removed immediately after shoveling is completed.

### **5.4. Toys and Equipment**

- a) Basketball or soccer goals, children's play sets or swing sets are not allowed.
- b) Skateboards, roller skates, hover boards and similar devices are not allowed on common area pathways. Homeowners or guests who ignore this rule do so at their own risk.
- c) Toys and recreational equipment should be stored inside when not in use and never left out overnight.

### **5.5. Pets**

- a) Pets are not to be housed outside and should be kept in accordance with Sections 8.08 and 8.11 of the Avignon DCCR and the current City of Olathe Ordinance for Animal Control. See:  
<https://www.olatheks.gov/government/animal-control>
- b) Dogs should not be allowed to wander in other neighbor's yards or landscaping. The City's right-of-way is 3 feet on either side of the sidewalk. Pets should be constrained to those areas.

## 5.6 Security Devices

- a) Security cameras both with and without lights are permitted with ARC approval.

Approval will be granted with the stipulation that the homeowner is responsible for ensuring that neighbors' privacy is not infringed upon. The ARC may impose additional requirements on a case-by-case basis.

- b) Doorbells with video capability may be installed without ARC approval.

## 6. INSPECTIONS AND VIOLATIONS

### 6.1. Schedule of Inspections

- a) At any time in addition to the annual inspections, the ARC can issue notifications for violations. The allowed timeframes for compliance may vary depending on the violation. See the Enforcement Policy (in "Documents" on eNeighbors) which outlines ARC procedure for handling violations.

### 6.2. Focus of Inspections

- a) At least once a year the ARC and/or Avignon Board members will conduct reviews of homeowner properties. Violations, with suggested corrective actions, will be reported to the homeowner. The ARC review includes, but is not limited to:

- Flowerbeds that need weeding
- Foundations that need painting
- Dead trees or plants
- Overgrown bushes, shrubs and flowerbed edges
- Mulch that needs replacing
- Items restricted by ARC Guidelines.

### 6.3. Process Following Violations

- a) Homeowners who are notified of violations must inform CAM within 30 days



of receiving a violation letter that violations have been corrected. The ARC's reinspection will be completed 30 days from receipt of a violation letter.

- b) Following reinspection, CAM will send a follow-up violation letter only to homeowners with violations that have not been corrected.