

REVISED PLANNING COMMITTEE RULES
FOR
VILLAGE GREENS WEST

NOVEMBER 13, 1981

The following rules include those originally adopted July 24, 1981 and all amendments and changes thereto through November 13, 1981 - all by unanimous vote of the Tanoan Community Association Planning Committee, organized pursuant to the Tanoan Community Master Restrictions. They shall apply to that real property known as the Village Greens West Neighborhood, further described in Exhibit "A" which is attached to these Rules and incorporated herein by reference.

These Rules supplement the Tanoan Community Master Restrictions and are adopted by the Planning Committee for the purpose of further enhancing and perfecting the value, desirability, and attractiveness of the Village Greens West Neighborhood.

Definitions contained in Article I of the Tanoan Community Master Restrictions are incorporated herein by reference.

PLANNING COMMITTEE APPROVAL

1. Any owner proposing to construct or reconstruct improvements or structures or to recolor, refinish or alter any part of the exterior of any improvement or to perform any work which requires a building permit to be issued by the City of Albuquerque and to further include landscaping and landscaping construction including ponds, waterfalls, statues, retaining walls, or other structural component, which is visible from any street, common area or the golf course, shall apply to the Planning Committee for approval.
2. The owner shall make application for any such construction by submitting to the Planning Committee the following:
 - a. A copy of the completed application form provided by the Planning Committee which shall include the legal description of the property.
 - b. A complete set of construction drawings which identify construction materials and which address the following issues:
 - (1) Architectural Design of the Fire Wall if the unit is to be attached.
 - (2) Screening of Air Conditioning Unit(s) if roof mounted.
 - c. A site plan which shows the topography of the lot using contour lines which indicate any grade changes of more than one foot that will be caused by the construction. The site plan shall also locate and identify all construction including, but not limited to, storage sheds, pool houses, etc., their roof overhang lines, and finished floor elevations, all setbacks at point of minimum distance to each property boundary, dimensions of lot boundaries, a directional indicator, all walks, drives, patios, decks, and walls and/or fences and their construction materials.

- d. A survey of the lot at the time the stem walls are completed.
- e. If deemed necessary by the Planning Committee, the following may be required as a part of the application:
 - (1) Colors and samples of exterior materials.
 - (2) Wall Sections.
 - (3) Roof plan.
 - (4) Details of exterior furnishings.
 - (5) The owner's proposed construction schedule.
 - (6) A drainage report prepared by a registered engineer.
 - (7) An architect's rendering showing the perspective view of the proposed construction. If the proposed construction is on a golf course lot, an architect's rendering showing a perspective view of the rear of the proposed construction may also be required. These renderings may be in pencil or ink line drawings.

Each application for plan approval by the Planning Committee shall be accompanied by a Planning Committee review fee of \$ -0-.

3. Planning Committee approval or disapproval shall be given in conformity with Section 3.06 of the Tanoan Community Master Restrictions.

ARCHITECTURAL DESIGN STANDARDS

4. Residential units constructed in Village Greens West shall have a minimum of 1,800 square feet of living area. Living area shall include heated and/or air conditioned areas and shall exclude garages, porches, patio decks, and breezeways.

5. No residential unit, structure, or improvement shall exceed one story and shall be limited to a maximum height of seventeen feet (17') above the average grade of the lot as shown on the grading plan.

6. No structure or improvement, except where specifically permitted herein shall be constructed:

- a. Within twenty-five feet (25') from the front property line of the lot; except on lots numbered 22 through 37, inclusive, the front setback shall be at least thirty feet (30');
- b. Within fifteen feet (15') from the rear property line of the lot;
- c. Within five feet (5') of the side property line of the lot if not attached to another dwelling at said side property line;
- d. Within fifteen feet (15') of the said property line which abuts a street on a corner lot.

7. Every residential unit shall have a garage of at least a two-car capacity. Garage doors shall be a single unit of the overhead design, made of wood painted to match the exterior of the residential unit or the trim.

8. Each residential unit must have a minimum of two paved off-street parking spaces which may include the drive path from the street to the garage. All off-street parking spaces shall be accessible to the main entry of the residence.

9. Doors of garages which share a common wall must be offset so that one has a two feet (2') greater frontyard setback.

10. Detached garages, sheds, or other buildings may be constructed on the lots, provided:

- a. Such structures must be compatible to the residence in design and construction; and
- b. Such structures' exterior appearance and siting on the lot must be consistent with the visual appearance of the dwelling unit.

11. The exterior appearance of the residence, and appurtenant structures and improvements must be consistent with the high quality standards established for the Village Greens West Neighborhood and the appearance must be consistent, compatible and complimentary to existing construction on adjacent lots and must have a definite commonly recognized architectural style which is carried out through attention to detail. Such detail to include, but not limited to, window treatment, brick coping, parapet walls and/or shadow boxing.

12. No more than two living units having the same front elevation will be allowed to front onto the same street. No more than two living units having the same rear elevations will be allowed on golf course lots in Village Greens West.

CONSTRUCTION STANDARDS

13. Exterior finishes of all residences, structures, or improvements on the lots shall be stucco and shall be colored either El Rey's "Navajo White", "Cameo", "Sand", "Fawn", or "Buckskin", or an equivalent color. In no case, may the color be lighter than "Navajo White" or darker than "Buckskin".

14. Attached units must have the same stucco color. Adjoining units, unless they are attached, must have a different stucco color.

15. The roofing materials of all residential units, improvements, and other structures having pitched roof which are visible from the street, the golf course, or common areas shall be either red clay tile or red concrete barrel shaped mission tile. The red concrete tile shall be either Century's "Mission Red", Monier's # 200 "Mission Red", or an equivalent color. If other concrete tile is used a color sample and complete manufacturer's specifications for the brand and type must be first submitted to the Planning Committee for approval. No other roofing material will be allowed.

16. No reflective finishes (other than glass) shall be used on exterior surfaces (other than surfaces of hardware fixtures), including but not limited to the exterior surfaces of any of the following: roofs, all projections above roofs, retaining walls, doors, trim, fences, pipes, equipment, mailboxes, and newspaper tubes.

17. Trim may be of wood painted or stained natural earth tone colors, adobe, slumprock, or brick not to exceed three courses, painted Mexican tiles, clay tiles, black wrought iron, or cast ornamental coping.

18. Air conditioning, heating, and other machinery may be maintained in or on roof areas, but they must be shielded from view, if they are visible from any street within the subdivision, the golf course, or any common area within the subdivision. The screening or covering used must match and blend with the improvement or structure to which it is attached, and must be shown in detail on the plans submitted to the Planning Committee.

19. The party walls that are common to two units shall have a minimum S.T.C. rating of fifty percent (50%) or an equivalent accountical rating.

20. Solar energy collectors shall be allowed only if constructed in such a manner that they are built into the basic lines of the parent structure to create an aesthetically pleasing appearance from adjoining properties, streets, golf course, and common areas, and must comply with the requirements of Paragraphs 16 and 18.

WALL REQUIREMENTS

21. On golf course lots, the rear lot line shall be fenced with fencing constructed of white slumpblock to a height of 24 inches and ornamental wrought iron from 24 inches to 60 inches. On those lots which border common areas, side yard lot line fences on the side which borders the area will be 60 inch high white slumpblock construction that matches the rear lot line fence of golf course lots, and will extend forward from the rear property line to the rear of the house or a maximum of 50 feet. No other fencing materials shall be used in these areas.

22. On non-golf course lots, the rear lot line wall shall be of grey cinder block construction, and shall be a minimum of 56 inches high, or 42 inches above the finish grade of the lot on the high side, whichever is greater.

23. On all lots, the side yard lot line fences shall be of grey cinder block construction, and shall be a minimum of 56 inches high or 42 inches above the finish grade of the lot on the high side, whichever is greater. All side fences must extend from the rear property line frontward at least to the rear of the house on both sides. If the rear location of one house is unknown, the side fence shall extend at least ten feet forward from the rear of the known house location. No side yard fence or return may be constructed forward beyond the front of adjacent structures except for necessary retaining walls.

24. Where there is a grade difference of more than 18 inches between two lots, a retaining wall will be required which will extend to a point where the grade difference becomes less than 12 inches.

25. The face and top of any wall visible from the street must be textured and colored to match the parent structure. Such walls include but are not limited to side property line fence adjacent to the street on a corner lot, any side lot line fence return, side lot line fence which extends frontward beyond the return, and any courtyard or landscaping walls located within the front or side yards. In addition, any walls visible from within the rear or side yards and fully enclosed from street view must also be color coated to match the parent structure.

26. No chainlink, barbed wire, welded wire, or welded pipe fence shall be permitted on any lot.

27. All gates providing access between the front and back yards must be of ornamental wrought iron either black, or painted to match the color of

the parent structure or the color of the trim.

WALLS - PRIVACY AND LANDSCAPING

28. Walls for purposes of visual screening, privacy, protection of swimming pools, etc., may be constructed between the front and rear setback lines, provided their style, color and materials are compatible with those of the residence and other structures or improvements on the lot.

29. Walls which are constructed within the front yard setback area and the sideyard setback area adjacent to a street, may not exceed three (3) feet in height. Walls located on the property line between two adjacent lots may not extend frontward beyond the front of both houses except for necessary retaining walls.

LANDSCAPING

30. All front yards, side yards facing the street on corner lots, and rear yards on golf course lots must be landscaped within six months of completion of a residential unit on the lot. Landscaping shall be in conformance with the following:

a. Forty percent (40%) of all front yards and forty percent (40%) of the side yards adjacent to the street on corner lots must be natural grass. To determine the size of the yard, front yards and side yards shall be defined as that area between the back of curb and the front and/or side façade of the dwelling excluding the sidewalk adjacent to the curb (street walk).

b. The grass must be placed so that it is adjacent to the street walk and furthermore, if two lots have adjacent front yards and if the grade difference is less than twelve inches (12"), the grass must flow from one yard into the next creating the visual impression of one large expanse of grass.

c. The remaining sixty percent (60%) shall include the lead walks to the dwelling unit and balance may be grass, flower beds, rock or other ground cover. If rock is used as an accent material, it shall not be volcanic rock or cinder, and there shall be one 5-gallon plant for every 25 square feet of rock.

d. Red brick mowing strips must be used to separate different landscaping materials.

e. All lots shall contain one 2" caliper shade tree in the front yard and corner lots shall have two additional 2" caliper shade trees in the side yard adjacent to the street. These trees may be either Silver Maple, Sycamore, Green Ash, Moraine Honey Locust or Shade Master Honey Locust. No other variety may be used without the written consent of the Planning Committee.

** f. If planters are built adjacent to the golf course wall and if dirt is to be placed against the golf course wall, it must be sealed from moisture by the use of mastic.

MISCELLANEOUS

above the curb, and shall be of metal construction either black or painted to match the dwelling unit or its trim. Mounting posts shall be either black wrought iron or wood finished naturally or painted to match the dwelling unit or its trim.

32. No radio, television, citizens band, HAM, or other aerial, antenna, or tower, whether for transmitting or receiving, or any support thereof shall be erected, installed, placed or maintained, except those devices which may be erected, installed, placed or maintained and used entirely under the eaves or enclosed within a building or structure which do not extend above the highest point of the roof. However, a television antenna may be mounted on the roof provided it is inconspicuously located so as not to be easily visible from the street, common areas, or the golf course.

33. Outside clotheslines or other outside clothes drying or airing facilities, above ground trash and garbage receptacles, ground mounted solar energy collectors and equipment, ground mounted air conditioning units and equipment, and swimming pool mechanical equipment shall be enclosed within a fenced service area or areas for which fencing or screening is harmonious with the overall design of the structures on the lot and which shield these structures in such a way as not to be visible from streets, common areas, or the golf course.

POLICIES


34. Plans will not be considered for approval if any outstanding indebtedness exists against the subject lot. (i.e. Tanoan Community Association Assessments.)

35. Plans will not be considered for approval if the applicant is in violation of any existing Tanoan Planning Committee Rules, and requirements and/or the Master Restrictions of the Community.

36. The Planning Committee should be notified when construction is complete so a certificate of compliance can be issued certifying that the construction has been completed in accordance with approved plans. Buyers of units in Village Greens West should be certain that this certificate has been issued since construction which does not comply with approved plans may be subject to removal and/or fines in accordance with the Tanoan Community Association Master Restrictions.

37. The Planning Committee shall have the exclusive power to control any and all construction and/or improvements within Village Greens West in accordance with Article 4 of the Tanoan Community Master Restrictions and any exceptions to the above rules.

THESE RULES WERE ADOPTED BY UNANIMOUS VOTE OF THE TANOAN COMMUNITY ASSOCIATION PLANNING AND ARCHITECTURAL COMMITTEE ON THIS 13TH DAY OF NOVEMBER, 1981.



Planning Committee Chairman

ATTEST



Member

EXHIBIT "A"

Lots numbered One (1) through Fifty-seven (57), VILLAGE GREENS WEST AT TANOAN, as the same is shown and designated on the plat of said subdivision, filed in the office of the County Clerk of Bernalillo County, New Mexico, on April 16, 1981.

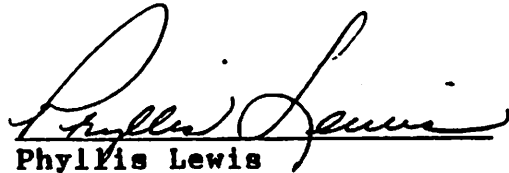
AMENDMENT FOR
VILLAGE GREENS WEST
PLANNING COMMITTEE RULES

Paragraph 5 of the Planning Committee Rules for Village Greens West at Tanoan dated November 13, 1981 shall be amended to read as follows:

No residential unit, structure, or improvement shall exceed one story and shall be limited to a maximum height of seventeen feet (17') above the pad elevation as shown on the approved grading plan except for lots numbered twenty-two (22) through thirty-four (34), inclusive, where the unit, structure or improvement shall not exceed two stories and shall be limited to a maximum height of twenty-six feet (26') above the pad elevation as shown on the approved grading plan.

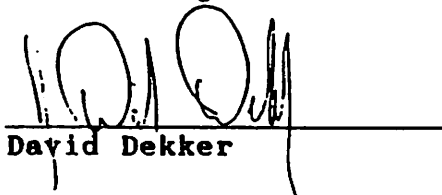
THIS AMENDMENT WAS UNANIMOUSLY APPROVED BY THE TANOAN ASSOCIATION PLANNING COMMITTEE ON THIS 21ST DAY OF July, 1988


Joan Shaffer, Chairman


Phyllis Lewis


Fred Ambrogi


Stephanie Reis


David Dekker