

**Tivoli Gardens ACC Guidelines**  
**April 9, 2024**  
**Adapted from 2018 Document**

### **Introduction**

We believe that in your individual purchase of a townhome in Tivoli Gardens, you appreciated the richness of this “Craftsman” Style construction. This includes all elements of “appearance,” colors, textures, and materials. Thus, the intent of the Architectural Control Committee, (ACC), is to maintain that appearance and a level of conformity to protect the unique qualities of Tivoli Gardens. They are reviewed at the first board meeting of the calendar year.

The Covenants, Conditions, and Restrictions for Tivoli Gardens specifically outline the role of the ACC in Article XIII. A copy of the most updated version is provided to each owner upon purchase of the property. These ACC guidelines are written to align with the current covenants and to assist owners in understanding the process to request changes to their property.

### **Process**

Approval forms to request a change can be found on the Tivoli Gardens portal and are labeled **ACC Design Approval Form** and **Exterior Paint Submittal Form**. Online completion is encouraged. If a homeowner prefers to complete the request via hard copy, the form can be printed and sent to DS Property Management who will upload the document to the portal and inform ACC members of the request. The ACC will endeavor to review all requests in a timely manner and will communicate in writing to the owner **no later than 30 days from date of request with a copy to DS Property Management**. The review and decision of the request will be documented online.

To facilitate a timely review of the request, consider the type of request and specifications set forth in the categories detailed below. If authorization of an adjacent neighbor is noted as a requirement, please confer, and submit a joint request for approval.

If authorization from a neighbor is not required, but will impact a neighbor, it is recommended the requested change be discussed with the neighbor. In particular landscaping requests that involve removal of trees and shrubs may effect shade and privacy and should be discussed with neighbors impacted. **Removal of all shrubs or trees larger than 2 inches in diameter must be approved by ACC**

When a large project is approved that will effect noise level or parking, the home owner will work with DS Property Management to assure that the membership is notified of project and date. If a member observes a project that is not aligned with ACC Guidelines, please contact DS Property Management for their follow up.

### **Categories For Approval**

- A. Exterior Painting
- B. Landscaping
  - 1. Front half of townhouse
  - 2. Rear half of townhouse
  - 3. Side yard of townhouse
- C. Exterior Townhouse physical and visual changes from original design

## DETAILS ON SUBMITTING REQUESTS

### A. Exterior Painting

To maintain visual harmony of Tivoli Gardens, use colors that have been approved and are available to be viewed on a color palette you can request via DS Property Management. The **Exterior Paint Submittal Form** must be completed, signed by both homeowners, and have attached "draw down" cards identifying color locations. Paint "draw down" cards, (7 1/2" x 11 1/2") coated white are required for all paint projects and can be obtained from a paint store. Complete cards for yourself also as the ACC will retain the submitted ones for Association files.

Appearance of each two unit building needs to be identical. Both owners must agree on the painting plan before submitting to the ACC for approval. A test area for color match is recommended to avoid any need for a unit to be repainted. Connected units must be completed within 60 days of each other.

When repairs, repainting or re-coating are needed to the following areas, these colors and coatings are to be used.

Fascia Wood and Metal: Sherwin Williams, Duration, Satin Exterior Deep Base, Burgundy, (0027877). This is recommended to keep all the fascia wood the same color. If another manufacturer is used, a sample will need to be provided to the ACC for review and approval.

Wood Beams, Outriggers: Sikken's CETOL, Log and Siding Translucent Stain wood finish - Butternut, (72). This is a high performance translucent exterior stain finish used for wood beams and outriggers, If your beams have been painted, they may need to be sanded or possibly sandblasted to achieve the correct finished look. If another product is proposed, a sample must be submitted to the ACC for review and approval.

Gutters Downspouts - Continuous Aluminum. Downspouts match corner wood paint. Chain drops can be also be used.

Chimney and Post Base Stone Sealer, (if desired.). H&C Ultra Paver Water Based Gloss Paver A high quality sealer - 2 coats.

Roof Metal Flashing, vents, solar lights, etc.. Painted the same color as fascia, (burgundy described above.)

Garage Doors and Chimneys: Best painted to match the house body or trim color.

Trim color includes column posts. Post-top cap assemblies should match column posts or the color of the fascia for accent.

### B-1. Landscaping-front half of townhouse

**The ACC Design Approval Form** is used for all requests other than painting, The completed form should be accompanied by a drawing describing proposed change. No fences allowed in the front half.

Landscaping layout changes, new landscape edging and related non-plant ground cover must be approved by the ACC. Removal, replacement, or addition of plant materials larger than

annual or perennial flowers must be approved by the ACC. If a plant dies and is replaced with a similar plant, this is considered maintenance and need not go to the ACC. .

Any rockery or stonework added to the property must be natural stone materials, (not concrete) and must be approved by the ACC. Rhyolite is a good choice to match existing stones in the development. Rhyolite is available at Guthrie Stone on State St. Other natural stone options may be submitted for review to the ACC.

#### B-2 Landscaping rear half of townhouse

Landscaping changes in the rear half including rear patio stone must be submitted for approval by the ACC. Removal of all shrubs or trees larger than 2 inches in diameter must be approved by the ACC.

#### B-3 Landscaping Side Yard

This is the area between townhomes and is the responsibility of homeowners. Given changes to this area may impact the neighboring unit, the adjacent neighbor is to be consulted. The proposed change should be submitted to ACC and contain the signature of the adjacent neighbor.

#### C. Exterior Townhome Physical and Visual Changes from Original Design

No visible satellite dishes or antennas in the front part of the home including roof are allowed and should not be visible from the front street.

Fencing. All fencing must be approved by ACC for height, design, and location. No fencing is allowed on rear berms or common areas.

Solar panels. A request must be submitted to the ACC to assist in determining the location of panels to maximize architectural harmony.

Roofs: Must remain metal standing seam in the same color as originally installed.