

## Pavilions of Leawood Restrictions

The Pavilions of Leawood Homeowners Association has a full set of Covenants and Restrictions for the Association to include the Bylaws, Declaration, Amendments, Resolutions, and Rules and Regulations. As well, the City of Leawood has a full set of Residential Property Restrictions and Ordinances. These are forever changing so please be sure to check the city website for updates. The information below was provided as of Dec 2017. Please note that though the City of Leawood may approve a specific item, the Pavilions of Leawood may have a covenant that provides more detail. Always ask your Board, ARC, or Management Company before making any changes to your home or lot.

### HOA OVERVIEW:

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. The ACC may reject plans and specifications, without citing specific, for the following reasons, among others, (i) insufficient information to adequately evaluate the design or intent; (ii) low design quality; (iii) incompatible design elements; (iv) inappropriate design concept or design treatment; and (v) a design found to have an adverse effect on the character of the community or its residents.

Category	Pavilions Restriction	Pavilions Notes	City of Leawood Restrictions
Animals	Not more than 2 dogs and/or 2 cats may be maintained on any lot. No animal runs or cages shall be allowed outside the residence. Written approval by the ACC shall be required for the installation of doghouse.	Allowed (exceptions)	Dog houses, dog runs, and dog kennels, provided they do not exceed a 64 square foot area and a 6' height, limited to the rear yard and adjacent to the existing structure;
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.	Allowed (exceptions)	
Clothes Line	No portion of residence shall be used as a drying or hanging area for laundry.	Not allowed	
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.	Must have ACC approval	
Deck – estates	Exterior decks and porches shall be painted or stained to match the exterior color of the residence	Allowed	
Deck – manor	Exterior decks and porches shall be natural wood color, or stained, or painted to match the color of the residence.	Allowed	
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	Must have ACC approval.	

	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.	Must have ACC approval	
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 <sup>th</sup> st, 151 <sup>st</sup> 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.	Must have ACC approval	
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.	Must have ACC approval	
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.	Must have ACC approval	
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	Only allowed twice a year during set community sale dates.	Estate sales. Estate sales shall be permitted provided the following conditions have been met: a. Residents within 200 feet have been notified by regular mail postmarked not less than

	<p>other than the specific community wide garage sale dates, the violating homeowner will be fined \$200 for each day of the sale.</p>		<p>10 days prior to the date of the sale.</p> <p>b. Means of parking and traffic control have been established and coordinated with the police and public works departments.</p> <p>c. Signage shall be limited to that permitted by this Ordinance.</p> <p>d. Tents or other accessory structures; food vendors; and/or any other such atypical residential uses shall require Temporary Use Permits as provided in 16-4-4 dealing with temporary short term uses.</p> <p>e. Sales limited to 1 per calendar year per location, operated for not more than 4 consecutive days during daylight hours.</p> <p>f. Permit required.</p>
Gardens	No vegetable gardens are allowed unless approved by ACC in advance.	Must have ACC approval	
HVAC	No window AC or heating units permitted.	Not allowed	
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.	Not allowed (exception)	Hot tubs are permitted provided that no hot tub shall be located within 10 feet of any property line. In addition, no hot tub shall be permitted to be located anywhere in the front yard. Fencing for hot tubs as provided in Section 16-4-9 of this Ordinance shall be installed and maintained.
Initiation Fee	Upon any transfer of a deed or other conveyance of an interest in a lot, the new owner shall pay the sum of \$300 to the Association as an initiation fee. This fee does not apply to owners who obtain their interest in a lot from the Developer. Nor does this fee apply to owners who obtain an interest in any lot during which time or within 180 days of owning any other lot in the Pavilions of Leawood. This fee shall be considered as an assessment and all other provisions of this Article shall apply to this fee,		

	except that the Board may not increase this fee more than 10 percent annually.		
Landscaping	No excavation will be made except in conjunction with approved construction. All exposed openings will be back filled and graded.	Must have ACC approval	All noxious weeds shall be prohibited. Weeds and plant growth shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs, provided; however, this term shall not include cultivated flowers and gardens
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.	Allowed (exceptions)	
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.	Must have ACC approval	
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.	Must have ACC approval	
Lawn	No lawn ornaments are permitted in yards visible from any street with ACC approval	Not permitted	
Leasing			Pursuant to Leawood City Code 8-536: No person, firm or corporation shall lease or rent or offer for lease or rent any dwelling unit without first making application. Rental Application Form

			Once you have completed this application please contact Mitch Bennett at 913-663-9171 or mitchb@leawood.org to schedule an appointment to have the residence inspected for verification there are no life safety issues. Inspections shall be required upon the initial application and after the dwelling unit has been vacated by one tenant and prior to the re-occupancy by another, except when a dwelling unit has been inspected anytime within the previous six (6) months of such vacation a new inspection shall not be required
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.	Not allowed	
Lights - Holiday	Permitted only during the holiday.	Allowed	
Moving Pod	Must have Board approval	Must have board approval	Portable storage containers for temporary on-site storage shall be permitted provided the following conditions have been met: a. The container must be placed on the drive or personal parking area and does not obstruct any city right of way or interfere with any vehicular or pedestrian circulation. b. Portable storage containers shall never be utilized as permanent accessory structures in any residential district. c. The container(s) shall be no larger than eight (8) feet in width, sixteen (16) feet in length and eight (8) feet in height. No single dimension can be exceeded. 8 feet in height. No single dimension can be exceeded d. No portable storage container shall remain at any residential site for more than thirty (30) days.

			e. Permit required.
Outbuilding	No building or other detached structure may be erected without ACC approval	Must have ACC approval	
Patio	No screening of a patio or other recreation area will be installed without ACC approval	Must have 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.	Must have ACC approval	
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.	Must have ACC approval for changes	Children's play equipment including swing sets, jungle gyms, sandboxes, playhouses, tree houses and other related equipment, provided playhouses do not exceed 64 square feet in gross floor area, with a maximum door width of 24" and 15 feet in total height measured from the ground to the highest point. Only one playhouse is allowed per residence;
Pool	Shall be subject to approval of the ACC.	Must have ACC approval	
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.	Not allowed (exception)	
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-Presidential 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	Must have ACC approval	

	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.	Must have ACC approval	Satellite receiving dish antennae of one meter or less; such antennae in excess of one meter are not allowed except as may be required by law;
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.	Must have ACC approval	
Signs	No permanent or temporary sign of any kind shall be displayed to the public view, or from any Lot, without the approval of the ACC, except for the following temporary signs (Permitted Signs): (a) such signs as may be used by Developer or any realtor retained by Developer in connection with the development and sale of Lots (whether improved or unimproved) in the Community: (b) such signs as may be required by legal proceedings; (c) such signs advertising the Lot as being for sale; (d) One political sign permitted per K.S.A. 58-3820. Restrictive covenants; political yard signs; limitations. (a) On and after the effective date of this act, any provision of a restrictive covenant which prohibits the display of political yard signs, which are less than six square feet, during a period commencing 45 days before an election and ending two days after the election is hereby declared to be against public policy and such provision shall be void and unenforceable., or (e) placards or other permanent signs, not exceeding 576 square inches, installed to display a street address of a lot. The Board or ACC may adopt design standards to provide	Not allowed (exception)	One political sign permitted per K.S.A. 58-3820. Restrictive covenants; political yard signs; limitations. (a) On and after the effective date of this act, any provision of a restrictive covenant which prohibits the display of political yard signs, which are less than six square feet, during a period commencing 45 days before an election and ending two days after the election is hereby declared to be against public policy and such provision shall be void and unenforceable.

	that said address placards conform to the design of the applicable residence. Permitted Signs, except address signs, shall not exceed five square feet in total area or be more than three feet in height, measured from grade.		
Solar Panel	Must have ACC approval. Cannot face any street.	Must have ACC approval	Solar collectors provided that all components servicing the collector panel are concealed and all exposed metal shall be finished with warm earth tones or black, in color;
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.	Must have ACC approval	<p>Sports courts/Tennis courts. Paved areas and other surfaces designed for sports or similar recreational uses (hereinafter referred to as "courts"), may be approved as an authorized accessory use subject to required administrative approval by the Director of Planning for the location and design. In order to prevent a negative influence on the neighborhood and creation of a potential nuisance the following conditions shall be considered minimum requirements to be met.</p> <p>a. Courts must be accessory to the principal use it is intended to serve. Courts on separate lots will not be considered as stand alone structures.</p> <p>b. Plans shall be submitted for approval and shall be based upon compliance with the following standards: 1) The need for screening to protect the privacy of adjoining properties, including noise and lighting, if proposed, and 2) appropriate management of surface water runoff. These standards are to be considered minimums and other factors may be considerations for approval by the Director of Planning.</p> <p>c. Courts shall not be constructed within a required front yard and shall be located</p>



			<p>a minimum of 10 feet from any rear or side lot line. Screen plantings of a height necessary to muffle noise and block lights may be required as a condition to the special use approval.</p> <p>d. Fences for courts may be up to 12 feet in height and shall be of a green or black PVC coated chain link fabric. Said fences shall be located a minimum of 10 feet from any rear or interior side lot line.</p> <p>e. Courts shall be designed so that the surface water will be carried to the street or storm drainage system on the owner's property, or by underground pipe to the public street or storm drainage system, or if across other ownership's, easements must be obtained. A statement along with a detailed drawing from a professional engineer, P.E., shall be submitted showing and stating that these drainage requirements have been or will be met.</p> <p>f. All court lighting shall be subject to approval either in conjunction with the application for a sport court or separately as an addition at a later date. Existing courts requesting lighting shall be authorized only by issuance of a special use permit. A lighting plan shall be submitted which indicates the lumens (footcandles) at the property line and distance to the nearest structures. Footcandles shall not exceed 0.5 footcandle measured anywhere along the adjacent property lines. Illumination levels shall be measured with a photoelectric photometer having a spectral response similar to that of the human eye, following the standard spectral luminous efficiency curve adopted by the</p>
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			<p>International Commission on Illumination. A lighted court may be required to have additional screening in order to mitigate the affect of lighting on any adjoining properties. Cutoffs shall be provided to eliminate the view of the light source from adjoining properties.</p> <p>g. No court lighting shall be permitted between the hours of 10:00 p.m. and 7:00 a.m.</p> <p>h. A landscape plan shall be submitted at the time of application indicating plant material, size, location and spacing proposed.</p>
Storage Tank	Not allowed	Not allowed	
Structure	Any structural changes to the exterior appearance of the home must be approved by the ACC.	Must have ACC approval	<p>Architecturally attached structures shall be allowed only when the accessory structure is connected to the primary structure with a minimum 10' wide structure, such as a breezeway, pergola, or other usable shade type structures constructed of similar materials to which it will be attached. The accessory structure and the primary structure shall not be more than 15' apart, measured from the exterior wall of the accessory structure to the exterior wall of the primary structure. Not to be included as an allowable connection is a fence, deck, awning or other types of non-compatible or non-shade type structures. Sunrooms attached to the primary residential structure are permitted; provided, that the roof portion of the sunroom shall be comprised of no more than 400 sq.ft. of glass. All glass used to comprise the sunroom shall be a non-glare and non-mirrored variety. All sunrooms shall also meet all requirements contained in Section 16-4-1.2(C) of this Ordinance. A sunroom is</p>

			defined as a room or an enclosed porch with both glass walls and roof.
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.	Must have ACC approval	
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.	Not allowed (exception) 14904 Delmar grandfathered in.	
Trash	No garbage or trash shall be visible from another lot. No incinerator. No refuse pile.	Not allowed	
Trees - removal	Written permission is required from ACC before removing any trees of 4" or over in caliper.	Must have ACC approval	All trees and shrubbery shall be maintained free of disease and/or decay. In the event that death occurs in any tree shrub or other plant material the owner of the premise shall without delay remove same.
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.	Not allowed (exceptions)	
Vehicles – repairs	No vehicle shall be repaired (except minor repairs) or rebuilt on any lot.	Not allowed (exceptions)	
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.	Must have ACC approval	

**Fines.** If the owner does not request a hearing or if the Board determines that a violation or breach exists after a hearing or the owner does not complete the plan to remedy the violation in the agreed upon timeline, the Board may levy a fine up to the amount as indicated herein:

- a. New Roof installation which is non-compliant - \$10,000;
- b. Non-approved Exterior house paint color or lack of painting - \$1,000;
- c. Concrete deterioration of sidewalk/driveway/patio - \$1,000;
- d. Fence in disrepair or installed without approval of ARC - \$1,000;

- e. Landscaping installed without approval by the Association's Architectural Review Committee ("ARC") or in need of replacement as determined by a professional landscape company- \$1,000;
- f. Garage Sales - \$200
- g. Other miscellaneous violations - \$100.

The Board may determine the fine amount based on the estimated cost of the project after at least two bids from a professional contractor has been received. The fine shall not exceed the amount structured herein. The minimum of any fine levied shall be \$100 and shall not exceed \$10,000.