Avignon Villa Homes Community Association, Inc.
Architectural Guidelines
(heretofore the Development Guidelines)
May 15, 2026

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ARCHITECTURAL GUIDELINES

INTRODUCTION

The Architectural Review Committee (ARC) was established pursuant to the Declaration of Covenants, Conditions and Restrictions (DCCR) for Avignon Villa Homes, as outlined in Article VII. Its operations are governed by the authority granted by that document. The primary objective of the ARC is to ensure that any proposed modifications adhere to the DCCR and the Development Guidelines. Notably, the ARC does not bear the responsibility of assessing or rendering an opinion regarding 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 applicable laws, codes, and ordinances.

The following document provides an explanation and clarification of certain guidelines and procedures issued by the Avignon developer following the filing of the DCCR on January 6, 2006. This includes any subsequent modifications, additions, and revisions. However, in the event of any conflict between this document and the DCCR, the DCCR will prevail. These guidelines may be modified, amended, modified, or deleted at any time in accordance with the DCCR of the Avignon Villa Homes Community Association, Inc.

1. PROCEDURE FOR REQUESTING EXTERNAL MODIFICATIONS, ENHANCEMENTS OR ADDITIONS

A. All exterior improvements, enhancements, modifications, major repairs, or rebuilding of the home or lawn (including painting, lighting, and landscaping) must be approved in writing by the ARC. Certain exceptions, as outlined within this document, are permitted and do not necessitate ARC approval.

B. Prior to any work or action being undertaken, all requests to the ARC must be submitted in writing to the Community Association Management (CAM) office using the hard-copy or electronic format provided on eNeighbors. For those who are unable to access the website, hard-copy request forms are also available from the CAM office.

C. Additional information, such as drawings, photographs, and literature pertaining to the project in question, should be submitted to enable the ARC to make an informed decision.

D. All requests will be reviewed within two to three weeks of submission by the ARC. The ARC will approve or deny the request by a majority vote.

E. Upon approval, the homeowner has six months to complete the requested change. If the project is not completed within this timeframe, a new request must be submitted to the ARC. The homeowner should inform the CAM office upon the completion of the project.

2. EXTERIOR PAINTING

2.1. Stucco, Trim, and Doors

a) All exterior painting projects, excluding foundations, require approval from the ARC.

b) Siding should be stucco or stone to align with the original design and material. Brick is not permitted. Re-siding or repainting exterior stucco must be approved by the ARC before the commencement of work.

c) Stucco color selection is restricted to the original colors used in the neighborhood. A home may not be the same color as adjacent homes. Stucco color selection and paint type must be approved by the ARC. Samples are available from the ARC. A consultation is necessary for all painting projects to verify that the chosen colors match the samples.

d) Homeowners have the option to purchase paint from a vendor of their choosing. The type of paint to be used may depend on the age and condition of the stucco. In most instances, “Elastomeric paint” or other high-quality acrylic paint specifically formulated for stucco should be selected for optimal results.

e) Trim, soffits, columns, and garage doors must be painted in a consistent color scheme.

f) Any change in the color of the front exterior doors requires approval from the ARC.

2.2. Foundations

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

2.3. Address Plaques

a) Repainting house numbers does not necessitate approval from the ARC. The background should be black, and the numbers should be white or gold in color.

3. STANDARD CONSTRUCTION, REPAIR, AND RENOVATION REQUIREMENTS

3.1. Roofing and Shingles

a) The installation of new roofing shingles necessitates approval from the ARC. The roofing shingles are to be GAF Timberline® in weathered wood, such as GAF Timberline® ASII or GAF Timberline® HDZ shingles.

b) It is recommended to utilize shingles that are Type 3 (impact resistance) and Class A (fire and wind resistance).

c) It is highly recommended that a GAF-certified roofing contractor perform the

installation. The ARC is available for consultation if necessary. See below link for additional information: https://www.gaf.com/en-us/roofing-contractors/residential

3.2. Exterior Doors, Storm Doors, and Garage Doors

a) If the front and rear exterior doors are replaced, they must be made of metal and conform to the original design. Color variations must be approved by the ARC.

b) Front and rear storm doors may be full-view or partial-view, including self-storing storm doors. The frames for all storm doors should be white or closely match the house trim color. Acceptable doors include Anderson 2000 (partial-view) and Larson Tradewinds Classic (full-view). All new and replacement storm doors must be approved by the ARC.

c) Garage doors must be made of metal and match the original design.

3.3. Windows, Window Wells, Railings, Gutters

a) All windows designed to open must be white vinyl casement style to match the original.

b) Egress window-well covers are not permitted.

c) Railings on decks, porches, and other features such as egress window-wells and patios should be aluminum or composite and white in color. Railings on egress window-wells must have an escape gate. Replacing or adding railings requires approval from the ARC, which will review the color and type of railing material.

d) Gutters must be aluminum and white in color to match the original.

3.4. Patios, Decks, Pergolas, Fireplaces, Hot Tubs

a) All patio construction, including design, type, color, shape, and other pertinent details, must be submitted with drawings and material specifications for approval by the ARC to

comply with established community aesthetic standards.

b) Patios shall not be installed closer than 6 feet from lot lines or in easement space.

c) Patio and under-deck patio flooring shall be composed of loose pavers, stone, or stamped concrete with a pattern that incorporates various sizes and exhibits the appearance and color of stone pavers.

d) Patio walls must be constructed of 6-inch natural limestone or Anchor Highland Stone by Pavestone®.

e) New decks necessitate approval from the ARC before construction commences. The design of the deck must harmonize with the architectural style of the residence and align with the overall aesthetic of the community. Composite planking, such as TREX® or its equivalent, has been approved by the ARC. All deck construction must adhere to applicable local building codes and permit regulations.

f) Patio pergolas must be constructed from aluminum, painted white, and require approval from the ARC before installation.

g) Backyard fireplace construction and height should be considerate of surrounding neighbors and not obstruct views. Generally, a maximum height of six feet for gas fireplaces and nine feet for wood-burning fireplaces is acceptable. Approval by the ARC is required prior to construction.

h) Outdoor hot tubs are not permitted.

3.5. Driveways and Sidewalks

a) Driveways that have significantly deteriorated must be repaired or replaced. Approval from the ARC is not mandatory, providing that the original design and area are preserved.

b) The responsibility for replacing or repairing community sidewalks rests with the homeowner.

3.6. Retaining Walls

a) Retaining walls are permitted only in areas where the slope or gradient of a yard exceeds 0.2 (20%). Construction of retaining walls requires approval from the ARC.

b) Retaining walls must be constructed from 6-inch natural limestone or Anchor Highland Stone by Pavestone®.

3.7. Radon Mitigation Piping

a) Radon mitigation systems should be installed within the interior of the house, with the exposed piping extending through the roof, rather than the exterior walls.

b) Any external installation necessitates approval from the ARC.

4. LANDSCAPING

4.1. Maintenance

a) The maintenance of lawns, shrubs, and trees is the responsibility of the homeowner, as outlined in Article III, paragraph 3.01(p) of the DCCR.

b) Shrubs and trees must be trimmed to prevent overgrowth.

c) Homeowners must adhere to the current list of Kansas-prohibited plant species prior to installation.

d) Yards must be maintained with fine leaf, tall fescue, rye, or blue grass, except for areas designated by the Association to be left in a natural state.

e) Ornamental grasses, shrubs, and plants can be added within the existing landscape

beds without the approval of the ARC.

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

g) Vegetation up to 24 inches high and not overhanging or extending onto the lawn may be grown in backyard landscape beds.

h) Growth from shrubs and other plantings must be kept 6 inches below front-facing windows.

i) Landscaping must not obscure the address plaque.

j) Landscaping should promote drainage away from the house.

k) Homeowners are responsible for their own property's drainage and for eliminating any nuisances such as excessive water, mud, or ice on public sidewalks or streets.

4.2. Landscape Beds, Edging, and Mulch

a) Landscape bedding modifications in size or design, including edging alterations, necessitate approval from the ARC.

b) Natural stone, such as river rock, can be utilized to facilitate drainage within landscape beds, mulch areas, and beneath decks. However, only 3-4-inch-thick river rock is permitted; pebbles and gravel are not acceptable. Stone may only be employed in landscape beds and not in tree rings. Rainbow river rock is prohibited.

c) Edging is to be natural trench or flush embedded natural stone that does not impede mowers. Concrete stone may be substituted but must have the appearance of natural stone. It is advisable to provide a sample of the stone to the ARC prior to its installation.

d) Mulch should be shredded tree material, black or dark brown in color. Rubberized mulch may be used with approval by the ARC.

4.3. Landscape Trees

New trees may be planted, but approval is required from the ARC. The list of preferred trees for northeast Kansas can be found at https://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/programs/lawn-garden/agent-articles-fact-sheets-and-more/frequently-asked-questions/Recommended%20Landscape%20Trees%20for%20KC%20Rev.%202020.pdf

a) The removal or replacement of a similar species (hardwood for hardwood or ornamental for ornamental) does not necessitate approval from the ARC.

b) If no replacement tree is planned, tree stumps in the yard must be removed and replaced by grass.

4.4. Street Trees

a) The responsibility for street trees lies with the individual homeowner. This entails maintaining mulch tree rings, trimming limbs to prevent obstruction of foot or vehicle traffic, and ensuring the overall health of the 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 have a minimum diameter of 2.5 inches. Approval from the ARC is not required.

4.5. Irrigation

a) All residential properties must be equipped with an operational in-ground lawn irrigation system.

b) Adequate water application is essential during the growing season, particularly during drought conditions, to preserve the appearance and overall health of the lawn.

5. OUTDOOR FEATURES AND DECORATIONS

5.1. Fences

a) Fences, partitions, or privacy screens of any kind are prohibited.

b) Invisible pet fences are permitted, provided they receive approval from the ARC prior to installation.

5.2. Lighting

a) Only white lights are permitted for use on porches, patios, soffits and landscaping.

b) A minimum of three exterior dusk-to-dawn floodlights shall be installed in the soffits on the front of the house. Installation of additional soffit lighting requires approval from the ARC.

c) Burned-out bulbs in soffits must be replaced within 30 days, and all bulbs must be identical in appearance. To ensure consistency throughout the neighborhood, it is recommended that all soffit lights remain in the Warm scale, not to exceed 3500K, and a brightness of approximately 50 watts. Light bulbs are measured in Kelvins (color temperature) and this information is clearly marked on all packaging.

Light bulbs in the color temperature range of Cool White and Daylight (4000 -6500 Kelvins), or brighter than 50 watts are discouraged due to their bluish appearance and

light spillage.

d) No external wiring is permitted above ground, except for accent lighting in patio areas. Such lighting must be submitted to and approved by the ARC.

e) Low-voltage electrical (wired) walkways, patios, 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 generally prohibited. The sole exception is in backyard berms, decks, and patios. The lights must be white, identical, and downward projecting. No more than six lights are permitted, and the height should not exceed 18 inches. No lighting is permitted in grassy areas that could hinder mowing.

5.3. Yard Art, Bird Accessories, Awnings, Furniture, Potted Plants

a) Figurines, gazing balls, plaques, and yard art are not permitted on driveways, sidewalks, front yards, or front landscape beds.

b) Birdbaths, birdfeeders, freestanding birdhouses, and fountains are permitted in the back landscape beds of the house with prior approval from the ARC. Birdhouses suspended in trees are only allowed in the backyard and do not require ARC approval.

c) Statues, metal trellises, and benches may be permitted in the side or backyard landscape beds, but they must be approved by the ARC prior to installation. Visibility to sidewalks and streets will be the primary criterion for approval.

d) Benches, tables, and chairs are permitted on porches, patios, and decks without requiring approval from the ARC.

e) Retractable sunscreens or awnings are permitted, provided they receive approval from

the ARC prior to installation. These should be in the same color as the house or house trim.

f) Potted plants are permitted on patios, porches, decks, and backyard landscape beds, but not on driveways, sidewalks, or front or side landscape beds. Potted plants are also permitted on either side of the front steps with approval from the ARC.

g) The installation of window plant boxes to the house is prohibited.

h) Artificial plants and flowers are prohibited in yards and landscape beds.

i) Wind chimes are permitted on patios, decks, and backyards, but they must be removed or relocated if there are complaints from neighbors.

5.4. Flags (Year-Round)

a) The location of the flagpole 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 permitted and do not necessitate approval from the ARC. The flag must be in good condition and not exceed a size of 3 feet by 5 feet.

c) The United States flag must be displayed in accordance with the regulations outlined in the U.S. Flag Code for residential properties.

d) The display of sports and team flags is permitted solely on game days. This practice will be closely monitored.

5.5. Flags (Seasonal) and Decorations

a) Seasonal flags for recognized U.S. holidays may be displayed during the appropriate holiday seasons and occasions, such as Valentine's Day, St. Patrick's Day, Easter, Thanksgiving, and Christmas.

b) Small seasonal flags and banners are permitted in landscape 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 approval from the ARC for specific holidays, such as Easter, July 4th, or Thanksgiving. Decorations should be removed within a week after the holiday concludes.

e) Year-end holiday lighting may be illuminated only from Thanksgiving Day until January 15 of the following year. Installation of lights is prohibited before November 1 and must be removed by March 1, weather permitting.

5.6. Signs

Signs in yards or windows are not permitted, with the following exceptions:

a) A real estate box for home listings, containing promotional materials such as flyers or brochures, can be strategically placed near the entrance to the property.

b) One house-for-sale sign may be displayed in a window of the house.

c) Open house, estate sale and moving sale signs may only be displayed on the day of the event.

d) Security system signs measuring no more than 12 x 12 inches may be placed in the front-yard landscaping beds.

5.7. Satellite Dishes and Antennas

a) Homeowners may install a satellite dish one meter (39.37 inch) 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 approval

by the ARC. This rule permits the Association (ARC) 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 preferences include the backyard of home near foundation, the back roofline of the home and the 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.

e) Satellite dishes should be removed once service is disconnected and the dish is no longer in service.

6. APPEARANCE AND SECURITY

6.1. Garage Doors, Trash

a) Garage doors must be fully closed when the homeowner is not present or in the vicinity of the garage.

b) Trash receptacles should be kept indoors in the garage and moved outside only on the day of trash pickup or after dusk on the evening before.

6.2. Parking

a) Residents and visitors in Avignon are required to adhere to the Motor Vehicle Parking Policy established by the Association and enforced by the ARC. This policy encompasses driveway parking, street parking, recreational vehicle parking, and exceptions during holidays or for extended stays.

b) The comprehensive Motor Vehicle Parking Policy is accessible in the Documents section of eNeighbors, specifically under the heading “ARC Guidelines, etc.” For further information or clarification, please contact the ARC.

6.3. Snow Removal

a) Snow removal (but not ice removal) will be conducted when there is an accumulation of more than 2 inches at any one time on the majority of homes in the neighborhood, as determined by the Avignon Board. Homeowners may place flexible plow stakes along their driveways to assist in snow removal, but stakes should not exceed 4 feet in length. Upon completion of the shoveling operation, the stakes should be promptly removed, provided that weather conditions are favorable and safe.

6.4. Toys and Equipment

a) Basketball or soccer goals, children’s play sets, or swing sets are not permitted. This includes portable equipment.

b) Skateboards, roller skates, hoverboards, and similar devices are prohibited on common area pathways.

c) Toys and recreational equipment should be stored indoors when not in use and should never be left outside overnight.

6.5. Pets

a) Pets are not permitted to be housed outdoors and must 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. For more information, please visit https://www.olatheks.gov/government/animal-care-control.

b) Dogs should not be permitted to roam in the yards or landscaping of other neighbors. The City's right-of-way is three feet on either side of the sidewalk and pets should be confined to those areas. For more information, please refer to https://www.olatheks.gov/government/animal-care-control.

c) No dog run, doghouse, or outdoor shelter is permitted.

6.6. Security Devices

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

7. INSPECTIONS AND VIOLATIONS

7.1. Schedule of Inspections

a) At any time in addition to the annual inspections, the ARC can issue notifications for violations. See the Enforcement Policy (in "Documents" on eNeighbors) which outlines the ARC procedure for handling violations.

7.2. 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:

- Stucco, trim & foundations that need painting
- Driveways and sidewalks that need repair
- Landscape beds that need weeding
- Dead trees or plants
- Overgrown bushes, shrubs and landscape bed edges
- Mulch that needs replacing
- Items restricted by the ARC Guidelines

7.3. Process Following Violations

a) Homeowners who are notified of violations must inform CAM within 30 days that the violation(s) are being addressed. The property will be reinspected by the ARC to ensure compliance.

b) Upon reinspection, CAM will only issue a follow-up violation letter to homeowners who have not yet corrected their violations.