

# Standards for Service Building Approval

## ***Authority***

Article III – Architectural Control of Declaration of Covenants, Conditions and Restrictions (Deed Restrictions) notes in Section 1 that **NO STRUCTURE** shall be erected placed or altered ..... without approval in writing by the Developer. **STRUCTURE** is defined in Section 1 (c) as may include garages, fences, auxiliary buildings, pools, etc. **DEVELOPER** is defined in same Section 1 (c) as any entity, person or association to whom Developer may assign the right of approval. (Approval has been assigned to the Monticello Place Community Association.)

Section 2 (a) states: “The exterior building material of all STRUCTURES shall extend to ground level and shall be either brick, stone, brick veneer or stone veneer or a combination of same. Developer recognizes that the appearance of other exterior building materials (such as wood siding) may be attractive and innovative and reserves the right to approve in writing the use of other exterior building materials **which consent may be arbitrarily and unreasonably withheld by Developer**. No 4’ x 8’ wood panel siding may be used for siding on the house, garage or outbuilding. The use of aluminum or vinyl siding (except in small amounts for overhangs or gables less than 15 feet in width) is prohibited.”

Article V – Powers and Duties of the Board – of the MPCA Bylaws states that the Board shall have the right under section A to: “Adopt and publish rules and regulations enforcing and/or maintaining the Deed Restrictions of the Development as a whole and the maintenance of the common areas, etc.

Article V Section 1 includes the following statement: “Failure of any owner or developer to demand or insist upon observance of any of these restrictions, or to proceed for restraint of violations, shall not be deemed a waiver of the violation, or the right to seek enforcement of these restrictions.”

## ***Notifications:***

- MPCA has the Deed Restrictions posted for all Sections on their website.
- MPCA has excerpts of the Deed Restriction requirements most often violated highlighted on the website.
- MPCA has excerpts of the Deed Restriction requirements most often violated highlighted regularly in MPCA newsletters.
- Deed Restrictions are sent to all new property owners once we know who they are.

## ***General Requirements***

- The size limit for service buildings covered by these requirements shall be no larger than 144 square feet. Any requests larger than 144 square feet will be considered as garages and must comply with the Deed Restrictions relative to architectural provisions.
- All buildings must be on a leveled 4 inch thick Concrete Slab. The Board may consider alternative foundations when justified by topography, drainage or similar situations.
- Alternative foundations shall be leveled at the buildings floor whether on concrete slab or other foundations.
- Roof shingles must match roof of house (color and style)
- Exterior finishes, colors and materials must be compatible with primary structure
- Vertical siding will be allowed such as LP SmartSide 50 year warranty siding or equivalent.
- Property Owner is responsible for all easement provisions, permits, and compliance with laws, ordinances and regulations. If requests are made to the Board that identify buildings situated on or within platted easements, the owner shall provide the Board with written documentation from the authority governing the easement, that permission is given to locate the building on or within the easement. Otherwise, the Board cannot approve the building.
- Siding material must be extended to ground level or concrete slab.