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Backyard Outbuilding and Structures Policy

(Adopted October 15, 2009, Revised July 21, 2016)

PURPOSE: This document establishes the policy for approval or disapproval of the installation of backyard outbuildings and sets standards for their site location, dimensions, material, maintenance, design, and use.

INTRODUCTION: Outbuildings shall conform to the normal and accepted uses and enjoyment of neighboring residential properties (including backyard privacy and views, and freedom from nuisances). The installation, replacement, alteration, or construction of an outbuilding on any lot requires the prior written approval of the Association (See *Procedure for Application, Approval, and Completion of Exterior Alterations*).

DEFINITIONS:

“Backyard” means the portion of a lot between the front line of the house and the rear and side property lines enclosed by a fence.

“Outbuildings” (also known as accessory buildings) means sheds, workshops, gazebos, pergolas, and other enclosed or partially enclosed structures.

“Combined outbuildings” means the total square footage of all outbuilding structures (as defined above) on a single lot.

“Canopy” means a temporary cover over an open space, such as a pop-up (e.g. “E-Z up”). A tarp is not a canopy.

“Setback” means the distance between the outbuilding and the property line as further defined in the CC&Rs.

“Ten Percent Rule” applies to lots larger than 5000 square feet and means that ten percent (10%) of the additional square footage of the lot size may be added to the 300 square foot limit. The formula is $(T - 5000) \times 10\% + 300 = n$, where T = Total Lot Size.

For example, a 9000 square foot lot may have an additional 400 square feet for a total of 700 square feet of combined outbuildings. In this example, the calculation would be $(9000-5000) \times 10\% + 300 = 700$ square feet.

LOCATION:

- a. Outbuildings and canopies shall only be located in the backyard behind a fence.
- b. All outbuildings shall comply with the CC&R’s and Alameda County setback requirements.



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DIMENSION:

- a. On lots 5000 square feet or less, the maximum square footage of all combined outbuildings shall not exceed 300 square feet.
- b. Additional square footage may be considered for lot sizes greater than 5000 square feet using the Ten Percent Rule as defined above.
- c. Regardless of lot size, the combined area of all outbuildings shall not exceed 35% of the backyard.
- d. Outbuilding structures shall not be permitted which unduly diminish yard space and areas for foliage in the backyard, which would result in a crowded, cluttered or overbuilt lot.
- e. Outbuildings shall not have a wall height greater than eight (8) feet.
- f. Roof peak shall not exceed ten (10) feet.

MATERIALS:

Outbuildings that are not pre-manufactured shall be constructed of materials similar to that of the house.

COLOR:

- a. If painted, the color of the outbuilding shall be compatible with the house.
- b. If not painted, outbuilding walls and roof shall be finished in non-reflective material or muted color.

DESIGN:

Each design and application is treated separately. As stated in the CC&R's, approval of a particular design or plan for a lot does not constitute or imply acceptance of the same or similar designs or plans on other lots.

MAINTENANCE:

- a. Outbuildings and canopies shall be well maintained and must have a neat and well-kept appearance.
- b. Portions of outbuildings and canopies visible from the street and neighboring residences and yards must be kept in good repair.

PROHIBITED USES:

- a. In accordance with the CC&R's, outbuildings shall not be used as living quarters, businesses, or garages.

COMPLIANCE: Members who fail to comply with the standards established herein are subject to discipline by the Association (see CC&R Enforcement Procedures and Fine Policy). Each Member is strictly liable: a) for the acts and omissions of all of the Member's tenants, guests and invitees, b) for the acts and omissions of all guests and invitees of any tenants; and c) for the acts and omissions of all residents living on the lot.



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SUBMITTAL OF PLANS: Prior to erecting any outbuildings and/or structures, all homeowners are required to submit a completed *Application for Architectural Alterations* form along with all required plans, specifications, drawings, and other documents to the Association and must obtain written approval from the Association. This process is set forth in the *Procedure for Application, Completion, and Approval of Exterior Alterations*.

Adopted by the San Lorenzo Village Homes Association Board of Directors October 5, 2009

Certified as a true copy


Secretary of the Corporation