

## ACC DESIGN GUIDELINE FOR TWO-STORY STRUCTURES

The Declaration of Restrictions governing many of the units that make up Sandia Heights Development contain a restriction that provides:

“Except by specific approval of the Architectural Control Committee, no residence shall be a full two story structure. A two-story structure is defined as one which is two full stories above the natural grade of the lot on all sides.”

In determining whether a proposed residence is prohibited by the two-story restriction the following criteria will be applied:

1. ***The visual appearance of the residence as it looks from the outside looking toward the residence.*** If all sides of the residence, as depicted on an architect’s rendering of elevations of the proposed residence, appear to be substantially the same size for each story, then the residence will be considered by the Architectural Control Committee to be a full two-story structure within the prohibition of the Declaration of Restrictions.
2. ***The ratio of the outside footprint of the upper story compared to the outside footprint of the lower story.*** Insubstantial differences between the outside footprints of each story will not prevent a finding that the residence is a full two-story house.
3. ***The ratio of the heated square footage of the upper story compared to the heated square footage of the lower story.*** Differences between the heated square footage of each story will not prevent a finding that the residence is a full two-story house.
4. ***The ratio of the heated and unheated square footage of the upper story compared to the heated and unheated square footage of the lower story.*** Differences between the heated and unheated spaces of each story will not prevent a finding that the residence is a full two-story house.
5. ***Decks and balconies.*** The existence of decks and balconies, whether covered or uncovered, will not be considered in determining whether each side of a proposed residence appears to be a full two stories.
6. ***Garages.*** An attached garage will not, by itself, be sufficient to overcome the two-story restriction.
7. ***More than two stories.*** The full two-story limitation cannot be circumvented by the addition of additional full or partial stories above the first two.

***Purpose:*** This guideline is established to ensure that all structures on residential lots comply with the spirit and intent of covenant restrictions prohibiting full two-story structures, and covenant restrictions requiring conformity and harmony of external design of each building to the Subdivision as a whole.

*This guideline is intended to provide general standards of design and construction. The Architectural Control Committee retains the right to grant variances to this and all guidelines in its sole discretion for site-specific reasons.*

*Application for any variance shall be made separately in writing, and in accord with the ACC policy relating to Variances.*

**Authority:** *The SHHA Board of Directors, on August 11, 2021, recognized and adopted ACC Design Guidelines contained in the ACC Handbook and published on the SHHA website as Community Documents binding upon all SHHA members and activities.*

*(Guideline Effective September 18, 2024)*