

Bosque del Rio Pool Guidelines – ACC Standards

Updated July, 2010 by ACC

The following instructions are a guide to assist homeowners in submitting the required ACC form and plans for a pool or spa for ACC approval as outlined in Section 5 of our CC&R's. Per Section 5.1.b. *"The purpose of the ACC is to enforce the architectural standards of the Community and to approve or disapprove plans for improvements proposed for the Lots."* As stated in Section 5.3 of the CC&R's, *"for any exterior change or addition, the Owner shall submit to the ACC a complete set of plans and specifications for the proposed improvements, including site plans, grading plans, landscape plans, specifications of materials and exterior colors, and any other information deemed necessary by the ACC for the performance of its function".* The site plan needs to have detailed dimensions on the drawing to show distances from any proposed shed or detapool or spa to the property line and house. This includes all specifications, colors, dimensions and materials used. The pool and surrounding wall must be in compliance with all City of Albuquerque regulations concerning pools.

In accordance with the covenants, plans for proposed exterior changes must be submitted for approval before any clearing, grading, or construction is commenced. This includes swimming pools, spas, hot tubs, surrounding decks, sidewalks, pool equipment and decks. Above-ground pools are prohibited (except for "kiddie" pools as defined below). With an in-ground pool, being near ground level, the appearance is not obtrusive. An above-ground pool design violates the architectural design and plan of the community. There are architectural approval controls in most HOAs which rule against above-ground pools. They are aesthetically challenged and difficult to disguise because of the decking that surrounds them, the color of the sides and/or the inexpensive pool covers used. In addition, draining the above-ground pool can cause a flood hazard to surrounding properties. Jacuzzis, hot tubs, whirlpools or spas shall be allowed only in rear yards if screened and otherwise meet HOA guidelines. Any exterior improvement must be submitted to the ACC prior to construction.

Only children's molded plastic wading pools or inflatable "kiddie" pools less than twenty inches (20") deep and eight feet (8') in diameter with no water filtration system will be permitted as above-ground pools. All kiddie pools must be located in the rear yard during use and stored when not in use. No other above-ground pools are permitted. All other pools, spas, hot tubs and lap pools, etc. require specific approval from the ACC.

If you plan a change to the landscape or plan a pool deck, provide a sketch of any proposed changes. The plans need to include detailed dimensions of the pool deck also.

Here are some basic things that will be looked at:

- Please have your pool (or spa) contractor make arrangements to maintain ponding on the property when he does excavation and grading. Surface water is not permitted to drain towards any property line.
- The plans need to include a property site plan, grading plan and plan of the proposed work with detailed dimensions, colors and design.
- The setbacks for the pool are as follows: "no structure shall be constructed, placed or maintained within fifteen (15) feet of the rear property line of a Lot or within ten (10) feet of the side property line." If space is an issue, you may request a variance to place the pool within 10' of the rear property line and the ACC will consider it. This distance is required to maintain ponding.
- City codes require a 72" fence around a pool (or 48" with a pool cover and approval from Building & Safety) and it must completely surround the pool area. Spaces between bars/railings must be 4" or less. Gates/doors are to be self-closing, self-latching.
- Finally, to install a pool or spa, you must discuss the proposed project with the impacted neighbors to the rear and sides and provide a signed statement in writing from them that they are aware of the project prior to obtaining ACC approval. Their permission is not required.

NOTE: Any pool pump equipment must be shielded/screened to reduce noise and prevent being seen from the street and other neighbors. It is to be inside your wall and not located near a neighbor. Provide a detail of the proposed screening. It must be at least five feet (5') away from the fence abutting a neighbor's property. Due to noise pollution complaints, we now require high quality noise insulation and solid walls around pool equipment to

prevent adjacent properties from hearing the swimming pool filter motors. The pool pump and filtration system must be installed in a suitable enclosure to assure adequate soundproofing, such that it cannot be heard in adjoining property. It must also be screened from view so as not to be visible to adjoining property. We suggest you line the inside of the solid enclosure with a very thick sound blocking and sound absorbing material. For example, a block wall stuccoed to match the house with insulation on the inside walls or a fabricated structure with solid walls in a color to match the home.

You should plan to set the water quality system pump timer to operate when its hum is least noticeable, i.e., midday, early morning or late night. Lastly, if the pool pump or filter motors are mounted to a cement slab by the use of lag bolts (or some similar method), and then it would be a good idea to use vibration isolation pads as washers beneath the feet or skids of the pump or motor. This will isolate the vibrating pool pump motor from transmitting through the concrete slab. Remember, that concrete is a superb sound proofer in itself, but if sound or vibration is transmitted directly into concrete via heavy duty lag bolts the noise and vibration are bound to be transmitted through the slab and virtually to the place where it becomes a nuisance to you and your family.

