

**LOMA LINDA SUBDIVISION HOMEOWNERS ASSOCIATION
ARCHITECTURAL CONTROL COMMITTEE
Adopted Rule, Regulation or Standard**

Structures Approval Requirements

SUBJECT: Adoption of a Rule, Regulation or Standard defining ACC approval Requirements for Structures and changes in the Loma Linda Subdivision.

PURPOSES: Define when ACC approval is required for Structures.

AUTHORITY: The Declaration, Articles of Incorporation, and Bylaws of the Association and Colorado law.

EFFECTIVE DATE: [September 14, 2020](#)

RESOLUTION: Governing Document Statement: Article VI

No building, fence, wall or other structure shall be commenced, erected or maintained upon the Properties, nor shall any exterior addition to or change or alteration therein be made until the plans and specifications showing the nature, kind, shape, height, materials, and location of the same shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by an Architectural Control Committee.

Reasoning for this Rule, Regulation or Standard:

The language in this clause is ambiguous regarding maintenance. Structures, by Archuleta County definition, are anything that is constructed, assembled, erected or built on a lot. Structures would include fences, free standing decks, gates at lot entrances, solar panels, propane tank screens, buildings, sheds, carports, etc.

The covenant is quite clear that the building or installation of any structure requires approval of the ACC prior to beginning the building or installation.

The term "maintained" in Article VI is ambiguous in that Article VII requires lot owners to "*maintain the premises and the improvements situated thereon in a manner satisfactory*".

RULE, REGULATION OR STANDARD:

1. All new construction or installation of a "structure" will require application by the Lot Owner to the ACC, utilizing the forms and procedures set forth for such applications by the ACC and the Board of Directors.

2. Any maintenance or alterations to existing structures that have prior approval from the ACC will require an approval from the ACC, if the maintenance or alteration creates a structure that is significantly different from the structure with ACC prior approval.

Examples are changing siding on a building, changing from metal roof to asphalt, fiberglass shingles or tiles, or relocating an existing storage shed to a new location.

3. Consistent with Article VII, any lot owner may maintain any previously ACC approved structure, if such maintenance is consistent with the original approval of the ACC.

Examples, re-staining an existing structure. Re-painting an existing structure with a similar color, re-graveling a driveway, repairing an existing storm drain, repairing an existing fence or propane tank screen.

The Policy may be amended from time to time by the ACC pursuant to the Policy for ACC Adopting of Rules, Regulations and Standards.

HOA BOARD CERTIFICATION: The undersigned, being the President of Loma Linda Subdivision Homeowners Association certifies that the foregoing Rule, Regulation or Standard was adopted by the ACC at a duly called and held meeting of the ACC on July 6, 2020 and in witness thereof, the undersigned has subscribed his/her name.

Loma Linda Subdivision Homeowners Association, a
Colorado nonprofit corporation

By: William Trimarco President

09/22/2020

ACC CERTIFICATION: The undersigned, being the Chairman of Loma Linda Subdivision Homeowners Association Architectural Control Committee certifies that the foregoing Rule, Regulation or Standard was adopted by the ACC at a duly called and held meeting of the ACC on July 6, 2020 and in witness thereof, the undersigned has subscribed his/her name.

**Loma Linda Subdivision Homeowners
Association Architectural Control Committee,**

By: Josephine Wyatt
Chair