

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

Structures and Harmony 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 and Harmony of External Design

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

EFFECTIVE DATE:

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:

Many previous guidelines have been around for over 4 decades and need revision. Things once acceptable are no longer acceptable or things once not acceptable have become acceptable. Therefore, as you drive the subdivision you may find homes/properties not in compliance with these guidelines. It is not the intention of these policies to enforce them on homes and properties approved prior to the acceptance date of this document.

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. Single family residences are to be constructed first on a lot before other buildings or structures, except owned contiguous lots.
2. 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 HOA Board of Directors.
3. 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 the types of siding on a building, changing from metal roof to asphalt, fiberglass shingles or tiles, or relocating an existing storage shed to a new location.

4. 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.

Clarification is needed for the definition of harmony. We live in a mountainside area and therefore in harmony means that the homes should complement living in the mountains. Harmony is synonymous with blending and compatibility. New structures on properties need to be compatible and complement current structures on their own property. Your homesite should complement the landscape of the mountains in which we live.

EXAMPLES OF HARMONY OF STRUCTURES:

1. Exterior building colors being earth-tones such as various muted shades of browns, greys and greens but not limited to these colors, should be used. If a house is already on the property and a garage is to be built, then the exterior siding and color shall match the house and other structures on the property

as closely as possible. Metal and shingle roofs should not be mixed. What you do to one building you do to all buildings.

2. If a building or addition is to be built primarily of metal, it is not to be industrial looking. Wood, wood like siding or similar exterior materials can be used. Additional structures shall match the dwelling so as to keep in harmony with the external design.

3. Going forward, if you are going to re-stain or re-paint your buildings then the exterior colors should then conform to these guidelines on muted colors.

ACC Approval/Disapproval Procedure:

Anyone wishing to put structures on their lot shall submit plans to the ACC in accordance with the current guidelines, rules, and regulations in effect. It is the property owner's responsibility to stay up to date on all changes in the policies and CC&R's. Construction shall not commence until approval has been granted the property owner by the ACC.

The ACC will consider the Request for Structures at one of its regularly scheduled or special meetings at which time the applicant and other parties of interest may present information and discuss the application with the Committee. If you are on the agenda, you should be in attendance to answer any questions the ACC may have. If you are not available, please make other arrangements ahead of time with the ACC.

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 _____ and in witness thereof, the undersigned has subscribed his/her name.

Loma Linda Subdivision Homeowners Association, a
Colorado nonprofit corporation

By: _____ President

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 _____ and in witness thereof, the undersigned has subscribed his/her name.

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

By: _____
Chair

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