

## **WOODLAND BROOK ARCHITECTURAL CONTROL**

- The Homeowners Association Board of Directors will create an Architectural Control Committee (ACC) with at least three members.
- Anyone who wants to build on a lot or alter an existing structure must first submit a construction design and plans to the ACC for approval.
- The ACC will determine if the plans are in conformity with the harmony of existing exterior design and general quality standards of the subdivision and Development. No construction may commence until the ACC has approved the design/plans.
- If requested, the ACC will assist the homeowner with suggestions which, if possible and feasible, would make the proposal acceptable.
- The ACC may hold both regular scheduled and special meetings as needed. To conduct business, a quorum is required, and a majority vote of the quorum is required for the ACC to take any official action.
- The ACC shall establish design standards and apply those standards to any proposal submitted. In giving approval to a proposal, the ACC may place special requirements or conditions.
- Anyone member of the ACC may be authorized to act on behalf of the ACC. If a homeowner is dissatisfied with one member's decision, an appeal may be made to the full ACC for reconsideration. A majority decision of the ACC is binding.
- Following submittal of any plans and specifications to the ACC, a decision will be reached within 30 days. If no decision is reached within 30 days, it will be deemed that the ACC has approved the submittal as proposed.
- The ACC or its agent has the authority to enter (following reasonable notice) upon any subdivision property to determine if any installation, construction, alteration, or maintenance of any structure or use of any lot or structure is in accordance with the ACC design standards.
- If the ACC determines that there is a violation of the Architectural Control provisions, the ACC will provide the homeowner with written notice of the violation. If within 30 days following receipt of the notice the homeowner has not taken reasonable steps to remedy the violation, the Homeowners Association has the Right of Abatement.
- The ACC may impose and collect reasonable fees to cover the costs of inspection to establish conformance with ACC design standards.

The Woodland Brook neighborhood covenants have been designed to put into place procedures that will carry forward the Woodland Brook neighborhood's desire to enhance the quality of life and improve the environment. In order to ensure that property owners have the freedom to employ alternative energy solutions if desired, solar collectors may be placed on a dwelling or in the back or side yard of the property, located in such a way as not to obstruct windows of adjacent homes.

## **Solar Panels Guideline:**

The woodland brook board adopts these guidelines to promote the use of solar energy and to ensure uniform installation and design of solar energy systems.

1. Homeowners should first consider all existing structures and landscaping before selecting a site for any proposed solar system.
2. All plans must be preapproved by the Architectural Control Committee (ACC) prior to installation.
3. The preferred location of solar panels is a rear-facing roof-mounted array on the side or rear of the house. Flush-mounted panels (i.e. – the plane of the array is parallel to the roof) on a roof facing a street will be allowed if documentation is provided from the solar contractor indicating this is the only feasible location for a solar array. If panels are installed on a side or rear roof, the array may be tilted or raised if a variance is granted.
4. All components of the solar system should be integrated into the design of the home. The color of the solar system components should generally conform to the color of the roof shingles to the extent practical.
5. Applications submitted to the ACC should include the following:
  - a. A diagram “drawn to scale” by the licensed contractor installing the system showing where the system will be installed;
  - b. Photos of the roof area where the array will be mounted;
  - c. Material to be used and/or manufacturer’s description of the system, photos and/or pictures of the system, and color of the system.
  - d. Where possible, provide photos of similar existing systems as examples.
6. Electrical connections will be located directly under and/or within the perimeter of the panels, when possible, and placed as inconspicuously as possible when viewed from all angles.
7. The highest point of a solar panel array will be lower than the ridge of the roof where it is attached.
8. All painted surfaces will be kept in good repair.
9. Changes to adjacent property should not impede an existing or soon-to-be-installed solar system or interfere with any existing solar energy easement.

A variance to certain sections of these guidelines may be granted if compliance with these guidelines would significantly increase the purchase price of the solar system or significantly decrease its performance or efficiency. If a homeowner seeks a variance they must provide a minimum of two bids depicting the cost of installation of the solar systems – one bid in compliance with these guidelines and a second bid depicting the desired alternative location, unless the variance represents the only feasible installation location. The ACC may require bids or estimates from a second contractor in order to make an informed decision.

## **COVENANT ENFORCEMENT PROCEDURES**

Apparent covenant violations - as reported by any source - may be submitted to the ACC to be referred for appropriate action. The first action will be confirmation that a violation exists. If substantiated, the homeowner in violation will be contacted, the violation explained, and be requested to provide corrective action in a reasonable time period according to the following policy:

1. Upon recognition of a violation, a letter will be forwarded from the Board of Directors, advising the homeowner of the violation, stating the steps necessary to remedy the violation and a time period in which to either respond (in writing) and/or remedy the violation.
2. If after "due process", the violation cannot be resolved by the Board of Directors, or if there is no response to the first letter, or the violation has not been remedied within the prescribed time period, a certified letter will be forwarded to the homeowner from the Board of Directors advising a new time frame in which to complete the required corrective action and/or respond. It will be noted in this letter that failure to comply will result in legal action.
3. As a third step, if there is no corrective action or completed corrective action, the particular violation will be forwarded to the Association Attorney. The homeowner, will again be asked to remedy the violation and consequences for failure to take appropriate action will be documented. The cost of this legal letter will be charged to the homeowner. Failure to comply could result in any or all of the following sanctions:
  - suspension of the right to vote in Association matters.
  - suspension of the right to use the recreational facilities and/or common areas.
  - recordation of notice of covenant violation with the superior court.
  - correction of the violation by the Association with all costs charged to the homeowner, and/or,
  - filing of a lien for all fines and costs, including but not limited to legal fees, to correct the violation.
4. As a last resort, if the action is still outstanding, then it may be necessary for the Association to file a lawsuit in order to enforce the covenants.