

**Northmoor Acres Homeowners Association, Inc.
Amended Policy and Procedure for Architectural Control Committee (ACC)**

Northmoor Acres Homeowners Association (the “Association”) wishes to adopt an amended “Policy and Procedure” to be followed for the operations of the Architectural Control Committee (“ACC”). The Declaration, Articles of Incorporation and Bylaws (the “Governing Documents”) of the Northmoor Acres Homeowners Association grant the authority to the Board to adopt such policy and procedure.

SCOPE

- 1) This policy and procedure replaces and supersedes all previously written policies regarding the operations of the ACC.

MEMBERSHIP IN THE ACC

- 1) Only resident homeowners may serve on the ACC.
 - a. Homeowners may volunteer for membership.
 - b. Annually, and as required throughout the year, the Board shall formally appoint these volunteers.
 - c. The Board has authority to remove ACC members as necessary by formal vote.
- 2) The members conducting ACC business must be Board-recognized, voting members.
- 3) The ACC shall consist of a minimum of three members, per Northmoor Acres Association Article V.
- 4) One member shall serve as secretary.

FUNCTION OF THE ACC

- 1) Accept and process homeowners' applications for new dwellings, structures, fences, or external remodeling of or changes to existing dwellings, structures or fences.
- 2) Review the progress and status of previously approved applications.
- 3) Maintain the master property files for the subdivision.

DEFINITIONS

- 1) Board *shall mean the Northmoor Acres Homeowners Association Board of Directors.*
- 2) Top rail, for fencing, *shall mean for purposes of this policy a wood rail, metal top rail for chain link, PVC top rail, metal cable approved by the ACC.*
- 3) T post *shall mean fence post for field fencing designed to be pounded into the ground and usually having a ‘T’ or ‘U’ cross section.*
- 4) Dwelling *shall mean a place in which to live, a house or a residence.*
- 5) Voting member *shall mean a homeowner within the Northmoor Acres Homeowners Association who is up to date on payments of all assessments.*
- 6) Quorum *shall mean one more than one-half of the ACC membership.*

PURPOSE OF THE ACC

- 1) To ensure that the construction and alteration of dwellings, structures, or fences in Northmoor Acres are constructed in harmony with existing dwellings, structures or fences and enhance the property values of the subdivision.
- 2) To uphold and enforce all the covenants, articles, policies, procedures, and subsequent amendments with regard to construction and alteration of dwellings, structures, or fences in Northmoor Acres.
 - a. Northmoor Acres Association Article V;
 - b. Northmoor Acres Covenants #1, #13, #14; and
 - c. Article IX of amended Bylaws.

ACCOUNTABILITY GUIDELINES FOR THE ACC

- 1) All ACC members shall receive a copy of all covenants, articles, policies, procedures, and amendments from which they are to draw their knowledge for making informed decisions regarding all ACC applications from homeowners.
- 2) At least one Board member will make an effort to attend each ACC meeting to actively participate and to help bridge the work of the ACC to the Board. If a Board member does not attend the ACC meeting, the ACC minutes of that meeting shall be available for the next Board meeting. It is preferable that the ACC Secretary attend that meeting, in person or by phone.
- 3) All business of the ACC shall be recorded in a monthly report.
- 4) Any ACC business conducted by any ACC members during the month shall be reported and recorded at the monthly ACC meeting.
- 5) The ACC monthly meeting report shall be submitted at the following Board meeting.
- 6) A yearly written report shall be prepared by the ACC Secretary to be presented verbally to the attending homeowners at the annual meeting of the Northmoor Acres Homeowners Association.
 - a. The written report shall be made a part of the minutes of the annual meeting.
 - b. The report shall summarize the number and types of applications reviewed during the year.
- 7) Due to conflict of interest, when an application is submitted by a member of the ACC, the following guidelines apply:
 - a. The Board shall be informed of such application.
 - b. That member shall not be allowed to vote on the application.
 - c. The majority of the other members of the ACC shall approve as for any other application. If there is not a quorum remaining to vote on the application, it will be referred to the Board for final vote.

ARCHITECTURAL CONTROL – GENERAL POLICY

- 1) Any notices required to be sent under this amended policy and procedure may be sent by United States mail postage prepaid, e-mail or facsimile, unless otherwise specified.
- 2) The original of all applications submitted for approval shall remain in the possession of the ACC.
- 3) If dwellings, structures or fences are disapproved by the ACC, the property owner can appeal the committee's decision with the following procedure:

“The property owner must obtain, in writing, approval of the proposed addition or structure from all present property owners within an area encompassing $\frac{1}{4}$ mile radius of the owner's property. These approvals must be submitted to the ACC for re-evaluation. The Board will maintain final authority on disputed applications.”
- 4) New dwelling, structure or fencing applications must be “residential” in nature for the subdivision.
- 5) It is the responsibility of the homeowner to obtain required Weld County permits; to determine the location of underground utilities on their property; and to identify their property lines so that the placement of dwellings, structures and fencing is placed appropriately on their property.
- 6) For dwellings and structures, there has been a 50 foot minimum setback from the front property line since September 1985.

Dwellings

- 1) *Square footage requirement*
 - a. *Single level dwellings shall contain no less than 1200 square feet.*
 - b. *Multilevel dwellings shall contain a minimum of 1000 square feet on the main level.*
- 2) Each lot shall make provisions for off street enclosed parking for not less than 2 motor vehicles with additional off street parking for 4 additional vehicles.
- 3) There shall be a \$100.00 clean-up deposit to be made by the owner at the time a dwelling application is submitted for approval. This deposit shall be refunded, if, within 30 days after completion, the lot is cleaned up of all debris, and all excess material is stacked and put in order. The deposit is forfeited after 30 days.

- 4) Dwelling applications submitted must:
 - a. Have Certificate of Occupancy within one (1) year from start of construction.
 - b. Include exterior color schemes including trim and have harmonious tones (coloration) that are unobtrusive.
 - c. After initial approval, any deviations from the existing color scheme must be approved by the ACC.
- 5) The street address of each dwelling shall be clearly marked and be visible from the street.
- 6) Cash value of new dwellings shall be on a par value with other adjoining dwellings in the subdivision. All dwellings shall be constructed using the same quality standards as other dwellings in the neighborhood and shall not devalue the surrounding properties.
- 7) The ACC may seek direction or clarification from the Board about a dwelling application prior to providing an approval. The Board may, at its sole discretion, add additional conditions or require alterations for a dwelling application.

Other Structures (For example, sheds, detached garages, pole barns, gazebos, chicken coups, solar or alternative energy devices, etc.)

- 1) All structures contained on the same lot shall have, as close as possible, matching roof color, trim color and exterior wall color.
- 2) After initial approval, any deviations from the existing color scheme must be approved by the ACC.
- 3) Currently, there is a height limit of 17 feet for new structures. Exceptions to this height limit may be considered on a case-by-case basis.
- 4) The ACC shall make every effort to approve the location of new structures in a way to cause as little impact as possible to other lots, considering the overall aesthetics of the entire lot, the existing usage of the entire and/or immediate area. Large buildings may need to be placed toward the back of the lot to preserve aesthetics.
- 5) All structures shall be constructed using the same quality standards as other structures in the neighborhood and shall not devalue the surrounding properties.
- 6) “Temporary structures,” including but not limited to, canvas or vinyl carports or sheds, greenhouses, conex boxes, shipping containers, construction trailers, or other containers, will not be permitted.
- 7) The ACC may seek direction or clarification from the Board about a structure application prior to providing an approval. The Board may, at its sole discretion, add additional conditions or require alterations for a structure application.

Fencing

- 1) All fences serving as livestock/animal (horses, goats, lamas, sheep, etc.) fences, must have top rails and be at least 4 feet high. A 3/8” or heavier cable is acceptable as a top rail. Only fencing for dogs and household pets is excluded from this height requirement.
- 2) Livestock fences shall have posts no more than 8 feet apart.
- 3) Posts for livestock/animal fences must be, at a minimum, 6 inches round or 6” x 6” for wood, or 5” x 5” for vinyl.
- 4) It is recommended that all livestock fence posts be set in concrete. If not set in concrete, homeowner must reset/replace posts that fall out of vertical alignment.
- 5) Chain link fences, two rail fences and other fences not originally designed or erected to contain livestock, and do not meet the current height requirement, are not acceptable as livestock/animal fencing.
- 6) Decorative or other fences, i.e. picket or wrought iron, will be evaluated for approval on a case-by-case basis.
- 7) Coated wire tension fencing is permitted for livestock if the corner and supporting tension posts are placed in concrete.
- 8) The height of any fencing shall not exceed 6 feet.
- 9) The following fencing will **not** be accepted:
 - a. Barbed wire.
 - b. Single strand wire.

- c. Steel posts also known as “T” posts. Note: steel posts designed for chain link fences are not “T” posts and do not fall under this ban. Other steel posts designed for other types of fencing may also not fall under the “T” post ban.
 - d. Privacy fences; however, privacy screens may be allowed in limited locations for blocking views of hot tubs, pools, decks, patios.
 - e. Poultry fences (i.e. chicken wire/rabbit wire) as property or livestock fences are not approved as stand-alone fencing but can be attached to a perimeter, large animal, or household pet containment fencing.
 - f. Temporary panels used as fencing unless it is within an approved perimeter fence.
- 10) Electric wires are permitted to assist with containing livestock, provided an approved fence that the electric wire will be attached to is in good working order and installed properly. The ACC considers the following fence types appropriate for an electric wire addition:
- a. Three or four rail wood post fencing;
 - b. Three or four rail vinyl fencing; and
 - c. Coated wire tension fencing.
 - d. Note: the electric wire must be an addition on the inside of an existing fence and not part of the actual fence. For example, one coated wire of a multi-wire fence **cannot** be electrified.

The ACC will **not** consider the addition of an electric wire on:

- a. Any unapproved fence.
- b. Any stand-alone wire not mounted to an approved fence.
- c. A wire being used as a top rail.
- d. Temporary panels not contained within a perimeter fence.
- e. Any fencing not adequate or not designed to contain an animal or livestock.

Approval for electric wires will be at the discretion of the ACC and will be granted on a case-by-case basis. If at any time, there is an indication that the electric wire is in disrepair, or is being operated or maintained in a manner which does not ensure the health, safety and welfare of the Northmoor Acres community, the ACC reserves the right to rescind the approval and require removal of the electric wire.

Upon approval of an electric wire, an Indemnity Acknowledgment Form must be signed by the homeowner. If the property changes ownership, the current owner shall either remove the electric wire prior to the sale or closing date or the new owners must sign an indemnity form at or before closing.

Blank indemnity forms for submission for approval can be obtained at www.northmooracres.org

- 11) Invisible Fence System for pets: The ACC does not require approval for homeowners to install invisible fencing systems for household pets to be contained on a property. If installed, consider a setback from your property line and placing a sign clearly visible that an invisible fencing system is installed.
- 12) During installation, homeowners are expected to install posts in a workman like fashion so posts are evenly spaced, the fencing is plumb (including inclines) and in a straight line or contoured aesthetically.
- 13) Fencing must be maintained by the homeowner. Fencing not maintained will be considered a violation of Covenant 8 which states that, “Each owner shall keep his lot in a sanitary and sightly condition at all times.”
- 14) Safe/seasonal fencing, such as removable garden fences, are permitted without approval. T-post and snow fences are not permitted as seasonal fencing.
- 15) The ACC may seek direction or clarification from the Board about a fencing application prior to providing an approval. The Board may, at its sole discretion, add additional conditions or require alterations for a fencing application.

ARCHITECTURAL CONTROL PROCEDURE

Meetings

- 1) The ACC shall meet once monthly on the first Wednesday of each month or as soon thereafter as scheduling allows.
- 2) All ACC meetings must include a quorum of all ACC members.
- 3) If at any time, there is a tie vote among the ACC members at a monthly meeting, the Board shall cast the tie breaking vote.
- 4) If the ACC secretary has not received notice of new business by five days prior to the first Wednesday of the month, applications will be considered at the next monthly meeting. If there are no applications for review, the meeting may be cancelled.

Applications

- 1) Applications may be submitted via e-mail to bod@northmooracres.org or delivered to the ACC Secretary. In the absence of the ACC Secretary, the application may be submitted to any Board member.
- 2) Applications will not be processed or considered accepted until all of the application requirements have been completed.
- 3) Application requirements are contained within this policy and procedure. Homeowners should also refer to the Northmoor Acres Homeowners Association website at www.northmooracres.org to obtain the application documents or request the documents from the ACC Secretary or a member of the Board.
- 4) Property owner is also responsible for:
 - a. Obtaining any necessary Weld County permits and following Weld County codes and regulations.
 - b. Proper placement of the dwelling, structure or fencing on the property.
 - c. Locating all utilities, easements and property boundaries. If any dwelling, structure or fencing is placed over easements, the homeowner may be required to move the dwelling, structure or fencing off the easement at their expense.
- 5) A completed submitted application will be reviewed at the next scheduled ACC meeting to determine if all application requirements have been completed.
- 6) If it is determined that all application requirements have been provided, the application will be considered "submitted" on the date of that month's ACC meeting and the 30-day response requirement will begin.
- 7) If it's determined that all the application requirements have not been provided, the 30-day response requirement does not begin, and the homeowner will be notified via U.S. Certified Mail, e-mail or fax of the missing application requirements. The homeowner will be responsible to resubmit the application for the next ACC meeting.

Applications must include:

For Dwellings

- 1) Full name, current address, and phone number.
- 2) Date the application is completed.
- 3) Clean-up deposit (see General Policies).
- 4) A to-scale aerial view of the lot, perhaps a survey document, a Weld County property map or a Google earth map, that includes any existing structures or fencing, and indicate where the house will be located. Also indicate the number of feet the structure will be to the property line and include any easements.
- 5) Professional architectural plans are to:
 - a. Be to scale, showing detailed elevations, square footage and floor plans. Brochures and/or pictures are helpful.
 - b. Be legible.

- c. Include color charts, list construction materials to be used, including type of siding and roofing materials.
- 6) Include a cash value estimate from the owner.

Other Structures

- 1) Full name, current address, and phone number.
- 2) Date the application is completed.
- 3) A to-scale aerial view of the lot, perhaps a survey document, Weld County property map or a Google earth map, that includes the house, existing structures or fencing, and indicate where the new structure will be located. Also indicate the number of feet the structure will be to the property line and include any easements.
- 4) Plans are to:
 - a. Be to reasonable scale, showing detailed measurements (height, length, width and pitch of roof).
 - b. Be legible.
 - c. Include color charts, list construction materials to be used, including type of siding and roofing materials. Brochures and/or pictures are helpful.

Fencing

- 1) Full name, current address, and phone number.
- 2) Date the application is completed.
- 3) A to-scale aerial view of the lot, perhaps a survey document, a Weld County property map or a Google earth map, that includes the house, existing structures or fencing, and indicate where the new fencing will be located. Also indicate the number of feet to the property line and include any easements.
- 4) List of materials to include: wood (cedar, split rail, pressure treated wood); vinyl; metal (chain link, wire mesh, etc.); coated wire. Brochures and/or pictures are helpful.
- 5) Include size of posts and height of new fence.
- 6) Indicate location and size of all new gates.

Approval of Applications

- 1) Dwellings, structures and fencing not pre-approved by the ACC are subject to removal.
- 2) Per Northmoor Acres Association Article V, applications must be approved or disapproved within 30 days of a complete application submittal, or they are deemed approved.
- 3) Owner will be notified by:
 - a. Certified Mail, receipt requested, for applications that are *disapproved*.
 - b. *Approved* applications will be sent via 1st Class Mail or hand delivered.
- 4) The original approval form for the project will be kept by the ACC and a copy sent to the property owner.
- 5) The approval form shall be signed by the majority of the members attending the ACC meeting.

Process

- 1) The ACC members will use all approved covenants, articles, policies, procedures, and amendments to make informed decisions regarding new application submittals.
- 2) Prior to submittal of an application to the ACC, the ACC suggests the property owner contact surrounding neighbors, including those across the street(s), to inform them of the project and to get their input on the prints and plot plan which will be submitted to the ACC. The ACC will, if deemed appropriate, also connect with surrounding neighbors, in person or by phone, to obtain their input and opinions or to notify them of the submitted plan. Neighbors do not have “veto power” over construction projects designed by their neighbors.
- 3) The ACC may make on-site visits when necessary to verify appropriateness of the submitted application.
- 4) Dwelling, structure or fencing shall be completed within one year and may be reviewed/inspected by the ACC. Dwellings, structures or fencing not started within one year may require the application to

be submitted for re-approval. If project is running behind, contact the ACC Secretary and provide a new timeline for completion. The ACC may provide an extension on your project. Upon completion of a project, notify the ACC Secretary. After the one year mark, if the project is completed, homeowners will be notified that the file is being closed on their project.

DEVIATIONS

The Board and/or the ACC may deviate from the procedures set forth in this policy at their discretion if such deviation is reasonable under the circumstances.

AMENDMENT

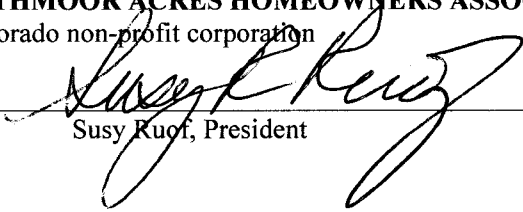
This policy may be amended from time to time by the Board.

SUPPLEMENT TO LAW

The provisions of this policy shall be in addition to and in supplement of the terms and provisions of the Governing Documents.

President’s Certification: The undersigned, being the President of the Board of Directors of Northmoor Acres Homeowners Association, Inc., a Colorado nonprofit corporation, certifies that the foregoing amended policy and procedure was approved and adopted by the Board of Directors of the Association on September 9, 2015 and in witness thereof, the undersigned has subscribed his/her name.

NORTHMOOR ACRES HOMEOWNERS ASSOCIATION, INC.
A Colorado non-profit corporation

By:  _____
Susy Ruof, President

Northmoor Acres Homeowners Association
Architectural Control Committee Application Document

Current Date: _____

Member Name: _____

Property Address: _____

Home Phone: _____ Cell Phone: _____

E-Mail Address: _____

- (Check here) Yes, I have read the Amended Policy and Procedure for Architectural Control Committee dated September 9, 2015. This document can be found on the Northmoor Acres website at www.northmooracres.org.

Describe your project (dwelling/other structure/fencing): _____

Dwelling--applications must include: (Check items when included)

- Clean up deposit of \$100
- A to-scale aerial view of the lot, perhaps a survey document, Weld County property map or a Google earth map, that includes any existing structures or fencing, and indicate where the house will be located. Also indicate the number of feet the structure will be to the property line and include any easements.
- Professional architectural plans: be to scale, showing detailed elevations, square footage and floor plans.
- Brochures and/or pictures, if possible. Include color charts, list construction materials to be used, including type of siding and roofing materials.
- A cash value estimation from the owner.

Other Structures—applications must include: (Check items when included)

- A to-scale aerial view of the lot, perhaps a survey document, Weld County property map or a Google earth map, that includes the house, existing structures or fencing, and indicate where the new structure will be located. Also indicate the number of feet the structure will be to the property line and include any easements.
- Structure plans that are legible and to scale, showing detailed measurements (height, length, width and pitch of roof).
- Include color charts, list construction materials to be used, including type of siding and roofing materials. Brochures and/or pictures are helpful.

Fencing—applications must include: (Check items when included)

- A to-scale aerial view of the lot, perhaps a survey document, Weld County property map or a Google earth map, that includes the house, existing structures or fencing, and indicate where the new fencing will be located. Also indicate the number of feet to the property line and include any easements.
- List of materials to include: wood (cedar, split rail, pressure treated wood); vinyl; metal (chain link, wire mesh, etc.); coated wire. Brochures and/or pictures are helpful.
- Include size of posts and height of new fence.
- Indicate location and size of all new gates.

Send completed applications to: Architectural Control Committee, Northmoor Acres Homeowners Association, PO Box 158, Johnstown, CO 80534 or bod@northmooracres.org.

For ACC Use Only:

Date Received: _____ Received via mail, e-mail, fax or delivery to: _____

Application considered complete and accepted: _____

Application scheduled for monthly meeting dated: _____