

**ARCHITECTURAL CONTROL COMMITTEE  
FOR THE COURTYARDS AND COTTAGES AT MIRAMONT**

The Architectural Control Committee [ACC] is established and defined in the “Declaration of Covenants, Conditions, and Restrictions’ Article IX and must consist of up to three (3) persons. [Covenants p. 16] The members shall be appointed by the Board of Directors from among the Owners. The Board of Directors shall appoint a liaison to the Committee, who shall be a non-voting member of the Committee unless their vote is needed to break a tie.

**Purpose:** The ACC is responsible to maintain the consistent and harmonious general character of the development.

**Responsibility:**

1. The ACC shall approve or disapprove exterior change requests, make recommendations to the Board of Directors about common areas, signage and other exterior matters related to the development.
2. ***Approval by the ACC is not a representation that the proposed change complies with applicable zoning ordinances or building codes.*** It is the Owner’s responsibility to obtain the proper permits and the location of existing utility lines and facilities as required by the city. Likewise, receipt of a building permit from the city does not constitute approval from the ACC.
3. Once approved by the ACC additions and changes to home and landscape must commence within three (3) months and shall continue diligently. All approved exterior changes or additions must be completed within nine (9) months after start of construction unless an extension is granted by the ACC. [Covenants p. 17-18]
4. If approved changes are not completed as approved then the ACC shall refer the matter to the Board of Directors. If violations of the Covenants or Neighborhood Standards are brought to the attention of the ACC by the Board of Directors or an Owner then the ACC shall investigate and report to the Board of Directors.

**Procedures:**

1. When contemplating any exterior additions or changes, it is the responsibility of each Owner to comply with the Covenants by submitting an Exterior Change Request along with any necessary plans and specifications to the ACC. Forms are available from the Association’s management company, or any member of the ACC, or the HOA website.
2. Refer to the “Neighborhood Standards” section 2, for specific changes that require ACC approval.
3. The ACC will respond by return of the approved request form signed by ACC to each owners request within 45 days after receiving all required documents. [Covenants p. 17] The ACC will make every effort to complete the review process within 30 days.
4. After determining either approval or disapproval, the ACC will return the request form (either approved or not approved), signed by at least two (2) ACC members, to the Owner who submitted the request. A copy of the form will be submitted to the Association’s management company to be kept as a permanent record. The ACC may keep a copy of the form for its own records if so desired.
5. The ACC will report its determination on any Exterior Change Request to the Board of Directors via the Liaison, or directly to the President.

As adopted February 18, 2014

**Appeal Procedure:** If an owner does not agree with the decision of the ACC they may appeal to the Board of Directors. A written notice of appeal outlining the issue shall be submitted by the Owner to the Board of Directors within 30 days of the ACC's decision. It shall be considered by the Board of Directors at its next meeting if the written appeal is received at least 14 days before the meeting. If the appeal is received less than 14 days prior to the next scheduled meeting then it will be heard at the following meeting. Board of Directors members who are also members of the ACC shall not vote on the appeal.

**Liability:** The ACC shall not be liable to any Owner for any loss, cost, expense, or damage, including attorney's fees, suffered by such Owner as a result of any decision made by the ACC unless such action is taken with malice against an Owner. [Covenants p. 18]

**Review of ACC Policy and Procedure plan and Neighborhood Standards:** The ACC shall review these Policies and Procedures and the Neighborhood Standards annually and submit any proposed changes to the Board of Directors for consideration and adoption.