

ARCHITECTURAL CONTROL COMMITTEE
GENERAL IMPROVEMENT REQUEST FORM

In accordance with the recorded covenants, conditions and restrictions of the association, and in order to protect each individual owner's rights and values, it is required that any owner who is considering improvements of his deeded property to include, but not be limited to patio covers, decks, outside buildings, fencing, building add-ons, etc. submit the following to the Architectural Control Committee prior to initiating work on the planned improvements.

- 1. A completed Improvement Request Form**
- 2. Explanation of Materials**
- 3. Complete and detailed building plans, and specifications**
- 4. A property site/plot plan showing the location of the proposed improvement**

FAILURE TO SUBMIT THE REQUESTED ATTACHMENTS (ITEMS 1, 2, 3 & 4) PRIOR TO CONSTRUCTION MAY RESULT IN DENIAL OF YOUR REQUEST FOR IMPROVEMENT.

If any change is made without approval, the Committee has the right to tell the homeowner to remove the improvement from their property. Any homeowner considering any exterior improvement to their property is urged to review the recorded deed restrictions prior to initial request.

PLEASE PRINT THE FOLLOWING INFORMATION:

Owner Name: _____

Address: _____

Phone #: _____

Email Address: _____

Briefly describe the improvement which you propose:

Who will do the actual work on this improvement?

Contractor name: _____

Contractor Phone #: _____

Lot # of improvement: _____

I understand that the Architectural Control Committee will act on this request within 30 days of receipt and contact me in writing regarding their decision. I agree not to begin property improvement without written approval from the ACC Committee.

I understand that all construction will meet the City codes and that the ACC Committee approvals do not override the City codes but rather, are intended to work with them.

Homeowners Printed Name

Signature

Date

Construction Start Date

Estimated time of completion

Return this form to your community ACC email at:

HurtaRiverEstatesACC@gmail.com

QUESTIONS ASKED ABOUT ARCHITECTURAL CONTROL COMMITTEE (ACC) PROCEDURES

WHAT IS THE PURPOSE OF THE COMMITTEE?

The purpose of the committee is to maintain property values by protecting the environmental and architectural integrity of the Subdivision in accordance with the provisions of the Declaration. Most covenants state that no building, structure or improvement of any character shall be erected, placed, added to or altered on any lot until the building plans, specifications and a site plan showing the location of the proposed structure or structures have been submitted to and approved by Architectural Control Committee for the Association as being in compliance with the restrictions as to use, quality of workmanship and materials, nature of materials, harmony of external design and colors with existing and proposed structures, and location of improvements with respect to topography, finished grade elevation, lot boundary lines and building lines, and within the scheme and design of Declarant.

WHAT ACTION IS REQUIRED OF OWNER(S)?

Prior to making any change or improvement, any owner planning to change or add to the existing structures on a lot must submit a request in writing to the ACC stating the details of the intended change, improvement or need for variance and attaching samples or plans to more clearly describe the projected change or addition. If any change, improvement or action in variance from the Declaration is taken prior to written approval of the ACC, the Association has the right to require the homeowner to remove the improvement(s) and/or change(s) from the property.

WHAT TYPES OF ITEMS REQUIRE WRITTEN APPROVAL?

Some examples of improvements/alterations requiring written approval from the ACC include (refer to the Declaration for other details):

- * Antennae
- * Playscapes
- * Solar Collectors
- * Major change in landscaping
- * Swimming Pool
- * Satellite Dish
- * Fences and walls
- * Storage Building, Patio Cover
- * Flagpoles, light fixtures

CAN THE COMMITTEE GRANT VARIANCES FOR CERTAIN DETAILS?

The Committee is authorized to grant selective variances for things such as location, height, number of Improvements, materials, etc., but the owner must request this variance, giving reasons why it should be granted so that the Committee can make a reasoned decision.

WHY DO WE HAVE TO PUT EVERYTHING IN WRITING?

The formal request and approval process are necessary to assure that every owner's desire to improve his or her property can be given due process without discrimination. It will also provide the owner(s), the Committee and the Association Board with a permanent record of actions taken under the Declaration.

WHAT DO WE NEED TO SAY IN THE REQUEST?

A number of owners have already requested and been granted approval to add improvements to their property by following the procedures outlined in the Declaration of Protective Covenants, but there are some owners who have expressed surprised and consternation about have to "ask permission" to improve their own property. Your subdivision was developed and made subject to a Declaration of Protective Covenants and all owners become obligated to follow the terms of the Declaration when they receive the deed to their property. The simple form on the reverse has been created to make it easier for all owners to submit request for improvements.

Fence Improvement Explanation of Materials

Fence Type: WOOD WROUGHT IRON OTHER: _____

Fence height: _____

WOOD:

Post Material: _____

Runner Materials: _____

Fence Picket Materials: _____

Fence Design: (i.e., vertical, horizontal, cap) _____

Stain: Y N **Color:** _____

WROUGHT IRON:

Panel Design: _____

Please attach plans and any details of fence not already covered.

RESTRICTION REGARDING FENCES:

4.10. FENCES. The construction of fences shall be restricted, and no fence shall be constructed on the Property without the prior written consent of the ACC. Chain link, wire, concrete, or concrete block fences are specifically prohibited on Lots 4-38, and in the non-floodplain areas of Lots 39-53. The ACC may, in its sole discretion, prohibit the construction of any proposed fence, or specify a different type of material for which any proposed fence must be constructed.

4.10.1. Interior Lot Fences. Fences shall be no more than six feet (6') in height and shall be built of wrought iron and/or wooden privacy fence. These same rules apply to Lots 39-53 with the exception listed below. No fence facing a street from the front of a residential structure and extending to the side Lot lines may be built more than twenty (20') feet from the back wall of the main residential structure. These restrictions will not apply to Lot 39 as long as the developer still owns that Lot.

4.10.2. River Lots. River Lots will be under the same restrictions listed above up to the floodplain shown on the plat of Hurta River Estates. After which, an alternative fence may be installed with written approval from the ACC.

The existing subdivision privacy fence with rock columns built by the Developer that is located on the back property lines of Lots 1, 2, 3, and 54, and the side property lines of Lots 3, 4, 53, and 54 are to be permanently maintained by the HOA and future owners of these Lots agree to allow access to the fence when maintenance is required. Owners of these Lots are not allowed to remove or replace this fence. The existing four board fence situated on the North property line of the subdivision will be allowed to remain until any Lot owner with this fence desires to replace it, If a Lot owner desires to replace that fence then any new fence built in its place must conform to the restrictions above or be built the same as it was when the subdivision was established (four [4] board fence). Any new fence built in its place must be built to keep any cattle on the neighboring property out. If this fence is removed it must be replaced.

No barbed wire fencing is allowed in the subdivision with the exception of existing grandfathered barbed wire fencing located on the outside property lines of Lots 39, 53, and 54.

Any deviation on fencing must have the written approval of the ACC prior to construction and the ACC may deviate from the restrictions above if they feel it is in the best interest of the subdivision.