

**OAK RIDGE MEADOWS TOWNHOUSES HOMEOWNERS
ASSOCIATION, INC.
ARCHITECTURAL REVIEW POLICY AND PROCEDURE**

INTRODUCTION

As members of a planned community, Oak Ridge Meadows homeowners and their tenants and guests enjoy a variety of benefits and shared facilities. In return, they are asked to cooperate with their neighbors to create and maintain an enjoyable living environment that promotes the health, safety, and welfare of all; maintains the community open space, common facilities, and property; and protects and enhances the value of the properties within the Oak Ridge Meadows community.

Maintaining such a mutually beneficial living environment is best achieved by developing and following rules and regulations that clearly inform all members of the limitations and expectations with respect to use of open space and common facilities and improvements to individual homes. The *Landscaping and Architectural Review Policy and Procedure* is designed for this purpose.

ROLES, OBJECTIVE, AND AUTHORITY

Role of the ORM Homeowners Association

Every homeowner of the Oak Ridge Meadows community is a member of the Homeowners Association (HOA). Its role is to both own and maintain the community's facilities, and community property, and to conserve and enhance the resources of the entire community. The elected Board of Directors (BOD) serves to conduct the business and operational responsibilities of the community and preserve the collective interests of the members of the HOA.

Role of the Architectural Committee

Although the BOD discharges its responsibilities in a variety of ways, the Architectural Control Committee (AC) are most immediately involved in change for improvements to property by homeowners. The AC may be comprised of both members of the BOD and the larger HOA membership, and are charged with balancing the diverse interests of the community and ensuring its architectural harmony. The Mission of these Committees is to act in the best interests of the homeowners and the ORM community by helping create a neighborhood environment that enhances property values and is aesthetically pleasing. The Goals and Responsibilities of the AC include the following:

- Serve as the primary enforcement and education resource for *Architectural Control based on the Governing Documents*
- Manage and execute the architectural review process by reviewing applications for exterior alterations to property and approving or rejecting applications based on the Architectural Policy and Procedure, Hardscape and Softscape Policy and Landscaping Policy.
- Perform and/or facilitate periodic neighborhood walk-throughs to ensure community compliance and consistency with the *Governing Documents*.

THE PURPOSE AND OBJECTIVE OF THE ARCHITECTURAL COMMITTEE

Purpose of the Architectural Control Committee

The purpose of the Architectural Control Committee (AC) and these policies is three-fold:

- To assure that any modifications to the townhomes, structures and grounds in the community are in conformity with all applicable Association, Board and AC rules, policies and guidelines;
- To assure homeowners seeking to make modifications that proposed modifications will be in conformity with those same rules, policies and guidelines; and
- To protect homeowners who make modifications, the expense of having to bring non-conforming modifications into conformity.

Objective of the AC Guidelines

The objective of this document is to guide and assist homeowners, members of the, and the BOD in maintaining and enhancing Oak Ridge Meadows carefully designed environment. That guidance, addresses additions, changes, and improvements for which homeowners must submit applications to the AC and addresses maintenance issues related to the home and common areas. The specific objectives are as follows:

- Focus on the exterior alterations (additions, changes, improvements) made by homeowners and/or residents.
- Describe the procedures involved with the ORM Request for Architectural Modification form
- Assist homeowners in preparing an application that complies with community requirements and is acceptable to the Committees.
- Provide uniform standards to use in reviewing applications submitted by homeowners and residents.
- Assist homeowners in understanding the maintenance standards and requirements of the community.

AUTHORITY SUPPORTING THE ARCHITECTURAL DESIGN AND MAINTENANCE STANDARDS

The HOA functions under the rules and regulations embedded in three legally binding documents and under policies and procedures adopted or amended by its BOD. These documents are the Articles of Incorporation; Declaration of Covenants, Conditions, and Restrictions; and By-laws. Of these, the basic authority for maintaining the quality of architectural design throughout Oak Ridge Meadows is found in the Declaration of Covenants, Conditions, and Restrictions (hereafter referred to as the CCR's). Since the CCR's run with the land, the provisions of the CCR's and the other Governing Documents are binding on all homeowners, residents, and guests, whether they have been read or not. They should be periodically reviewed by homeowners and residents and fully understood.

Homeowners and residents are cautioned that nothing in these governing documents relieves them of the responsibility for complying with federal, state, county, and local laws, ordinances, and other legal requirements such as obtaining from the county necessary approvals and construction permits for architectural changes or projects they intend to undertake. Despite Committee approval, county or other government permits shall be required for a wide range of home improvement or modification projects. In addition, county or other government-imposed specifications must be honored. In short, government approvals and Committee approvals are separate and unrelated.

ENFORCEMENT OF ARCHITECTURAL POLICY AND PROCEDURE

The BOD grants to the Architecture Committee the duty and authority to enforce architectural standards. This shall be accomplished by:

1. Committee members or their agents conducting periodic neighborhood walk- throughs;
2. The BOD tasking the property management company to conduct periodic surveys on behalf of the Committees; and,by
3. Responding to written complaints (letter, e-mail, or fax) of violations or infractions received from homeowners and residents. Requesting the management company to send warning letters citing the violation and procedure and time frame for correcting the violation.
4. If corrections are not completed within the time allotted, the Committee shall recommend further action be taken by the BOD.

Oak Ridge Meadows is intended to be a peaceful, orderly residential community with high quality architectural and landscape design. Violations of the *Architectural Review Policy and Procedure and Governing Documents* shall be handled in accordance with Violation, Enforcement and Due Process Policy. The BOD desires that all alleged violations of any rules and regulations be resolved harmoniously.

SCOPE OF ALTERATIONS REQUIRING REVIEW AND APPROVAL

Article IX of the CCR's explicitly states that any exterior alteration to one's property requires the approval of the AC:

"The Architectural Control Committee shall regulate the external design, appearance, use, location, and maintenance of the Properties and of improvements thereon in such a manner to preserve and enhance values and to maintain a harmonious relationship among structures and the natural vegetation and topography..."

It is important to understand that AC approval is not limited only to major alterations such as adding a deck to a house, but includes such items as changes in exterior paint color, landscaping, etc. Approval also is required when an existing item is to be removed, or when replacing an existing item with one identical to one already approved by the AC.

WHEN TO SUBMIT AN ORM REQUEST FOR ARCHITECTURAL MODIFICATION

An ORM Request for Architectural Modification Form must be submitted prior to any modifications. Property modifications include, but are not limited to:

1. Deck, fence or patio installation, replacement or modification
2. Satellite dish installation
3. Any permanent fixture attached to the home (e.g., patio covers, motion sensors for lights, window boxes, exterior lighting.)
4. Replacement of windows and/or doors.
5. Paint color change
6. Landscaping alterations, except planting annuals in existing mulch beds (e.g. removal or planting of shrubbery or trees, extending or modifying mulch beds, installing borders around beds, installing landscape lighting, etc.)

Note: It is the homeowner's responsibility to assure that he or she has an approved Architectural Request prior to beginning any modifications. If the homeowner is in doubt as to whether a request is required that homeowner is strongly urged to submit one to assure that his or her intended modifications are in conformity.

APPLICATION AND REVIEW PROCESS

Request for Architectural Modification Approval

An ORM Request For Architectural Modification form (available on website) must be completed, signed, dated, and submitted to the management company. It will be forwarded to the AC for review and must be approved before beginning any exterior alteration or modification. The application must describe the modification or alteration in sufficient detail to allow the Committees to fully consider the proposed action.

How To Submit An ORM Request For Architectural Modification Form

1. Download a copy of the form from the Management Company website, or request a copy from the Management Company.
2. Complete the form, including any appropriate drawings, sketches, specifications, etc.
3. Submit the form to the Management Company via e-mail or US Mail.

4. Upon submission, the Management Company will review and forward to the AC for their review and response within thirty (30) days. The applicant will be notified of approval or disapproval via e-mail or US Mail (based upon notification preference).
5. If an applicant has not received an approval or disapproval notification within thirty (30) days of submission, that request shall be deemed approved.
6. **UNDER NO CIRCUMSTANCES MAY WORK COMMENCE WITHOUT WRITTEN APPROVAL FROM THE ARCHITECTURAL CONTROL COMMITTEE.**

Note: AC approval of a proposed modification does not alleviate the requirement to obtain building permits or other approvals from the City of Greensboro or other agencies. **It is the responsibility of the homeowner making modifications to ensure all required permits and approvals have been obtained.**

Request Contents

Exterior Alteration: Applications must contain all the following information to be deemed complete:

1. Site Plan
The application must include a site plan showing the size, location, and configuration of your home, and all existing improvements. The proposed alteration must be drawn on the copy of the site plan.
2. Description of the Project and Description of Materials
The application requires a complete description of the alteration or improvement. This includes a complete listing of materials to be used, overall dimensions, and, as in the case of decks or porches, height off the ground. Existing materials and colors of house, trim, and roof, along with samples of materials and colors of the proposed alteration or improvement, are also required.
3. Drawings/Photographs
Complete drawings showing all dimensions, elevations and details of the proposed project are required. Drawings must show the relation of the project to the existing home. Drawings which are illegible take time to review, slow the process, and may cause the application to be returned. Therefore, be as clear and accurate as possible in rendering the proposed alterations.
4. Commencement/Completion Date
Applications must contain the proposed commencement and completion date. Unless stated expressly otherwise by the Committee, owners must complete construction within 30 days of commencement of work.

The application must include all information as requested on the ORM Request for Architectural Modification form. Forms that are unsigned or do not contain all requested information will be considered incomplete and will be returned to the homeowner without consideration.

Committee Review Criteria

The AC evaluates all submissions on the merits of the application and compliance with the Guidelines. The Committee's evaluation is based on the overall design proposal and on consideration of the property's characteristics, recognizing that suitability of an exterior addition or modification in one instance may not be suitable in another.

Under no circumstance will a committee decision be based on an individual's personal taste or opinion. Rather, design suitability and acceptability will be based on the following criteria, which reflect the general standards of the Covenants:

1. Validity of Concept & Adherence to the Design & Maintenance Standards

The basic idea must be sound, appropriate to its surroundings and must comply with the Architectural Guidelines and Governing Documents of the HOA and to the master plan of the community.

2. Design Compatibility

The proposed change, addition, or improvement must be compatible with the architectural characteristics of the applicant's property, adjoining properties, the neighborhood setting and landscape of Oak Ridge Meadows. Compatibility is defined as similarity in architectural style [Williamsburg] materials, color, construction details, and quality of workmanship.

3. Location and Impact on Neighbors

The proposed project must relate favorably to the landscape, the existing structure, and the neighborhood. In addition to design compatibility, primary concerns regarding architectural changes, additions, or improvements relate to their impact on access, and drainage. For example, fences may not obstruct views, airflow, or access to one or more neighboring properties. Similarly, decks or larger additions may not throw unwanted shadows on an adjacent property, infringe on an easement, or reduce open space.

4. Scale

The size (in three dimensions) of the proposed alteration must be compatible with adjacent structures and surroundings. For example, a large addition to a small property may be inappropriate.

5. Color

Color may be used to soften or intensify visual impact. Parts of an addition or alteration that are like the existing house, such as roofs, doors, shutters, and trim, must be consistent in color with the approved colors as published in the Color Change Booklet.

6. Replacement Windows & Doors

- **All window replacements must be approved by the architectural committee.**
- **The architectural form must be submitted and approved before windows or doors are installed.**
- **White replacement windows are acceptable. Colors will be considered but must be submitted to the architectural committee for review and approval.**
- **Window replacements no longer require colonial style grids. If a homeowner opts to have grids, they must be colonial style.**
- **The storm door must be full view glass**

7. Materials

Materials used in the construction of architectural changes, additions, or improvements must be the same as or compatible with those used on the original home. The Committee will evaluate materials compatibility on a case- by-case basis.

8. Workmanship

The quality of work must be equal or exceed the original construction. Oak Ridge Meadows assumes no responsibility for the safety or structural validity of new construction by an approved application. It is the responsibility of each applicant to obtain a building permit when required and comply with all federal, state, county, and other local or municipal codes and regulations.

Request Review Procedures

All request forms shall be submitted to the management company either by email or the postal service. The contact information is listed on the bottom of the request form,

Each application will be reviewed for completeness by the AC. If pertinent information is omitted, the incomplete application will be returned to the homeowner without consideration, noting the additional information required.

Once the Committee determines the application is complete, the review process begins.

The request will be reviewed by a quorum of the Committee. The Committee must act upon all requests submitted and deemed complete within thirty calendar days (30) of receipt. Under the Covenants, Article IX

Section 3, any complete request not acted upon within thirty (30) days shall be deemed approved. Any communication to the applicant from the AC may re-set the 30-day "clock."

Homeowners submitting requests containing special circumstances that require interpretation or further explanation will be notified and if necessary asked to meet with members of the Committee.

The decision of the Committee will be mailed to the address on the application. If the decision is for acceptance, the letter will be sent via first class mail; if denied, notice will be sent via certified mail.

Once a plan is approved, it must be followed, or a modification must be approved in accordance with Article IX of the Covenants and these *Standards*.

Appeals Procedures

An appeals procedure exists for those homeowners adversely affected by a committee decision. Any applicant or affected homeowner who wishes to appeal a decision of the Committee has ten (10) calendar days from receipt of the decision to file a written request to the BOD setting forth the rationale for the appeal. An appeal shall be heard if the applicant or affected homeowner can reasonably demonstrate that one of the following conditions exist:

1. That proper procedures were not followed by the Committee during the administration or review process.
2. That the applicant or any affected homeowner was not afforded the opportunity to be heard or present information pertinent to the issue being considered.
3. That the applicant or any affected homeowner was not granted a fair and impartial review.
4. That the Committee decision was irrational, arbitrary or inconsistent with the criteria set forth in these *Standards*.

The BOD has sixty (60) calendar days from receipt of the request to review the appeal and issue its decision. The applicant or any affected homeowner may appear in person before the BOD to supplement the information submitted with their request for appeal. Homeowners will be notified in writing of the decision of the BOD.

COSTS AND EXPENSES

Installation Costs and Expenses –All costs associated with any property modifications made or caused to be made by a homeowner whether completed with or without an AC approval, is solely the responsibility of the homeowner. This includes costs to repair damage to common property or grounds that is caused by the homeowner, contractor, or any other person in conjunction with making the modification, and the costs to remove or bring into conformance any non-conforming modifications.

On-going Maintenance Costs and Expenses – The costs for the on-going or annual maintenance of any property modification made or caused to be made by a homeowner, whether completed with or without AC approval, is solely the responsibility of that homeowner. Where certain services are provided by an Association contractor (such as pruning or mulching by a landscaper), the homeowner may be billed for that portion of the contractor's fees related to maintaining the modification.

VIOLATIONS AND REMEDIES

Violations of this policy include, but are not necessarily limited to:

- Residents who fail to submit an AC request form prior to modifying or causing to be modified any home or grounds in the community;
- Residents who submit an AC request form but commence work before receiving written approval; and
- Residents who receive written approval but deviate from the approved request.

The remedies for violations under this policy include but are not necessarily limited to, the following:

If the work performed is or may reasonably appear to be consistent with modifications permissible by the Association and/or governing documents, then, where no AC request form has been submitted or where the work performed deviated from the written approval, the homeowner will be required to submit an AC request form within thirty (30) days for work already completed.

If, upon AC review of the request, the modification is approved, then no further action will be taken by the Association.

If, upon AC review of the request form, the modification is disapproved:

- The homeowner will be required to remove the modification and restore the property to pre-modification condition, at the homeowner's expense, within sixty (60) days of notification.
- If the homeowner fails to remove the modification and restore the property within sixty (60) days, a letter will be sent from the Management Company at the direction of the Board providing notice of the date, time and place of a hearing before the an panel of the Board of Directors to consider the incident, and to determine whether or not services rendered by the association to the party (or parties) should be suspended, and/or a fine up to \$100.00/day should be implemented.
- In addition, the Board may engage a contractor to remove the modification and restore the property, at any time and without additional notice, and assess the homeowner the actual amount billed by the contractor to do so.
- If the work performed is plainly inconsistent with modifications permissible by the AC and/or the governing documents, such that an AC form for that work would clearly be denied, then:

Attorneys' Fees in Enforcement Actions the Court is permitted to allow reasonable attorneys' fees to the prevailing party in any action to enforce the articles of incorporation, by-laws, declaration or policies and procedures of the association. Attorneys' fees will be sought by the association in all enforcement actions.

President Brent Sievers
Date 07-23-2022