

***Mill Ridge Community Association, Inc.***

PO Box 1194  
Holly Springs, NC 27540

**Architectural Control Committee Purpose and Procedures**  
(March 1, 2006)

In accordance with the covenants, the Architectural Control Committee's purpose is to ensure that all structures, including their locations, erected within the Mill Ridge Community are in accordance with the covenants and local regulations. The Committee is first and foremost a regulating body for architectural issues and all structures which the covenants (Article VII) impact such as a building, fence, swimming pool, wall, or other structure. Secondly, the Committee is a resource and a sounding-board for all members planning the building or alteration of a structure. In the event of plans or existing structures not conforming to covenants, the Committee is committed to working with the lot-owners to find solutions, where possible, that are agreeable to all parties, and are consistent with the covenants.

Approval by the Committee must be obtained **before** work on the structure is begun.

Legal enforcement of Committee decisions is allowed as described in the covenants and is a duty of the Community Association and the Association Board of Directors.

The Committee may make recommendations about issues which are not directly addressed by the Covenants; however, it may not have approval and disapproval rights regarding those issues. If an issue arises which is not addressed by the Covenants and which the Committee deems serious, it may bring the issue to the Association Board of Directors. The goal is that with similar environmental and aesthetic concerns, the Committee, the Association Board of Directors, and the member can find a mutually agreeable compromise or alternative.

The Architectural Control Committee is composed of the Vice President of the Board of Directors (who shall serve as the Chairperson of the Committee), a Principal of K&A Developers Inc., and 1-2 Mill Ridge Community Association members, appointed by the Association Board of Directors. The Committee members shall hold office until his/her death, disability, resignation, or removal by a vote of at least sixty-seven percent (67%) of the membership at a properly held and appointed Association meeting. Upon resignation or removal, a replacement will be named by the Association Board of Directors.

## **A. Meeting schedule and Committee rules**

The Architectural Control Committee will meet on an as needed basis, to ensure prompt response to the members' needs.

The Committee meetings will be run by the Chairperson of the Committee who will take the role of a facilitator. A Secretary may be elected, or the job rotated with each meeting. Minutes will be taken at every meeting (formal and informal). A Point of Contact (POC) person will be chosen by the Committee; this person's role is to be the one contact members have with the committee. The purpose of this role is to simplify, and make consistent, contacting the Committee for the Association members.

The Secretary will keep a notebook of ALL Committee correspondence and meeting minutes. This includes letters received, submitted plans, letter sent, and records of relevant phone conversations, in addition to all meeting minutes.

A quorum of the Committee members is required for any approval or disapproval decisions to be made. A Committee member shall absent himself or herself from any decisions concerning lots which he or she owns.

## **B. Procedure to obtain design assistance**

The Committee is available to provide design assistance, such as it relates to the Covenants and environmental concerns. This is available to the members in an attempt to share information, successes and failures; the Committee is not responsible for designing a structure, nor does it have any liabilities for decisions made by the lot-owner. The Committee is NOT an architectural firm, nor does it provide that service.

1. The requesting member must, in writing or by phone, contact the POC to request a meeting.
2. It is useful for the requesting member to bring plans in progress and site information to this meeting.

## **C. Procedure to obtain design approval**

The Committee will review design plans for all structures (according to Article VII of the Covenants) being erected in Mill Ridge. Written approval is mandatory before ANY work at the site begins.

1. Design plans consist of:
  - ☐ Completed Application for Improvements form.
  - ☐ A sketch and description of the structure is required.



Design plans must be sent to the attention of the Architectural Control Committee at the Mill Ridge Community Association address. The POC will reproduce and send the plans to the other Committee members as promptly as possible. (The turn-around time can be reduced by up to a week if the requesting member sends 5 copies of all information).

2. The POC will determine a meeting time for the Committee that is within 2 weeks of Committee members receiving the plans. The POC will notify the requesting member, by phone or in writing, of the date and location of the meeting. The requesting member may attend that meeting if desired; attendance is not mandatory. Attendance may facilitate approval if questions arise.
3. At the Committee meeting, the Committee members will discuss the project and determine if it meets the Covenants. Individual preferences and concerns are NOT to be considered by the Committee; only the specific Covenant restrictions and guidelines and local regulations are to be considered.
4. The outcome of this meeting will be written in a letter, documented on the original Application for Improvements form, and sent to the requesting member within one (1) week of this meeting. Three outcomes are possible:
  - i. The plans are acceptable as is. Note that changes must be cleared with the Committee.
  - ii. The plans are acceptable with minor changes, detailed by the Committee. A letter is sent to the requesting member with the suggested changes. The requesting member may agree to these changes, in writing, to the Committee POC. The project is then considered approved.
  - iii. The plans are not acceptable. A detailed explanation of what does not agree with the Covenants must be included. Suggestions for meeting the Covenants restrictions may be included.

#### **D. Procedure to appeal**

1. A Committee decision may be appealed. A letter from the requesting member must be sent to the POC person. This letter must address each concern raised by the Committee, and describe why the design does in fact meet Covenant restrictions. If exception to any Covenant restriction is requested, the requesting member must thoroughly justify the exception, and describe its impact on the neighbors and the common area of Mill Ridge Community.

2. The POC will notify the requesting member, in writing, when and where the meeting will be held to address the appeal. The requesting member may attend that meeting if desired; attendance is not mandatory. Attendance may facilitate approval if questions arise.
3. If exception to a Covenant restriction is requested, that request must be brought before the Association Board of Directors (who must attend an appeal meeting). Any exceptions will be voted on by the Board of Directors and Committee members jointly. At this time the member and any other involved members will have an opportunity to voice their input.
4. The outcome of the appeal meeting will be written in a letter and sent to the requesting member within one (1) week. (Copies are sent to other Committee members.) Three outcomes are possible:
  - i. The appeal is granted and the plans are acceptable as is.
  - ii. The appeal is granted and the plans are acceptable with minor changes, detailed by the Committee. A letter is sent to the lot-owner with the suggested changes. The requesting member may agree to these changes, in writing, to the Committee POC. The project is then considered approved.
  - iii. The appeal is not granted. An explanation of why the appeal was denied is included.