

**Architectural Control Violation Policy
(Within the 4ft of Dwelling Units)
3-23-16**

Master Deed
VII
Architectural Control

No building, fence, wall, deck, patio, landscaping or other structure shall be commenced, erected or maintained upon the Properties, nor shall an exterior change or alteration therein be made until the plans or specifications showing the nature, kind, shape, height, materials and location of the same shall have been submitted to and approved in writing as to the harmony of external design, color and location in relation to surrounding structures and topography by the Board of Directors. In the event said Board fails to approve or disapprove such design and location within thirty (30) days after said plans and specifications have been submitted to it, approval will not be required and this Article will be deemed to have been fully complied with.

Below clarifies what the Master Deed specifies as requirements and when Board approval is required **PRIOR** to making changes to the exterior of your unit or within the 4 foot of your unit.

1. Before adding any type of new structure in or around the 4 foot of the unit e.g. deck, patio, deck rails, landscaping, etc. Board approval is required
2. Painting:
 - a.) Foundation color must be Sherwin Williams French Roast 6069
 - b.) Window cladding and trim must be brown in color
 - c.) Natural wood decks must be replaced with natural wood or Board approval is required prior to staining or painting
 - d.) Gutters must be dark brown in color
 - e.) Landscaping timbers, block, or cording must be approved by the Board for location, design, shape, type and color
 - f.) Trim on units must all be the same color except the front door; the back door must be the same color as the trim on the unit
 - g. Repainting of the front door of unit must be same color or color approved by the Board
3. Front door and garage door replacement must be approved by the Board in design, color and appearance
4. Terracing or retaining walls within the 4 foot of the unit must have board approval
5. Roofing – shingles shall be Certainteed composite Presidential Shake asphalt shingles, weathered wood in color and pumpkin tooth in design

Below is the Architectural Control Violation Policy. This policy was voted on and approved by the Oaks of Fontenelle Board of Directors at the March 23rd, 2016, meeting.

The following Architectural Control Violation Policy shall be followed for the Oaks of Fontenelle Condominium Regime I:

PENALTY ASSESSMENT: The Board will determine if an assessment should be levied. If levied, an assessment of one hundred dollars (\$100) shall be incurred for the first violation and an assessment of five hundred dollars (\$500) for the second and each recurring violation. Additional fees may be incurred for repair or replacement of common grounds property or equipment.

ARCHITECTURAL DEFINITIONS: Fences, walkways, bridges, trees, shrubbery or landscaping amenities, erosion pipes, drainage basins, driveways, parking areas, roadways, and all parts of the property and improvements which are located within the 4ft of Dwelling Units.

VIOLATIONS:

- To refrain from painting, decorating or in any way changing the appearance of any portion of Dwelling Unit unless approved by the Association Board in writing.
- All portions within the 4ft surrounding the Dwelling Unit shall be kept clean and sanitary and no use thereof shall be made which constitutes a violation of any laws, zoning ordinances, governmental regulations or regulations of the Association.

ASSESSMENT: To be paid within 15 days from date of violation notification. If assessment is not paid within 15 days the Collection Assessment Policy establishes the late fees and potential lien process.

The Board of Directors shall not consider waiver of late fees, lien fees, or attorney collection fees incurred on an account where the assessment was not paid in accordance with the Assessment Collection Policy through no fault of the Association.