

Brushy Creek Village Homeowners' Association

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 the 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 designs 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 and/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):

Change in house paint color	Change in roof color and/or roofing materials
Storage Buildings, Patio Covers	Changes in landscaping, including installation of trees & shrubs.
Fences and walls	Playscapes & Swimming Pools
Solar Collectors	Antennae / Satellite Dish
Swimming Pools	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 is necessary to assure that every owner's desire to improve his or her property can be given due process without discrimination. It will provide the owner(s), the Committee and 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 surprise and consternation about having 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. A simple form is available online at <http://www.bcvhoa.org> or you may contact Earline Wakefield of Goodwin Management Company at (512) 502-7526.