

**SHILOH FALLS HOMEOWNERS ASSOCIATION  
ARCHITECTURAL COMMITTEE**

**BUILDING PLAN APPROVAL PROCEDURES**

7. Building Plan Approval Procedures: Before commencing the exterior construction, reconstruction, remodeling, alteration, or addition of any building, structure, fence, wall, driveway, path, or other improvement of any nature, the owner shall first submit building plans, specifications, and site layout plans (collectively, the "Plans") of all construction to the Architectural Committee for its written approval. The plans shall include, but not limited to, floor plans, elevations from all sides, material specifications, and exterior color schemes. The Plans shall also include all materials for driveways, walls, fences, swimming pools, etc. The Architectural Committee has 30 days after receipt of all required information to respond in writing to an application for building plan approval. Response will be via US Mail with return receipt required showing mail date no later than 30 days after receipt of building application submission to the Architectural Committee. If no response is mailed by day 30, application is deemed approved. However, if the Architectural Committee provides a notice of non-approval on or before day 30, then there is no time limit on reaching an approval agreement between the Architectural Committee and the applicant. At the end of day 60, the applicant may appeal within 14 days to the Board of Directors for a final determination. **No new foundation or construction work may begin prior to written approval of the Plans. Strict adherence to the approved construction Plans submitted is absolutely mandatory throughout the construction process. Any deviations from the approved Plans must be approved prior to implementation. Repair of structures in accordance with original design materials does not require Architectural Committee approval, not withstanding temporary repairs due to extenuating circumstances.**

BUILDING PLAN APPROVAL PROCEDURES

**7.1. AUTHORITY**

7.1.1 The Covenants, Restrictions, and Limitations of Shiloh Falls Subdivision, a legal, recorded document, authorizes the appointment of an Architectural Committee to approve all plans for building within the subdivision.

7.1.2 The Architectural Committee shall have full authority to approve all building plans, to include, but not be limited to, front elevations, setbacks as shown on the recorded plats, drive entrance locations, fences, and any out buildings. The minimum square footage shall be as required on the recorded plats.

**7.2. SUBMITTAL PROCEDURE**

7.2.1 Building plans for construction of new dwelling, additions to existing structures, out buildings, and other structures governed by the covenants, restrictions, and limitations, shall be submitted, in three (3) copies to the Architectural Committee for review and approval.

7.2.2 The building plans shall include, at a minimum, the documents indicated in the following sub-paragraphs:

7.2.2.1 A site plan, or plat, to include, but not be limited to, setbacks and easements as shown on the recorded plat, size and location of the new dwelling, addition, outbuilding, or other structure, size and location of any existing structures, and drive entrance location.

7.2.2.2 Front, side, and rear elevations of the new dwelling, addition, out building, or other structure.

7.2.2.3 A floor plan of the new dwelling, addition, out building, or other structure. In the case of a new dwelling, the floor plan is necessary to verify compliance with minimum square footage requirements.

7.2.2.4 An exterior building materials specification, to include, but not be limited to, roofing, siding, brick, stone, or other masonry, and paint colors.

7.2.2.5 Any request for a variance to the provisions of the covenants, restrictions, and limitations, or to the recorded plat.

7.2.2.6 Any other document which the property owner considers useful to the review and approval procedure.

7.2.3 The submittal shall include a Form SFHA-AC-1, with Section 1, Building Plan Review & Approval Request, completed and signed.

7.2.4 The submittal shall include a check, payable to the Shiloh Falls Homeowners Association, for the amounts indicated in the following subparagraphs:

7.2.4.1 The submittal for construction of a new dwelling Shall include a payment for the amount of One Thousand Dollars (\$1,000.00). Three Hundred Fifty Dollars (\$350.00) of this amount shall be a nonrefundable fee to the SFHA.

7.2.4.2 The remaining Six Hundred Fifty Dollars (\$650.00) shall be refundable to the property owner following completion of construction, provided that the conditions stated in the following sub-paragraphs are achieved:

7.2.4.2.1 The construction is completed in strict accordance with the "Approved" building plans, with the applicable provisions of the covenants, restrictions, and limitations, and in compliance with the requirements of the procedure.

7.2.4.2.2 Any and all damages to SFHA property incurred as a result of the construction will be returned to original condition.

7.2.4.3 The submittal for construction of an addition, out building, or other structure will not require a payment with the submittal. The Architectural Committee will review the building plans and determine if payment of a fee is appropriate, depending upon the nature and extent of the construction.

7.2.5 The building plans may be submitted to any Architectural Committee member. A listing of current committee members, addresses, and telephone numbers, will be available from the Security Guard at the Shiloh Falls Gate House.

### **7.3 REVIEW AND APPROVAL PROCEDURE**

7.3.1 Building plans submitted to the Architectural Committee will be reviewed by committee members for compliance with the applicable provisions of the covenants, restrictions, limitations, and recorded plats.

7.3.2 The Architectural committee will meet as necessary to consider the approval of building plans under review. A majority of the committee members present, but in no case less than three (3), will be required to determine the final disposition of the request, which will be one of the conclusions indicated in the following sub-paragraphs:

7.3.2.1 Approved as Submitted: The request complies with all applicable provisions of the covenants, restrictions, limitations, and plats. The property owner may proceed with construction as requested.

7.3.2.2 Approved as Noted: The request does not comply with one or more of the applicable provisions of the covenants, restrictions, limitations, or plats. The property owner may proceed with construction if the noted non-compliance issues are accepted and corrected in the building plans.

7.3.2.3 Revise and Resubmit: The request does not include all of the building Plans that must be provided to continue the review and approval procedure.

7.3.2.4 Rejected: The request does not comply with many applicable provisions of the covenants, restrictions, and limitations. The building plans must be completely revised to correct the stated non-compliance issues, and then be resubmitted for review and approval.

7.3.2.5 The decision of the Architectural Committee may be appealed to the Board of Directors of the Shiloh Falls Homeowners Association. The property owner may be requested to meet with the Architectural Committee during the review process to provide clarification of the building plans submitted.

7.3.3 Upon approval, the three (3) copies of building plans submitted will be stamped “Approved,” and signed and dated by a majority of the committee members.

7.3.3.1 One (1) copy of the “Approved” building plans will be retained by the Architectural Committee for record purposes.

7.3.3.2 Two (2) copies of the “Approved” building plans will be returned to the property owner. **One (1) copy of the “Approved” building plans shall be maintained at the construction site**; and one (1) copy of the “Approved” building plans will be a record copy for the property owner.

7.3.4 Upon approval, the Form SFHA-AC-1 submitted with the request, with a completed and signed Section 2 – Architectural Committee Action, a copy will be provided to the property owner. Upon completion of construction, the property owner shall return the Form SFHA-AC-2, with Section 1 – Notification of Completion, completed and signed, to the Architectural Committee, and a final inspection of the construction will be accomplished.

7.3.5 Any and all construction, to include landscaping, approved under a particular request must be completed within 12 calendar months from the date of approval of the construction request. An extension may be requested for extenuating circumstances.

7.3.6 No construction of new dwellings, additions to existing structures, out buildings, and other structures governed by the covenants, restrictions, and limitations, shall be permitted without prior written approval of the Architectural Committee.

7.3.7 The construction of new dwellings, additions to existing structures, out buildings, and other structures governed by the covenants, restrictions, and limitations, shall be in strict accordance with the “Approved” building plans.

7.3.8 Any addition, deletion, modification, or other deviation from the “Approved” building plans shall be presented in writing to any Architectural Committee member for review by the full committee to determine if further review and approval is required. No deviations may occur before the approval has been granted in writing.

7.3.9 In the event that a violation of these procedures takes place, the property owner shall be required to provide an explanation to the Architectural Committee as to how and why the violation occurred. The Architectural Committee will determine a remedy to correct the violation on a case-by-case basis. The remedies may include, but are not necessarily limited to, the actions in the following sub-paragraphs.

7.3.9.1 Removal or modification of the violation, by the property owner, to satisfy the requirements of the covenants, restrictions, and limitations.

7.3.9.2 Removal or modification of the violation, by the Shiloh Falls HOMEOWNERS Association, and at the expense of the property owner, to satisfy the requirements of the covenants, restrictions, and limitations.

7.3.9.3 Payment of a penalty fee to the Shiloh Falls Homeowners Association in accordance with Covenant 35, Compliance.

7.3.9.4 All costs incurred by the Shiloh Falls Homeowners Association to correct a violation of these procedures, to include legal expenses, shall be the responsibility of the property owner.

7.3.9.5 Delinquent penalty fees and/or costs incurred by the Shiloh Falls Homeowners Association to correct a violation of these procedures shall become a lien upon the property.

#### **7.4. COMBINING OR SPLITTING LOTS**

7.4.1 Any property owner within the development desiring to build a home on more than one lot, or desiring to build an attached or detached building or structure on an adjacent lot may do so providing the following terms and conditions are agreed to and met;

7.4.1.1 Approval for construction from the Architectural Committee.

7.4.1.2 The lots shall be combined as one lot on a plat with a statement on the plat, "Lots combined on this plat shall

never be re-divided as long as the restrictive covenants for the Shiloh Falls development remain in effect" and said plat shall be recorded in the Record Book at the Hardin County Register's Office.

7.4.1.3 Property Owner agrees to pay Homeowners Association

dues and assessments for a home plus a vacant lot. However, if the owner wants to combine two lots and not pay SFHA dues

for both, the following apply: no more than two lots may be combined for the purpose of reducing fees; some house and/or garage foundation and structure must be situated on each lot; combining approval will not occur until after all construction is complete; lot dues will convert to the single home dues once the lots are combined and

recorded as such. Owner will only have one SFHA vote when any number of lots are combined.

7.4.1.4 Any Property Owner(s) desiring to combine more than two lots or split a lot with another Property Owner may do so only after obtaining written approval from the Board of Directors of the Shiloh Falls Homeowners Association.

7.4.2 This resolution shall not alter or affect existing terms and conditions for lots that were combined or split prior to January 2012.

#### **7.5 UTILITY CONNECTIONS UNDER ROADS**

Cutting or trenching of roads in Shiloh Falls Development for any purpose is strictly PROHIBITED. Tunneling or boring under the road will be the only acceptable means of making connections to underground utilities, including, but not necessarily limited to, sewer/water/telephone/electrical service/cable television, that are located on the opposite side of the road. The property owner will be responsible for the cost.