

## Architectural Control Committee Procedure Policy & Guidelines

### **I.**     **Introduction:**

Throughout its existence, Thousand Oaks has proven to be a desirable place to live in the Northland. In order to ensure homes in Thousand Oaks retain their value, all Lots in the neighborhood are subject to submitting property changes to the Architectural Control Committee (hereinafter called ACC). The ACC is comprised of volunteers who are Lot Owners and members in good standing in the Association. The ACC adheres to the policy and guidance put in place by the Covenants and Association Board of Directors. Since the ACC is made up of volunteers, the ACC reserves the right to take up to, but not more than, 45 calendar days to review, ask for clarification and give conditional approval to submitted Projects. Final approval is granted after Project completion is confirmed by the ACC. Projects started without Conditional Approval are subject to fines.

ACC Members and Owners should share this policy with prospective contractors when preparing applications and bids. This policy is subject to change upon a vote by the Directors of the Association.

### **II.**     Application and Approval Procedure:

**A.**     **Conditional Approval.** An approval by the ACC shall be granted on a conditional basis, the conditions being the following:

- 1.**     Completion of the Property Improvement Application. See attached, page 9
- 2.**     Detailed Architectural drawings of the Lot site plan layout
- 3.**     Survey when project involves fence, possible encroachment of neighboring property or HOA owned property to ensure the Project shall have a proper setback in compliance with local codes and ordinances
- 4.**     Permit Applications from County and/or City of Parkville, as needed
- 5.**     When the current Association Policy requires, consent to a project being received by all appropriate, immediately adjacent Lot Owners;
- 6.**     Verification that the applicant Lot Owner is a Member in good standing with the Association; and
- 7.**     The ACC approval is contingent or temporary until the Owner notifies the ACC in writing that the Project is complete and an ACC member has verified that the completed project is consistent with the conditionally approved Project. If the Project meets these benchmarks, the ACC will establish a notice in writing to the Owner making the Approval permanent.

**B. Expiration of Approval.** A conditional approval of a Project shall expire one (1) year after its effective date. Owners may ask the ACC to renew an approval in writing after the expiration, which shall be subject to the ACC's sole discretion.

**C. Personal to Applicants.** All approvals granted by the ACC shall be specific and personal to the Applicant Owners. No conditional approval shall be transferrable or assignable by any party or Owner.

**D. Form of ACC Conditional Approval.** See attached, page 12.

**E. Form of ACC Permanent Approval.** See attached, page 13.

**F. Form of Neighbor Consent.** The Association Policy requires the consent of an applicant's immediate adjacent neighbors. Forms are available on the Association's ACC page of the Association website: [www.thousandoaksmo.com](http://www.thousandoaksmo.com).

### **III.** Common Requests & Guidelines:

#### • **Home & Deck Paint Colors**

- All exterior paint color and/or application must be approved prior to application by the ACC – without pre-Approval Members will be subject to a fine.
- Brand name, swatch color and samples must be submitted in writing
- ACC may request test areas on the home in order to complete conditional approval
- Final approval will be issued once the residence on the Lot is painted in the approved color schemes
- Paint colors may be denied approval upon a vote by either the by a simple majority of the ACC and/or Board of Directors

#### • **Fence Installation**

- **Fence style** - 4ft in height, black aluminum or steel with flat top rails (no spikes or spires). No other fence styles are permitted.
- **Boundaries** - The fence must be installed on your property line with a 15ft setback from the front of your house. If property is a corner Lot, then the fence along the sidewalk/street side must have a 15 ft setback from that side property line. The ACC requires that all applicants include with their application a plot of the fence line by drawing the proposed fence plat map or survey to show its layout/location. No applications shall be considered until this document is submitted.
- **Survey** – A survey must be completed of the property to ensure that the proposed project shall not encroach on other Lots or Association property. In lieu of a new survey created just for the project, Lot Owners may use a survey in their possession

so long as that survey shows the Lot Owner's current residence and improvements on the document. – Lots older than 6 months are required to submit a survey.

- **Other Structures**

- No free-standing structures are permitted. This includes but not limited to: sheds, garages, storage units of any kind, or free-standing mini displays. Kids' playhouses & treehouses will be voted on by the ACC or Board of Directors. The ACC reserves the right to request/require removal of kids' playhouses or treehouses if found in disrepair.

- **Solar Collection Devices**

Please note: these guidelines are primarily for the installation of Solar Energy Systems, but also will apply to windows, siding, roof windows, skylights, and other similar roof mounted fixtures, features, and equipment. These Guidelines are a supplement, but not a replacement, to the existing covenants and will apply to all new construction, additions and remodels of any structure on any Lot. Specifically, but not exclusively, for any roof that does not contain an approved Solar Panel, Solar Collector or Solar Energy System, the current standard roof fabrication and color required by the Association shall continue to be mandatory.

Members must be in good standing in order to make an application under this policy.

### **I. Definition(s)**

Missouri Revised Statute 442.404, as amended, shall be followed by the Association and the ACC in approving a solar policy. The Association and ACC shall use any definition required by Missouri Statute and Code of State Regulations.

In addition to mandatory definitions, for the purposes of this policy, a Solar Energy System is defined as any solar panel, solar shingle, solar collector or other solar energy device or any structural design feature of a building whose primary purpose is to provide for the collection, storage, and distribution of solar energy for space heating, space cooling, electric generation, or water heating. The following common systems would be considered Solar Energy Systems:

- Photovoltaics (solar electric)
- Solar water heating for use within a building
- Solar water heating for space heating
- Solar pool heating

Other roof mounted fixtures, features and equipment associated with Solar Energy Systems shall also be considered a part of the system including, but not limited to, ducts,

pipng, conduits, wiring, water tanks, and collectors. An additional technology encouraged by the Association are solar shingles.

## **II. Policy and General Provisions Governing Installation of Solar Energy System**

The Association does not and shall not endorse any specific vendor or product, but will identify previously-approved projects in good standing in the neighborhood.

The Association has a strong preference for the use of solar shingles. Applications proposing use of any covering, films or other coverings upon any solar panels are strongly discouraged.

Installation of solar panels, solar shingles or any Solar Energy System shall be intended to conform to existing roofline geometry and the current community standard for roofing materials and restriction in the Amended and Restated Declaration of Covenants and Restrictions of Thousand Oaks, Art. VII, Paragraph 26., specifically, the “Weathered Wood” coloration with shadow blocking as used in the Timberline Weathered Wood shingle (as of the inception date of this policy).

The ACC is not responsible for verification of any equipment’s compliance with any and all applicable governing regulations, requirements and standards, or the ability of the equipment to perform the functions for which the equipment was designed.

Whether or not specifically stated in the ACC’s written approval, all approvals are based on the condition that the system complies with all applicable Federal, State and local laws governmental regulations, requirements and standards.

Members are individually responsible for determining if additional local, State or Federal permits for installation of a Solar Energy System are required. The Association shall not be responsible for verifying if any permits are required and if a Member has obtained them prior to or after installation.

The Association does not guaranty that any Solar Energy System will comply with any homeowner’s insurance company policy requirements or warranties that may or may not apply to a Member’s structure. Neither the ACC nor the HOA Board of Directors may be held liable to the Members from damage or for effects to any individual of a Member’s family. The Member Lot owner assumes and bears all risks regarding installation and use of any Solar Panel, or Solar Energy System.

The Association’s approval for installation of any Solar Energy System is not a representation that the system chosen by a Member is safe to use or is compatible with a Member’s structure and therefore Members assume and bears all risks regarding

installation and use of such a system. Members also shall bear all costs for any applications, permits or other authorizations and/or communications with any State, Federal, local governments or any utility companies. ACC approval of an Owner's proposed installation is in no way a warranty or guaranty of system functionality in any way.

ACC shall review the application for approval of the installation or use of a Solar Energy System in the same manner as an application for approval of an architectural modification to the property.

ACC shall have the right to disapprove an application for a proposed Solar Energy System based on aesthetics pertaining to profile, size, mass, color, texture, material, and other aesthetic criteria considered by the ACC pursuant to Covenants, Conditions & Restrictions (CC&Rs) and the guidelines referenced herein.

ACC shall review an application for a proposed Solar Energy System based on all requirements pertaining to the built structures on each property, specifically as it relates to setbacks and heights.

Prior to making a determination to approve or disapprove the application, the ACC shall make an in-person site visit to the applicant's Lot to observe the location of the Residence on the Lot and the proposed installation location.

Members installing a Solar Energy System unapproved by the Association or ACC shall be subject to an enforcement action by the Association to change or uninstall the Solar Energy System at the Lot owner's expense, in addition to other remedies available at law, and the homeowner shall reimburse the Association for any and all expenses, including legal expenses and/or violation fines, required to enforce this policy.

### **III. Design Guidelines**

#### **A. Reflectivity**

1. No Solar Energy System may reflect light or heat into neighboring homes and yards, common areas, or public rights of way.

#### **B. Mounting**

1. Roof-mounted solar panels should only be installed in the rear of the home and are not likely to be approved in any other location given aesthetic considerations. The Association realizes that for any houses located on corner lots where the back of the house or roof is visible from a side street, that installation of such devices on the back side roof may still be visible from the street abutting the side of Member's lot, and installation on the back roof side of the house under these circumstances will be

considered for approval by the Association.

2. Wall mounted solar panels are not permitted.
3. Any form of Ground-Mounted Solar Energy System is not permitted.
4. Roof mounted solar panels should be laid out in a symmetrical rectangle or square pattern and should have the perimeter squared off with filler material to eliminate asymmetrical edges.
5. Solar panels should not project above the roof surface at any point more than seven (7) inches.
6. Conduit/piping should be tight against drain spouts when a drain spout is on the wall being used. Conduit/piping must go through eaves not around. Conduit/piping should penetrate the roof, to the extent possible, and be contained within the structure. Conduit/piping that cannot be concealed should be painted to blend with the color of the adjacent surface. Conduit/piping will have single routing from panels and run tight against the panels to the point where it penetrates the roof. Conduit/piping must not run across the roof faces or over ridges, valleys or hips but should go through the roof and be concealed below the roof.

### **C. Coloration**

1. Solar Panels and related installation components shall be the same color as the roof. If the Member's current roof color does not match the solar panel, then the Solar Panel shall be covered or clad in a solar "skin" or a similar method to change the visual coloration of the panel to exactly match the Member's currently installed neighborhood roofing/shingle standard of "Weathered Wood" by Timberline; or, the Member shall make an application with the ACC for its future approval of a similar solution to ensure that the entirety of the Solar Panel and its components are colors to match the "Weathered Wood" roofing that is the current community standard.
2. Solar shingles and Solar Energy Systems shall be the same color as the roof. If the Member's current roof color does not match the solar shingle, then the entire roof shall be replaced at the same time as the installation of the Solar Panel.
3. Mounting brackets should be painted to match the Solar Energy System color of the roof as appropriate.
4. Plumbing vents should be painted black when in between panels and should have gaps filled.

5. All plumbing, electrical, and utility lines for the Solar Energy System shall be concealed from view.
6. Installation of wiring components through an attic is preferred.
7. Conduit/piping abutting panels should be painted black and conduit/piping not against panels should be painted to match roof color. Conduit/piping going up a wall should be installed tight together and painted to match adjacent surface.
8. Filler strips should be used between panels to fill any gaps and hide the roof.
9. Solar panels should have end caps where an end is visible.
10. Piping and electrical connections will be located directly under and/or within the perimeter of the panel and invisible from all street angles. Panels are to be mounted on the same plane as the roof slope. The installation profile should be as level as practical.

#### **D. Mounting Angle**

1. Raised or tilted solar panels will only be installed on the rear roof. Solar shingles, by design, shall be flush with the roof angle.

#### **E. Above-Ridgeline Panel Placement**

2. For aesthetic purposes, the highest point of a solar panel should be lower than the ridge of the rear roof where it is attached.

#### **F. On-Going Maintenance**

1. All painted surfaces will be kept in good repair.
2. All non-functioning Solar Energy Systems shall be repaired within Sixty (60) days of damage or removed.
3. Members shall properly maintain any Solar Energy System after proper installation to ensure that it does not dilapidate or create visual and/or aesthetic nuisance as determined by the Association and/or ACC. Should the installed Solar Energy System not be properly maintained resulting in visual and/or aesthetic nuisance, the Association may enforce any of its rights under the Covenants, rules or this policy to insure homeowner compliance that may include, but not be limited to, fines and/or litigation. This enforcement may include but not limited to maintenance of the Solar Energy System in a good and aesthetically pleasing condition; or removal of said Solar Energy System while maintaining compliance with all other applicable CCRs, rules and policy.

## **G. Solar Energy System Application Requirements**

1. Applications shall be made in writing or electronically to the Architectural Control Committee (ACC) at the email address designated by the Association.

2. Applications shall include scaled, dimensioned roof plans showing the entire roof including hips, valleys and ridges.

3. Show proposed panel locations on the roof including the dimensions of panels and setbacks from edge of roof.

4. Show routing of piping/conduit/piping on roof.

5. Show where piping/conduit/piping penetrates eaves and roof.

6. Show all vents/obstacles on roof that will be in between the panels.

7. Submit photos of roof, where practical.

8. Provide drawing of wall where pipes/conduit/piping will go up wall to roof.

9. Submit photos of wall.

10. Include the manufacturer's brochure.

11. Sample of the proposed Solar Energy System and manufacturer's literature shall be submitted with the application to the satisfaction of ACC.

12. Calculations shall be provided with the initial application verifying the number and/or area of panels required for the proposed, requested installation.

13. Photographs shall be submitted showing the location of the proposed Solar Energy Systems and their visibility from neighboring structures and street(s).

14. Applications must include written consent of the four Lot Owners located immediately North, South, West and East of the Applicant household. The Form of Consent shall be posted on the Association website.

15. During the application process, the plans and submittals for the Solar Energy System will be made available for nearby Lot Owner's review. These applications are available to Association Members in good standing.

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**PROPERTY IMPROVEMENT APPLICATION**  
**Thousand Oaks Homeowner's Association**

**[NOTE: Plans must be submitted at least 45 days before activity begins]**

NAME: \_\_\_\_\_ DATE: \_\_\_\_\_  
(Please Print)

ADDRESS: \_\_\_\_\_ LOT No: \_\_\_\_\_

PHONE: (H) \_\_\_\_\_ (W) \_\_\_\_\_ Proposed Completion Date: \_\_\_\_\_

By initialing this box, I am confirming to the Thousand Oaks Homes Association that I am the Owner of the Property listed above: \_\_\_\_\_(initial here).

**All Applications Must Be Submitted with A Plan to Scale**

**TYPE OF ARCHITECTURAL AND/OR LANDSCAPING IMPROVEMENT**

- \_\_\_ Remodeling/Additions
- \_\_\_ Outside Walks/Stairs
- \_\_\_ Garage Doors/Exterior Doors \_\_\_ Wood \_\_\_ Stucco \_\_\_ Brick
- \_\_\_ Driveway/Parking Pads \_\_\_ Stone \_\_\_ Concrete
- \_\_\_ Play Equipment
- \_\_\_ Swimming Pool
- \_\_\_ Decks/Patios \_\_\_ Yes \_\_\_ No
- \_\_\_ Arbors/Overhangs
- \_\_\_ Fences/Fence Additions & \_\_\_\_\_
- \_\_\_ Retaining Walls \_\_\_\_\_
- \_\_\_ Landscaping Front and/or back yard \_\_\_\_\_
- \_\_\_ Roofing Replacement
- \_\_\_ Other: \_\_\_\_\_
- \_\_\_ PAINTING: house new color \_\_\_ trim new color \_\_\_ fence \_\_\_
- \_\_\_ Solar Energy System

To expedite the processing of your application, please show and explain your plans to all those neighbors who may be affected and have them sign in the appropriate place on the separate document entitled "Neighbor Project Consent Form." If the project is for Solar Energy, the separate Neighbor Solar Energy Consent Form" must be used. The Architectural Landscaping Committee may also contact them directly...if the scope of the project warrants such action.

[ IF ADDITIONAL SPACE IS NEEDED, PLEASE USE THE REAR OF THIS FORM]

*For Association Use Only:*

\_\_\_ Conditionally Approved; Date of Conditional Approval: \_\_\_\_\_  
\_\_\_ Permanently Approved; Date of Permanent Approval: \_\_\_\_\_

By: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

Print Name: \_\_\_\_\_

Updated 1/9/23

**IMMEDIATE LOT OWNER PROJECT CONSENT FORM**

To: Thousand Oaks Homes Association -- Architectural Control Committee

Subject: Proposed Project at ( \_\_\_\_\_ )  
("Project Address")

Project Lot Owner/Applicant Name(s): \_\_\_\_\_

Project Description:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ [insert project description]

(the "Project").

To Whom it May Concern:  
(initial each line where indicated)

\_\_\_\_\_ I have reviewed the application for installation for the proposed Project at the Project Address described above.

\_\_\_\_\_ I have had sufficient time to review the application for installation for the proposed Project at the Project Address described above.

**Select One:**

\_\_\_\_\_ I consent to the approval of the installation at the Project Address.

\_\_\_\_\_ I do not consent to the approval of the installation at the Project Address.

If you selected "I DO NOT CONSENT," please describe in detail your concerns or suggestions related to the Project described above:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ [insert  
objections or concerns regarding the Project]

Date: \_\_\_\_\_

Lot Owner Signature: \_\_\_\_\_

Lot Owner's Printed Name: \_\_\_\_\_

Lot Owner's Address: \_\_\_\_\_

Updated 1/9/23

**CONSENT TO SOLAR ENERGY SYSTEM INSTALLATION**

To: Thousand Oaks Homes Association  
Architectural Control Committee

Date: \_\_\_\_\_

Subject: Proposed Solar Energy System at (\_\_\_\_ address \_\_\_\_\_)  
("Project Address")

Project Lot Owner/Applicant Name(s): \_\_\_\_\_

To Whom it May Concern:  
(initial each line where indicated)

\_\_\_\_\_ I have reviewed the application for installation of Solar Energy Technology at the Project Address filed by the Project Owner at the Project Address.

\_\_\_\_\_ I have had sufficient time to review the Application for Solar Energy Technology installation at the Project Address.

**Select One:**

\_\_\_\_\_ I consent to the approval of the Proposed Energy System installation at the Project Address.

\_\_\_\_\_ I do not consent to the approval of the Proposed Energy System installation at the Project Address.

Date: \_\_\_\_\_

Lot Owner Signature: \_\_\_\_\_

Lot Owner's Printed Name: \_\_\_\_\_

Lot Owner's Address: \_\_\_\_\_

**CONDITIONAL APPROVAL**

To: \_\_\_\_\_ **Property Owner Name**

\_\_\_\_\_ **Property Address**

**Thousand Oaks Homes Association, Inc.** ACC hereby grants to Owner the conditional approval to complete the following Project as submitted in writing by the Owner to the Association on or about \_\_\_\_\_ (date):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ [insert project description]

, a copy of which is attached hereto as Exhibit A and incorporated herein by this reference.

(the "Project").

**Conditional Approval.** This approval is conditional until all of the following conditions are met:

- a. (When the current Association Policy requires) Written consent to a project is received by a simple majority of all appropriate, immediately adjacent Owners.
- b. Owner notification, in writing, to the Association/ACC that the Project is complete and an ACC member has verified that the completed project is consistent with the conditionally approved Project. If the Project meets these benchmarks, the ACC will establish a notice in writing to the Owner making the Approval permanent.

**Expiration of Approval.** This conditional approval of a Project shall expire one (1) year after its effective date, below. Owners may ask the ACC to renew an approval in wiring after the expiration, which shall be subject to the ACC's sole discretion.

**Personal to Applicants.** This Conditional Approval is expressly granted the Property Owner named above, and is not transferrable or assignable by any party or Owner.

Effective Date: \_\_\_\_\_

**Thousand Oaks Homes Association, Inc.  
Architectural Control Committee:**

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

**PERMANENT APPROVAL**

To: \_\_\_\_\_ **Property Owner Name**

\_\_\_\_\_ **Property Address**

**Thousand Oaks Homes Association, Inc.** ACC hereby grants to Owner permanent approval of the completed Project, below, following a conditional approval and the ACC confirmation that the Project was completed on or about \_\_\_\_\_ (date) consistent with a conditional approval previously granted for the following project:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ [insert project description]

, a copy of which is attached hereto as Exhibit A and incorporated herein by this reference.

(the "Project").

**Permanent Approval.** This approval is permanent as of the effective date below, the following benchmarks being met on the dates indicated, below:

- a. Owner notification, in writing, to the Association/ACC that the Project is complete and an ACC member has verified that the completed project is consistent with the conditionally approved Project. Date completed: \_\_\_\_\_.
- b. Date of this Notice of Permanent Approval: Date completed: \_\_\_\_\_.

Effective Date: \_\_\_\_\_

**Thousand Oaks Homes Association, Inc.  
Architectural Control Committee:**

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Updated 1/9/23