

# MERRY OAKS

Sycamore, Illinois

## Architectural Design and Review Committee New Construction Checklist

This checklist is intended to assist new owners and their builders/architects in assessing the building requirements for new homes in Merry Oaks. This list is not, and is not intended to be, exhaustive and all-inclusive; compliance with the items listed below may not constitute compliance with each existing HOA requirement. New owners, their builder and/or architects are strongly encouraged to review HOA Covenants in their entirety and specifically Articles 5 and 6. Additionally, new owners are invited and encouraged to reach out to the President of the Association with questions to discuss any issues which they may encounter.

The Committee will use this checklist to assist it in assessing compliance with HOA requirements for construction. For non-compliant items, please see the section below the checklist for an explanation of what you need to do to bring your plans into compliance.

*PLEASE BE ADVISED THAT THIS IS NOT A SITUATION WHERE IT IS "BETTER TO SEEK FORGIVENESS THAN PERMISSION." IF YOU BUILD WITHOUT PREAPPROVAL, YOU MAY BE REQUIRED TO REMOVE AND/OR DEMOLISH ANY CONSTRUCTION WHICH DOES NOT COMPLY WITH HOA REGULATIONS AT YOUR SOLE EXPENSE.*

Name: \_\_\_\_\_ Lot Number: \_\_\_\_\_

### Checklist:

| Item | Requirement   | Compliant | Non-Compliant |
|------|---|-----------|---------------|
| 1    | Front yard setback no less than 40 ft and no more than 55 ft        |           |               |
| 2    | Side yard setback minimum of 15 ft                                  |           |               |
| 3    | Masonry fireplace and chimney if applicable                         |           |               |
| 4    | No aluminum siding, vinyl siding, Dryvit, or EFIS                   |           |               |
| 5    | No more than three primary exterior surface materials               |           |               |
| 6    | Front elevation material has natural stone, brick, or natural cedar |           |               |
| 7    | Front elevation material has decorative trim                        |           |               |
| 8    | Windows on all elevations   |           |               |
| 9    | Porch depth of 5 ft   |           |               |
| 10   | Roof pitch of 8/12  |           |               |
| 11   | One story house square footage minimum of 2,750 ft <sup>2</sup>     |           |               |
| 12   | Two story house square footage minimum of 3,600 ft <sup>2</sup>     |           |               |
| 13   | Three-car attached garage location and positioning                  |           |               |
| 14   | Driveway material   |           |               |
| 15   | Landscape   |           |               |



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## **Purpose and Procedures**

In accordance with the covenants, the Architectural Design and Review Committee's purpose is to ensure that all structures, including their locations, built within the Merry Oaks Subdivision are in accordance with the covenants and local regulations.

The Architectural Committee is composed of three Merry Oaks Homeowner Association members, appointed by the MOHOA Board.

### **Plan Review**

The ADRC will review design plans on an as-needed basis, to ensure prompt response to the lot owner's needs. The Chairperson will be chosen by the MOHOA Board President.

Input from all ADRC members is required for any approval or disapproval decisions to be made. All ADRC decisions should be made part of the MOHOA records. An ADRC member shall absent himself or herself from any decisions concerning lots which he or she owns.

### **Design Approval Procedure**

1. Design plans must be sent to the ADRC Chair. It is suggested that the lot owner submit plans before applying for a building permit in case any changes must be made.
2. 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.
3. The outcome will be communicated to the requesting lot owner.

### **Possible Review Outcomes**

1. The plans are acceptable as is and in compliance of the Covenants and are approved.
2. The plans are acceptable with minor changes, detailed by the ADRC. The lot owner may agree to these changes, in writing or email, to the Committee Chair. The project is then considered conditionally approved.
3. The plans are not in acceptable. A detailed explanation of what does not agree with the Covenants must be included. Suggestions for meeting the Covenants restrictions may be included. The project is then not approved.

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## **Appeal Process**

1. An ADRC decision may be appealed to the Board President. A letter or email from the requesting lot owner must be sent to the ADRC Chair and Board President. This letter or email must address each concern raised by the ADRC and describe why the design does in fact meet Covenant restrictions.
2. The Board President will notify the requesting lot owner, in writing or email, when and where the meeting will be held to address the appeal.
3. If exception to a Covenant restriction is requested, that request must be brought before the Board. Any exceptions will be voted on by the Board. At this time the lot owner and any other involved members will have an opportunity to be heard.
4. The outcome of the Board President and ADRC meeting(s) will be written in a letter or email and sent to the requesting lot owner.

## **Possible Appeal Outcomes**

1. The appeal is granted: the plans are acceptable as is and in compliance of the Covenants and are approved.
2. The appeal is granted: the plans are acceptable, with minor changes, detailed by the Board President. A letter or email is sent to the lot owner and ADRC with the suggested changes. The lot owner must agree to these changes, in writing or email, to the Board President. The project is then considered approved.
3. The appeal is not granted. An explanation of why the appeal was denied is included.