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The Woods at Elm Creek Homeowner Association

Champlin, Minnesota

thewoodsatelm creek@gmail.com

PO Box 453

ACC Approval Guidelines

We appreciate your cooperation in reporting improvements to your property to the ACC.
We have included applicable by-laws for you to easily review.

Article VI, Section 3, Review of Modifications. After the completion of an original living unit on a lot, the construction or modification of any building or structure, including fences and mailboxes or the retaining walls or monuments constructed by the Declarant, shall require prior written approval by the ACC of the plans and specifications for the construction, in accordance with the standards set forth in Section 4 hereof.

Article VI, Section 4. Standard of Review. The ACC may promulgate detailed standards and procedures governing its areas of responsibility and practice (ie, solar panel installation and common area design). In addition, the following shall apply: the plans and specification shall be reviewed as to quality of workmanship, design and harmony of external design with existing structures, topography, and finish grade elevation. **No permission or approval shall be required to repaint in accordance with an originally approved color scheme, or to rebuild in accordance with an originally approved color scheme, or to rebuild in accordance with originally approved plans and specifications.**

Article VI, Section 6. Removal and Abatement. The ACC or the Association shall have the right to order an Owner to remove or alter any structure on any Lot erected in violation of the terms of this Declaration, and to employ appropriate judicial proceedings to compel the alteration or demolition of any non-conforming construction other violation...

Article X, Section 11. Amended. Fences, Walls and Hedges. Fences and boundary walls are not allowed unless required by city, county or state ordinance, rule, code or statute for specific grounds. A refusal by the committee to allow or permit any specific type of fence, wall or hedge on any lot or in any location shall not be construed to be an abuse of discretion. Any ordinance, rule, code, or statute requiring a fence or boundary wall to be constructed shall be limited to a reasonable usable area for the type of structure of grounds intended to be enclosed and will not be full yard fencing. Any required fencing will be constructed with maintenance free materials in tones consistent with the natural intended design of the neighborhood. Any approved fence, wall or hedge must have written approval from the ACC in regard to height, type, design, and location prior to any construction or planting.

As the neighborhood develops and home and yard materials improve, we continue to assess and modify standards to meet the needs of the neighborhood. Your cooperation is imperative to uphold the esthetics and integrity of this community.

Work that does not require written approval.

- Not all external work/improvements require formal written approval as stated in **Article VI, Section 4** above. However, we do ask that a courtesy email be sent to thewoodsatelmccreek@gmail.com to notify the HOA that work is being done to help support your improvements and the ACC process as discussed at the 2024 annual meeting. Below is a list of examples that do **NOT** require written approval but request an information email prior to work being conducted.

Structural work and improvements.

- Replacement of existing but not limited to windows, doors, siding, roofing, gutters, trim, decking, railings, garage doors, aprons, sidewalks or driveway of exact color and design. Please consult the ACC with any items not previously mentioned with questions.
- Upgrading the above-mentioned components with similar materials including but not limited to painting or upgrade materials in the same or similar color with slight color changes within the natural color palette of existing structure. This would include issues like changing a deck from wood to composite where the color does not match exactly but within similar color range of the original structure. Or replacing an asphalt driveway, apron, or sidewalk with concrete or hardscape materials that do not match exactly but are within similar color range of the original structure

Landscape improvements.

- The board has determined the neighborhood is beyond the “minimum landscape plan” requirements and understands original plantings may require replacement or removal for a variety of reasons. The original planting may have come to its life cycle and it may not be viable to replace a plant, shrub or tree in the original location.
- Homeowners have subjective discretion to remove and replace items such as but not limited to trees, shrubs, bushes, grass/es and plantings as needed due to overgrowth, disease, or other reasonable circumstances without formal approval. A courtesy email to the ACC is appreciated on large projects to support your project if neighborhood questions arise.
- Adding items including but not limited to small planting areas or expanding existing areas within your lot, edging, bushes, shrubs, grasses and trees should

consider residential design, neighbor impact, and boundary wall considerations as stated in **Article X, Section 11** of the association handbook.

- Re-grading or installation of water abatement systems do not require written approval. A courtesy email to the ACC is requested on larger projects that may create direct neighbor concern or impact.
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Work that DOES require written approval

Structural work and improvements.

- Any significant change in design or color of items listed but not limited to windows, doors, siding, roofing, gutters, trim, decking, railings, garage doors, aprons, sidewalks or driveways from original design.
- Any major structural alterations to the originally approved building including but not limited to additions, patios/under-deck/porches, expansion of decks or other modifications to original unit. Please consult the ACC for modifications not listed.
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Landscape improvements

- Hardscape areas including but not limited to paver/concrete/stone installations for patios, firepits, additional planting areas, retaining walls and other related structures are acceptable with ACC approval. Such items listed, but not limited to, are considered “structures” and according to **Article VI, Section 3**, do require ACC approval. Please consult with the ACC for structures that may not be listed
- Large planting areas that would include bushes, shrubs or trees that create a “boundary wall” type function.

City Codes, Easements and Permits.

- All city codes, easements and permits are the sole responsibility of the homeowner.
- Any information provided by the ACC, HOA Board or its members, formally or informally, is a courtesy only and implies no responsibility to its accuracy.
- Please consider direct neighbor impact regarding but not limited to maintenance, visibility, drainage or any other factor that may affect surrounding homes during your plans to improve your lot or home. We are fortunate in many cases to have larger lots than the average in our area, but certain projects may impact those around you.