

Architectural Control Committee Process Overview  
Ponderosa Heights Homeowners Association, Lolo MT  
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## Introduction

Per the Ponderosa Heights Homeowners Association (HOA) [Declaration of Restrictive Covenants](#), section **V.I.2 Purpose**: “The Architectural Control Committee exists to promote quality of workmanship and materials, and to ensure harmony of exterior design with existing structures in the surrounding areas, and to review location of proposed structures with respect to topography and finish grade elevation.”

One focus of work for the Architectural Control Committee (ACC) is on new construction; including new homes, additions, renovations, or any additional structures like gazebos, greenhouses, pergolas, fences detached garages, sheds, etc.

The ACC reviews and documents all submission for any work being completed on property in Ponderosa Heights, whether that work is being completed by the owner or a builder/contractor.

Additionally, the ACC addresses maintenance of all Ponderosa Height properties/lots. Per section **V.N. Maintenance** of the [Declaration of Restrictive Covenants](#): “Lot Owners shall provide exterior maintenance upon their respective Lots and structures, including, but not limited to, keeping the fences in good repair, keeping the structures in good repair and painted or stained as necessary, and keeping all roofs in good repair, keeping landscaping in good repair and condition”.

## Purpose

The purpose of this ACC Process Overview document is to provide guidelines for the ACC as it carries out its duties and responsibilities, and to document the ACC review process to provide consistent, efficient, and transparent guidelines and checklists for all property owners and builders/contractors completing any work in Ponderosa Heights to be submitted to the Committee for approval prior to any work beginning.

## Documentation and Standards

The documentation and standards that govern the ACC review process included:

[Declaration of Restrictive Covenants](#): The Covenants define the role and responsibilities of the ACC and the criteria for review of any new construction projects and maintenance of property; specifically in sections V.I through V.R. The ACC should refer to this document and these sections as appropriate, as part of every review.

[HOA Rules](#): The HOA Rules are based on and provides additional clarification of the Declaration of Restrictive Covenants to help educate HOA members regarding the enforcement of the rules, restrictions and conditions of ownership set forth in the Covenants. The ACC should refer to this document as part of every review, especially when the Covenants may not be clear.

[Variances from Covenants/Bylaws](#): These documents identify structures, practices, or uses that are not in compliance with the Use Restrictions and Covenants, and other provisions of the Declaration of Restrictive Covenants for the Ponderosa Heights Homeowners Association, Inc. This includes additions to or remodeling of building structures after initial construction, landscaping, fences, driveways, and

accessory buildings. The ACC should refer to these documents as part of every review where a variance from the Declaration of Restrictive Covenants or HOA Rules is requested by a property owner or their contractor/builder.

Reviews: This page is the repository for all information submitted to the ACC for all property owners and builders/contractors requesting approval to complete work in Ponderosa Heights. All documents related to any ACC review should be uploaded to this page including checklists, guidelines, plans, pictures, supporting documents, etc. A standard naming convention for all documents related to a specific request should be followed: utilizing the lot # in question, the project name or specific document, and the date of the request/submission, for example: *Lot007\_House Plan\_Jan-2024.pdf*, *Lot007\_SitePlan\_Jan-2024.pdf*, and *Lot007\_ACC Checklist\_Jan-2024.pdf*.

[ACC Planning Checklist](#): This document, located on the [ACC Lot Reviews](#) page, is the checklist to be completed by the property owner and their builder/contractor and/or the ACC as part of the submission and review for any new home construction project in Ponderosa Heights. It includes all the relevant information and requirements for review of the project and is provided to the property owner and the builder/contractor to sign or acknowledge as a condition of any approval. This document is updated from the original checklist to include additional contact information for the builder/contractor and an acknowledgment from both the property owner and any builder/contractor. A word version of the document is included for use as needed by the ACC on the [ACC Lot Reviews](#) page, along with the original version of the ACC Planning Checklist.

[ACC Planning Checklist Shortform](#): This document, located on the [ACC Lot Reviews](#) page, is the checklist to be completed by the property owner and their builder/contractor and/or the ACC as part of the submission and review for any minor project in Ponderosa Heights, including additions, renovations, or any additional structures like gazebos, greenhouses, pergolas, fences detached garages, sheds, etc. It includes all the relevant information and requirements for review of the project and is provided to the property owner and the builder/contractor to sign or acknowledge as a condition of any approval. This document is based on the updated planning checklist to provide a checklist specific to these less complex projects that don't have as many requirements for the ACC review. A word version of the document is included for use as needed by the ACC on the [ACC Lot Reviews](#) page.

[ACC Construction Guidelines](#): This document defines the requirements and expectations for any construction in Ponderosa Heights and provides guidelines for property owners, builders, and contractors for completing any work in addition to the building stipulations included in the Declaration of Restrictive Covenants for Ponderosa Heights Homeowners Association.

[ACC Comm Forum](#): This page is the repository for all ACC reviews, including both internal and external communications for each, including references to the related documents provided by the property owner/builder/contractor and uploaded to the [ACC Lot Reviews](#) page. The ACC should create a topic on this page for each request being reviewed. All ACC members will be notified via email that the new topic has been created. Alternatively, direct emails to the ACC members can be sent to notify them of the new topic and request for a review. A standard naming convention for all documents related to a specific request should be followed: utilizing the lot # in question, the project name or specific document, and the date of the request/submission, for example: *Lot007\_New Home Construction\_Jan 2024*, *Lot007\_SitePlan\_Jan-2024.pdf*, and *Lot007\_ACC Checklist\_Jan-2024.pdf*.

Architectural Control Committee Process Overview

## ACC Review Process

The ACC Review Process consists of three distinct phases, including 1) **Submission**, 2) **Review**, and 3) **Response**. During each phase there may be back and forth communications with the property owner and/or their builder/contractor as well as internally within the ACC and Board, as necessary.

It is important to note that the ACC has 30 days from the receipt of the request to complete a review and notify the property owner. If the request is acknowledged by the ACC and the review is in progress and any additional information is required to complete the review, the start date for the 30-day deadline would begin once all required information/documentation is provided by the property owner and their builder/contractor.

The following sections details the purpose and steps of each phase of the process.

### Submission

During this phase of the ACC Review Process, the property owner and their builder/contractor first submit a request to the Ponderosa Heights Board and or ACC for the project in question. This request can be received either via the [Contact the HOA](#) page or via direct email to the Board/ACC members.

Property Owners and their builder/contractor should submit all relevant documentation based on the type of project, i.e., either new home construction or a smaller project, for example: addition of a covered porch or adding a deck. Based on the type of project, it may be necessary for the ACC to request additional information from the property owner and their builder/contractor.

The ACC can provide the appropriate checklist: [ACC Planning Checklist](#) OR [ACC Planning Checklist Shortform](#) and request the property owner and their builder/contractor complete, and/or the ACC can complete the checklist on behalf property owner and their builder/contractor. In either case, the ACC should review the checklist and covenants to ensure that the required information is submitted as part of the review. This documentation should be uploaded to the [ACC Lot Reviews](#) page as part of the review process, utilizing the standard naming convention referenced in the Documentation and Standards above.

In summary, the steps of the Submission phase include:

- 1) Property Owner submits request to the ACC for review of project, including details of the project, etc.
- 2) ACC replies to the property owner, acknowledging receipt of the request, and providing the appropriate checklist and/or requesting additional information as necessary to fill out the checklist on behalf of the owner.
- 3) ACC uploads all related documents to the [ACC Lot Reviews](#) page, utilizing the standard naming convention referenced in the Documentation and Standards above.

## Review

During this phase of the ACC Review Process, the ACC members will collaborate on the review of the request including all information and documents provided by the property owner and their builder/contractor.

The ACC should document the request using the [ACC Comm Forum](#) page, creating a topic specific to the request - utilizing the standard naming convention referenced in the Documentation and Standards above. The ACC should include the initial email request received via email (either direct or from the Contact the HOA page), and all internal and external communications including references to the related documents provided by the property owner/builder/contractor and uploaded to the [ACC Lot Reviews](#) page as comments on the topic.

During the review process, the ACC should reference the checklist and the [Declaration of Restrictive Covenants](#), sections V.I through V.R to ensure that all the required information is provided and that the project meets the criteria for acceptance/approval by the ACC.

All members of the ACC or a quorum of the members – if one or more members is not available to review or is unresponsive, should complete a separate review and provide their questions, comments, and approval or rejection of the request via comments on the specific topic on the [ACC Comm Forum](#) page. The ACC members should collaborate to address any questions, comments, or concerns, and reach an agreement on the request/review ASAP to provide a timely response to the property owner.

Regarding the checklist, the appropriate items should be marked to indicate that they were provided and reviewed, and any notes, information included. For example, items below are marked with an X were included/reviewed, those marked with NI were not included (and will need to be provided at a later date for final approval of the project), and those marked NA were not applicable/required.

### V. Use Restrictions and Covenants

#### I. Architectural Control Committee

##### 3. Submissions to Committee

- (a) a site plan;
- (b) a landscaping plan;
- (c) a construction plan;
- (d) a footprint of the building;
- (e) elevation plans;
- (f) topographic plans, including, but not limited to contours of the Lot to be developed;
- (g) location of all present and/or proposed structures;
- (h) location of all required access roads;
- (i) parking areas;
- (j) proposed fences, location and material;
- (k) exterior finishes, materials and colors (including siding, trim, fascia, and all other exterior features; list or label); and
- (l) square footage. Main floor: 1,567 - Basement: 1,394 - Total Living: 2,961  
Garage: 659 - Total Construction: 3620

#### J. Residential Structures

##### 2. Building Location

- (b) setbacks; Front: 20', Sides and rear: 10'

For the Approval and Additional Requirements section of the checklist, the appropriate section should be marked, and additional clarifications, conditions, requirements, or notes added. For example. Conditional approval is marked with an X and those conditions and requirements are listed.

**Approval and Additional Requirements**

( ) We hereby approve all the plans and preliminary information as submitted to the Architectural Control Committee. No changes, modifications or additional information is required.

(X) We hereby approve all the plans and preliminary information as submitted to the Architectural Control Committee with the following changes, modifications, additions or other information that will need to be provided to the Committee.

( ) Unacceptable until the following changes have been made and then resubmitted to the Architectural Control Committee for approval.

NOTE: Submitted plan contains a reference to 15' driveway set back. Per submitted plans, front setback is 20', and side and rear setbacks are 10'.

Final Approval will be based on submission of the following:

3. (b) Landscaping plan

3. (f) Topographic plan

3. (j) Fencing plan

3. (k) Exterior Finish plans including material descriptions and finish/paint/stain colors.

Once the agreement is reached, the checklist should be "signed" by the reviewing ACC members with a date, for example:

**Approval by ACC Members:**

Dawn Johnson

Jim Thomas

Mathew Allred

Jason Emineth

1/16/2024

**NOTE:** For any variance requested by a property owner the ACC should reference and if any variance is approved by the ACC, the ACC should document this via the [Variances from Covenants/Bylaws](#) page.

In summary, the steps of the Review phase include:

- 1) The ACC documents the request using the [ACC Comm Forum](#) page, creating a topic specific to the request - utilizing the standard naming convention referenced in the Documentation and Standards above and adding comments to the topic that should include the initial email request received via email (either direct or from the Contact the HOA page), and all internal and external communications including references to the related documents provided by the property owner and builder/contractor and uploaded to the [ACC Lot Reviews](#) page.

- 2) The ACC members review the request including checklist and covenants to ensure that all the required information is provided and that the project meets the criteria for acceptance/approval by the ACC. All members of the ACC or a quorum of the members – if one or more members is not available to review or is unresponsive should complete review and provide their questions, comments, and approval or rejection of the request via comments on the specific topic on the [ACC Comm Forum](#) page.
- 3) Once the ACC has reached agreement on the request; either approval (as-is, or with additional clarifications, conditions, or requirements) or disapproval, the checklist and construction guidelines (only if the request is being approved) should be completed and uploaded to the uploaded to the [ACC Lot Reviews](#) page.

## Response

Once the review has been completed, the ACC should respond to the property owner via email, providing a summary of review, decision, and any additional clarifications, conditions, or requirements of an approval, attaching the completed checklist and construction guidelines (only if the request is being approved).

As part of the response, and as a condition of approval, the ACC should communicate the requirement for both the property owner and any builder/contractor(s) being used for the project to acknowledge checklist, any clarifications, conditions, or requirements of an approval, and the construction guidelines by either: 1) signing the documents and providing electronic copies back, or 2) providing an email confirming receipt and acknowledgement of said.

For an approval, once the property owner and any builder/contractor(s) being used for the project acknowledgement of the checklist, any clarifications, conditions, or requirements of an approval, and the construction guidelines, the ACC should add that communication the specific topic on the [ACC Comm Forum](#) page.

For a disapproval, the ACC should add that communication the specific topic on the [ACC Comm Forum](#) page.

In summary, the steps of the Response phase include:

- 1) The ACC responds to the property owner via email providing a summary of review and ACC decision regarding the request, and any additional clarifications, conditions, or requirements of an approval, attaching the completed checklist and construction guidelines (only if the request is being approved). This includes the condition for an approval with the acknowledgement of all of the above by both the property owner and any builder/contractor(s) being used for the project.
- 2) Once the property owner and any builder/contractor(s) being used for the project provide the required acknowledgement, the ACC should add that communication to the specific topic on the [ACC Comm Forum](#) page.
- 3) For any disapproval, the ACC should add that communication to the specific topic on the [ACC Comm Forum](#) page.

## ACC Maintenance Requests

As necessary, the ACC may need to address Maintenance issues when property owners are either not aware of or are not in compliance with the [Declaration of Restrictive Covenants](#) , section **V.N.**

**Maintenance**. When addressing any issues, the ACC should follow the process outlined below.

### Identification

When a maintenance issue is observed by or reported to the ACC/Board, the ACC should first gather as much information regarding the issue, including:

- Where: which property (address and lot #)?
- Who: is the property owner?
- What: is the issue (or issues)?
- When: did the issue start, and/or how long has the issue been ongoing?

Once the ACC has gathered the information, they should reference the [Declaration of Restrictive Covenants](#) , section **V.N. Maintenance**, the [HOA Rules](#), and the [Variances from Covenants/Bylaws](#) to validate the issue and that the property owner is not in compliance and that no variance has been previously granted.

Similar to the ACC review process, once the ACC has identified the issue and validated that the property owner is not compliance, they should document the issue using the [ACC Comm Forum](#) page, creating a topic specific to the request - utilizing the standard naming convention referenced in the Documentation and Standards above, for example: Lot 9 Weed Control June 2023. This forum topic should be used to document all internal and external communications regarding the issue.

In summary, the steps for this first phase of the Maintenance Request process, include:

- 1) Identify the issue, gathering all pertinent information.
- 2) Validate the issue/property is not in compliance with [Declaration of Restrictive Covenants](#) , the [HOA Rules](#), and that no [Variances from Covenants/Bylaws](#) have been previously granted.
- 3) Document the issue using the [ACC Comm Forum](#) page, creating a topic specific to the request.

### Notification

Once the ACC has identified the issue and validated that the property owner is not compliance, they should notify the property owner of the issue - via email if possible, or via post (the ACC/Board will need to provide the letter with property owner contact information to GateWest property management to send the letter via USPS). The notification should include a summary of the issue including any details the ACC has gathered, references to the [Declaration of Restrictive Covenants](#) , section **V.N. Maintenance**, and/or the [HOA Rules](#) depending on the issue, and a request for the property owner to respond, acknowledging the issue and providing a plan/time-frame to address the issue. This notification should include a deadline for this response – the suggested deadline is one month from the date the notification is sent.

This notification email/letter should be added to related topic on the [ACC Comm Forum](#) page.

An example of a notification email/letter is included below:

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Ponderosa Heights HOA  
c/o Architectural Control Committee  
Lolo, MT 59847  
***Date goes here***

***PH HOA Property Owner Name Goes Here***  
***PH HOA Property Owner Address Goes Here***

Dear ***PH HOA Property Owner Name(s) Goes Here***

We are reaching out to you regarding your property at ***PH HOA Property Owner Address Goes Here*** (***lot number goes here***, Ponderosa Height subdivision) in Lolo, MT. The Architectural Control Committee has become aware of ***issue details goes here...***

In accordance with the HOA covenants, properties must be kept in good repair and condition by property owners - see to the [Declaration of Restrictive Covenants](#) , section **V.N. Maintenance**.

Please make arrangements to have the issue resolved and advise as soon as possible when you plan to have that completed. We look forward to hearing back from you on or before ***deadline goes here*** (***suggesting one month from the date the notification is sent***).

If you have any questions regarding this matter, please share them via ***ACC Point of contact, email address and/or phone number goes here***.

Thank you,

Ponderosa Heights HOA  
Architectural Control Committee

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In summary, the steps for this second phase of the Maintenance Request process, include:

- 1) Notify the property owner of the issue - via email if possible, or via post (the ACC/Board will need to provide the letter with property owner contact information to GateWest property management to send the letter via USPS).
- 2) Add the notification email/letter should to the related topic on the [ACC Comm Forum](#) page.

## Response and Follow-up

Once the ACC has notified the property owner of the issue, and is awaiting a response, they should document any response and/or follow up if not response is received.

If the property owner is non-responsive by the communicated deadline, the ACC should draft and send a second notification letter, this time sending it via certified mail (the ACC/Board will need to provide the letter with property owner contact information to GateWest property management to send the letter via USPS), including the information from the first letter. This second notification would essentially be a copy of the first, with a new deadline date for response and/or to simply have the issue resolved (dependent on the details/nature of the issue).

If the property owner responds, acknowledging the issue and providing the plan/time-frame to resolve the issue, the ACC should respond in kind via email or mail as necessary (again, the ACC/Board will need to provide the letter with property owner contact information to GateWest property management to send the letter via USPS).

The response from the property owner and any additional correspondence, or any secondary notification email/letter should be added in a comment to the related topic on the [ACC Comm Forum](#) page.

The ACC should monitor the progress, through completion of the communicated resolution per the plan/timeframe provided. Once the issue is resolved, the ACC should document by adding a comment to the related topic on the [ACC Comm Forum](#) page.

In summary, the steps for this final phase of the Maintenance Request process, include:

- 1) If the property owner is non-responsive, draft and send a second notification to the property owner of the issue via certified mail (the ACC/Board will need to provide the letter with property owner contact information to GateWest property management to send the letter via USPS).
- 2) If the property owner is responsive, respond in kind via email/mail as necessary.
- 3) Add any response from the property owner and any additional correspondence, or any secondary notification email/letter in a comment to the related topic on the [ACC Comm Forum](#) page.
- 4) Monitor the progress, through completion of the communicated resolution per the plan/timeframe provided.
- 5) Once the issue is resolved, the ACC should document by adding a comment to the related topic on the [ACC Comm Forum](#) page.