# Governing Rules:

# Architectural Review Committee (ARC) members will be comprised of current Willow Grove Mill Homeowners Association (WGM HOA) homeowner’s in good standing with no current violations of the WGM Declaration of Restrictions or outstanding dues obligations or liens resulting from non-payment.

# The ARC will be comprised of 3 members, appointed by the WGM Board of Directors for a one-year term.

# The ARC will review and decision building plans and/or other applications for changes to a residential property submitted by the homeowner in accordance with the Declaration of Restrictions within 14 days of submission by the homeowner.

# The ARC will be responsible for post-approval follow-up on all submissions to ensure compliance with the original approved plans

# ARC will only accept requests from homeowners of Willow Grove Mill. Renters may submit requests but only with prior written approval of the homeowner of record

# The ARC and/or Board of Directors shall investigate any and all complaints of violations of the Declaration of Restrictions without bias based on the plain reading of the restrictions.

# If a complaint, notice of violation or submission of building plans or other change is submitted by or involves any ARC member or WGM Board member or an immediate neighbor of an ARC/Board member, said member will abstain from deliberation and/or decision-making on the outcome of the complaint or ARC request.

# If deliberations on the outcome of a complaint end in a tie because of recusal of an ARC Member due to conflict of interest, the ARC will refer the complaint to the WGM Board of Directors to break the tie. A majority vote of the Board will count as the tie breaking vote.

# The ARC will retain a copies of all original requests, interim communication and final outcomes so that they can be maintained in the HOA records.

# The ARC will provide a monthly report of all decisions made including a list of the property address, type of request, and final disposition.

# The Willow Grove Mill Board of Directors has full veto power on any and all decisions by the ARC retroactively.

# ARC Engagement:

# Building Plans/Improvement Review

## WGM Homeowners shall submit plans and specifications with illustrations showing the nature, kind, shape, color, height, materials and proposed locations of the change or improvement. Some examples of changes that require review and approval include, but are not limited to:

### Outbuildings (sheds, gazeboes, enclosed outdoor storage facilities or similar accessory structures

### Decks, porches, patios, screen rooms, home additions/buildings or other similar structures

### Swimming Pools

### Fences (material construction, design and location)

### Exterior Mechanical Devices (antennas, satellite dishes, solar panels, outdoor generators, air conditioning/heating units and similar devices

## An application for ARC approval and copies of associated building plans shall be submitted to the ARC through U.S. Mail to: Willow Grove Mill Section 2 Homeowner’s Association, P.O. Box 616, Middletown DE, 19709 or through the online form at <http://willowgrovemillhoa.com/architectural-reviews.html>. The ARC will review and respond within 14 calendar days.

## Building plans must be submitted to ARC prior to submitting an application for building permit with the Town of Middletown. The Town of Middletown generally will not accept permit requests from homeowners that have not first received approval from ARC. Approval by the Town of Middletown does not prevent or preclude the ARC from taking enforcement action on improvements or changes not approved in advance of the permitting process.

## ARC approval does not supersede or replace approval of any building plans or other improvements by the Town of Middletown. The Town of Middletown has sole authority for oversight and enforcement of town code and ordinances. Once ARC approval has been obtained, homeowners should contact the Town of Middletown Permits and Inspections Department at 302-378-1171 or <mailto:cnimmerichter@middletownde.org> to coordinate review and approval by the town.

## Any changes or updates made to the building plans after ARC and/or Middletown approvals must be re-submitted to ARC by the homeowner for review and re-approval.

# Complaint/Violation Submission

## Residents may notify ARC of alleged violations to the Declaration of Restrictions via email to: [arcreview@willowgrovemillhoa.com](mailto:arcreview@willowgrovemillhoa.com)

## The ARC will review the alleged complaint/violation within 14 days to determine merit.

# ARC Enforcement:

# Building Plans/Improvement Decisioning

## The ARC will review submitted plans in accordance with the Declaration of Restrictions. Specifically, the review will focus on the following attributes:

### The quality, aesthetic suitability, nature, kind, shape of the proposed building or other structure

### The color, height and materials of which it is to be constructed

### The specific site upon which it is proposed to construct or erect the same

### The harmony of the proposed change, alteration, addition, building or structure with structures on neighboring properties and the outlook and view from the neighboring properties

### The effect on the reasonable passage of light and air to the neighboring properties

# Complaint/Violation Investigation

## The ARC will evaluate and investigate the submitted complaint in accordance with the Declaration of Restrictions.

## The ARC will conduct a reasonable due diligence of other properties in the community to determine if similar violations exist elsewhere prior to making a determination.

## Complaints that are deemed violations by the ARC or WGM Board of Directors will be addressed in writing with the homeowner(s) of the property. Violations shall be resolved within 30 days (or an alternate timeframe agreed to in writing by the ARC and /or Board of Directors)

## Violations that are not resolved within 30 days (or the agreed upon alternate timeframe) will be enforced in accordance with the Declaration of Restrictions including the assessment of attorney’s fees and other expenses associated with enforcement.

## Complaints that are not violations of the Declaration of Restrictions but do violate Town of Middletown Code should be reported to the Board of Directors for further action.