



Minors Homestead West Homeowners Association (HOA)

Subdivision Architectural Control Policy

For purposes of this policy, an improvement shall be defined as any permanent or semi-permanent external modification or addition to the home or lot.

An Owner planning an improvement must submit to the Association's Architectural Committee a written request for approval. The Owner's request shall include structural plans, specifications, and plot plans. Unless the Committee's approval of the proposal is first obtained, no work on the Improvement shall be undertaken.

Once a work of improvement has been duly approved by the Architectural Committee, no material modifications shall be made in the approved plans and specifications and no subsequent alteration, relocation, addition, or modification shall be made to the work of Improvement, as approved, without a separate submittal to, and review and approval by, the Committee.

Although it is recognized that the Committee's determination to approve or disapprove an improvement will, of necessity, be subjective to some degree, the members of the Committee shall act reasonably and in good faith. Factors commonly considered by the Committee in reviewing proposed improvements include the quality of workmanship and materials proposed for the improvement project; the harmony of the proposed improvement's exterior design, finish materials, and color with that of the existing structures; and the proposed location of the improvement in relation to existing Common Areas and other structures. The Owner-applicant may seek reconsideration of any Architectural Control Committee determination by written request to the full Board of Directors within 15 days after rejection.

The Committee shall be entitled to determine that a proposed Improvement or component of it is unacceptable when proposed on a particular lot, even if the same or a similar improvement or component has previously been approved for use at another location within the Subdivision, if factors such as visibility from roads, Common Areas, or other lots or prior adverse experience with the product or components used in construction of the Improvement, design of the Improvement, or its use at other locations within the Subdivision mitigate against construction of the Improvement or use of a particular component of it on the lot involved in the Owner's submittal.

Preliminary Application

To afford an Owner who is proposing to make substantial Improvements an opportunity to obtain guidance and comment from the Architectural Committee before expending substantial sums on complete plans and specifications, any Owner may apply to the Committee for preliminary approval of the proposed Improvement project. Applications for preliminary approval shall be considered and processed as



Minors Homestead West Homeowners Association (HOA)

follows:

1. Any application for preliminary approval shall be in writing and shall present sufficient detail to apprise the Architectural Committee of the general nature, location, dimensions, and contemplated exterior colors and finishes of the proposed Improvement.
2. Within 30 days after receipt of the application for preliminary approval, the Architectural Committee shall grant the preliminary approval only if the proposed Improvement, to the extent that its nature and characteristics are shown by the application, would be entitled to a final approval on the basis of a full and complete application. Failure of the Architectural Committee to act within 60 days after the submittal date shall constitute a preliminary approval.
3. Any preliminary approval granted by the Architectural Committee shall be effective for a period of 90 days from the date of issuance or such longer period as the Committee, in its discretion, may grant. During that period, any application for final approval that presents complete plans and specifications for the proposed Improvements, consistent with the provisions of the preliminary approval and otherwise acceptable under the terms of this Declaration and the Architectural Rules, shall be approved by the Architectural Committee.
4. In no event shall any preliminary approval of a proposed Improvement be deemed to constitute final approval authorizing construction of the Improvement. The purpose of the preliminary review procedure is to give the Owner a measure of security in proceeding with the proposed Improvement project and committing funds to it. Final approval shall be based on a complete submittal conforming to the requirements of subparagraphs (b) and (c), below, provided that the Committee may, in its preliminary approval, waive any requirements of subparagraph (c) that do not pertain to the proposed Improvement project.

Final Application

Regardless of whether an Owner elects to seek preliminary approval of a proposed Improvement, all Owners who desire to undertake any work of Improvement must apply to the Architectural Committee and receive its prior approval.

1. The application shall be in writing and shall contain all information that is necessary to reasonably evaluate the nature, design, location, and extent of the proposed Improvement, including, at a minimum, one complete set of plans and specifications for the Improvement project and such additional information as the Committee may reasonably request, either by Architectural Rule or while the project is under review.
2. To be complete, the plans and specifications for the proposed Improvement shall include a professionally prepared set of plans and the Owner's proposed



Minors Homestead West Homeowners Association (HOA)

construction schedule.

3. If the contemplated Improvement project is of a nature that does not merit extensive plans and specifications, the Architectural Committee may waive or modify any of the above plan and specification requirements on receipt of a written request from the applicant to do so.
4. Plans and specifications shall be submitted to the Architectural Committee by personal delivery or first-class mail addressed to the Secretary of the Association or the Chairman of the Architectural Committee at the Association's principal office.
5. During the course of construction, representatives of the Architectural Committee shall have the right to inspect the jobsite to confirm that the Improvement project is proceeding in accordance with the approved plans and specifications. On the completion of any work of Improvements for which Architectural Committee approval is required, the Owner shall give the Architectural Committee a written notice of completion. Within 30 days thereafter, the Architectural Committee may inspect the Improvement to determine whether it was constructed, reconstructed, altered, or refinished in substantial compliance with the approval plans. If the Architectural Committee finds that the Improvement was not erected, constructed, or installed in substantial compliance with the Owner's approved plans, then within the 30-day inspection period the Committee shall give the Owner a written notice of noncompliance detailing those aspects of the Improvement project that must be modified, completed, or corrected. If for any reason the Architectural Committee fails to notify the Owner of any noncompliance within 30 days after receiving the Owner's notice of completion, the Improvement shall be deemed to have been constructed in accordance with the approved plans for the project.
6. If the Owner fails to remedy any noticed noncompliance within 30 days from the date of such notification, the Architectural Committee shall notify the Board in writing of such failure. The Board shall then set a date on which a hearing before the Board shall be held regarding the alleged noncompliance. The hearing date shall not be more than 30 days nor less than 15 days after the Board issued the notice of the noncompliance to the Owner, to the Architectural Committee and, in the discretion of the Board, to any other interested party.