

Cherryhill Homeowners' Association

Policy Regarding Architectural Standards

BE IT RESOLVED, the association, acting by and through its board of directors, hereby adopts the following policy and procedures relating to the submittal and approval of the Architectural Standards.

EFFECTIVE DATE: 19-8-24, 2024.

Purpose. It is to the benefit of the Association and the homeowners to be flexible in the application of the Association's Architectural Design Standards. The Association's Declaration of Protective Covenants and the Architectural Standards require **all** construction within the community be reviewed by the Architectural Review Committee. The Board realizes that that this may be onerous, and many types of construction should not require committee approval. Therefore, the Board adopts the following policy to clarify construction and renovation submittal requirements and application of the Architectural Standards.

1. **Submittals.** Notification, to the HOA's Architectural Committee, is required for most work done. Notification is done by a construction application, however, if the homeowner desires to take an exception to using a section of the Architectural Standards they may also submit a variance application.

(a) **Construction Application**— The application requirements vary according to the type of construction. There are 5 categories of construction.

- (i) *New Home Construction*— New home construction shall require a full submittal as stated in the Declaration and the Architectural Standards. All items in section E(1) of the Architectural Standards shall be submitted to the Architectural Committee.
- (ii) *Interior Remodel*— Interior remodels, not changing the exterior shell of the home, shall require an abbreviated submittal. For interior remodels only the project's start date and duration is all that shall be required. If the remodel requires any utility work outside of the home's exterior shell (such as electrical improvements), that work shall be described in the submittal and that portion of the work shall be submitted as an exterior remodel. Although no approval is required for interior remodels the committee would like to know when work is done so that people will not be surprised with the construction activity.
- (iii) *Exterior Remodel*— Remodels affecting the exterior of the home shall require all respective submittals pertinent to the project from Section E(1) of the Architectural Standards.
- (iv) *Landscaping*— Back yard landscaping work, minor front yard landscaping work, or landscaping maintenance shall not require an application. Alterations to any fencing shall require an application. Major front yard landscaping shall require a site plan and grading plan showing alterations to the existing landscaping. These plans shall be done to at least an approximate scale and may be hand drawn.

Major front yard landscaping shall include, but is not limited to:

- (A) Tree removal or tree plantings.
- (B) Hardscape installation or removal.
- (C) Alteration of existing lawn borders
- (D) Fencing installation, removal or replacements that are not in kind replacements.

(v) *Maintenance*- Minor exterior house maintenance and interior house maintenance shall not require an application. Major exterior maintenance shall require submittals. Major exterior maintenance includes, but is not limited to:

(A) Roofing- Submittal shall state the roof material and color with enough clarity to find an example of the roof color on the internet. It is suggested that the homeowner state the roof material, the manufacturer's name, roofing style, and color. For example; Owens Corning asphalt shingles, Oakridge, Estate Gray.

If the homeowner picks a roofing color like other houses in the community the homeowner can have the expectation that the roofing color will be approved.

(B) Gutters- If gutters are replaced or altered then the owner shall submit the gutter profile and color. If gutter downspouts are changed, then a plan showing the new downspouts and locations are required.

(C) Painting- Submittal shall be required and should reference paint manufacturer's color chip numbers or include a colored picture of the proposed color. A written description of the paint color will not be adequate. If the homeowner picks a house color similar to other houses colors in the community or muted earthtones, the homeowner can have the expectation that the color will be approved.

(D) Exterior fixtures- If any exterior home fixtures are added or not replaced in kind then images of the new fixtures and their location shall be submitted.

(E) Exterior Mechanical equipment- If exterior mechanical equipment is added or not replaced in kind then specifications of the new equipment and its location shall be submitted.

(F) Replacement of non-compliant exterior items- Non complaint exterior items shall not be replaced in kind but shall be replaced/ installed in such manner that it meets the architectural standards.

(b) **Variance Application**- The Association reserves the right to grant a reasonable variance or adjustment of the Architectural standards in order to overcome practical difficulties and prevent unnecessary hardships arising by reason of the application of the Architectural standards. Such variances or adjustments shall be granted only on a case-by-case basis and the granting thereof shall not be materially detrimental or injurious to other property or improvements of the neighborhood and shall not defeat the general intent and purpose of the Architectural Standards. Copies of the issued variance shall be kept by the association according to the record retention policy.

An owner may make application for a variance for any specific provision or standard of the Architectural Standards. Variance requests are submitted to the Architectural Committee and variance approval are given at their discretion. Variance requests must contain the following:

- (i) Name of owner and lot address.
- (ii) Reference the specific provision of the Architectural Standards for which a variance is requested
- (iii) A description of the project and include all respective submittals pertinent to the project from the Section E(1) of the Architectural Standards.
- (iv) A narrative statement demonstrating either a hardship or conditions of the variance that would meet or exceed the design intent of the Architectural Standards.

Copies of an approved variance shall be kept by the association according to the record retention policy.

2. Application Submittal.

(a) Method Of Submittal- Application forms may be obtained from the HOA website. Submittals of applications may be made through the HOA website, by email, or by written application by dropping off the application in the HOA mailbox or by mailing to the HOA via USPS.

(b) Application Process-

- (i) Once the application is received by the Architectural committee the application will be reviewed for completeness. If the application is deemed incomplete it shall be returned to the owner, along with a description of the application's inadequacies, so that the owner can resubmit the application.
- (ii) If the application is deemed complete, then it shall be reviewed by the committee and accepted or rejected. If it is rejected the committee shall explain why it is rejected. It is in the sole discretion of the Architectural Committee to deny, modify or approve any application. The Committee may add further conditions for approval.
- (iii) If the application is for a variance the committee may decide to discuss the variance with the homeowner's neighbors to get their input.
- (iv) A response to the application shall be made to the homeowner within 10 business days indicating if the application was complete, if the application was approved, if the application was denied, or if the Committee will need more time for review. If more time is needed the Committee will indicate an approximate time for approval or denial. If no response is made to the homeowner within the 10 business days of the application, then the application is assumed to be approved.

3. **Work Started Without Approval.** Any work started without proper committee approval shall be deemed to be a violation of the HOA covenants at which point the committee may assess fines and penalties according to the HOA's enforcement policy and the collection policy. At no point shall the HOA be liable for any delay in work.

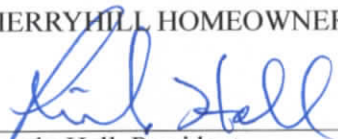
4. **Corrections To Existing Conditions.** It is the intent of the HOA to try and bring existing non-compliant conditions into compliance. The Board realizes that to demand immediate compliance would be a hardship on many. Any non-compliant item installed with a variance shall be considered in compliance for the duration of the variance.

- (a) On Sale Of Property- The board may ask that non compliant temporary structures be removed on sale of property. Temporary structures have no permanent concrete foundation. Temporary structures may include plastic sheds and other plastic items.
- (b) On Remodel- Noncompliant items may be left until a remodel of the item occurs or the item is replaced at which point the item shall be brought into compliance.

CERTIFICATION: The undersigned certifies that the board of directors of the association adopted the foregoing policy by majority vote.

CHERRYHILL HOMEOWNERS' ASSOCIATION

ATTEST:



Lincoln Hall, President



Karen Holt, Secretary