

ARCHITECTURAL REVIEW PROCESS

The Process

If you wish to make any exterior changes to your unit that are visible to the community or interior changes that impact the roof, you must receive approval from the Architectural Review Committee (ARC) and the Board of Directors.

Procedure:

If you are going to follow the criteria exactly:

1. Review the criteria for the improvement you are requesting.
2. Complete the application form and attach any necessary information.
3. Submit the application form to the Nepenthe Office.

If you want to do something outside the current criteria or if your improvement is not addressed in the criteria:

1. Review the criteria for the improvement you are requesting.
2. Submit detailed information with the application form.
3. Attend an ARC meeting to present your plans.

Approval:

1. For certain basic changes (such as replacement garage door according to criteria) , the office may be able to approve your application.
2. ARC may approve your project.
3. ARC approvals must be approved by the Board of Directors.

The Board of Directors has allowed certain improvements to begin based on the ARC approval prior to the formal board consent. The Nepenthe Office is aware of these exceptions.

4. You may not begin work until you receive approval in writing from the Nepenthe Office.

Denial:

Should the ARC deny your application, you may request a direct review of your application by the Board of Directors. Contact the Nepenthe Office to request a board review.

If the homeowner disregards the ARC directions without board approval, the board may levy a Special Individual Assessment against the owner and require the work to be corrected.

After Completion:

After you have completed the approved work, you must notify the Nepenthe office. In certain cases, you must have a completion inspection. These cases are identified on the application form.

Time Frame:

Article VI of the Nepenthe HOA CC&R's describes in detail the procedures and timeframes for architectural improvements or modifications requested by the owner. In general, once a complete application has been filed with the ARC, the ARC should make a recommendation of approval or denial that should be included on the next Board meeting agenda.

When an approval has been granted, the owner has one year in which to start the improvement or mediation. The work should be completed within one year from when work commenced.

Whereas, the CC&Rs of the Nepenthe Association require the adoption and enforcement of criteria for certain home improvements, and

Whereas, homeowners desiring to make such improvements must submit applications for review by the Architectural Review Committee and for approval by the Board of Directors, and

Whereas, the Board of Directors generally meets once a month, and

Whereas, in emergency situations, such as the loss of a heating or air conditioning unit, it may be impractical or unsafe for homeowners to wait up to a month for a board decision on their applications,

Now therefore be it resolved that in emergency situations the Architectural Review Committee is authorized to unilaterally approve applications if the owner agrees in writing to comply with all applicable criteria and

Be it further resolved that an emergency approval by the Architectural Review Committee must be recorded in the minutes of the committee meeting, stating by name which members voted for approval, which members voted against approval and which members abstained, if any, and

Be it further resolved that the Chair of the Architectural Review Committee will immediately notify the Association Manager and the President of the Board of any emergency approvals, and

Be it further resolved that, an emergency notwithstanding, if the applicant wishes a variance from the criteria, the Architectural Review Committee may make a recommendation but may not approve the application and must refer it to the board for action, either in regular monthly session or in a special session called at the board's discretion.