Standard Operating Procedure for an Architectural Review Committee

Guidelines for The Winchester Landing Homeowners' Association (HOA)

Introduction

The Architectural Review Committee (ARC) serves an essential role in maintaining the aesthetic appeal, structural integrity, and harmonious design of a community governed by the Homeowners' Association (HOA). This document outlines the standard operating procedures (SOP) for the ARC, ensuring transparency, consistency, and fairness in architectural decisions. The ARC serves as a committee of the Board.

Purpose of the ARC

The primary purpose of the ARC is to review, approve, or deny architectural modifications, new construction, exterior property modifications for those with disabilities and, major landscaping proposals submitted by homeowners that require additional review past the management company's automatic approval process. The committee ensures that all changes comply with the community's Covenants, Conditions, and Restrictions (CC&Rs), maintaining the overall character and value of the neighborhood. The ARC does not create new rules that are not in the covenants, the ARC does not regulate taste of decoration, the ARC does not act as law enforcement, code enforcement or as an agent of the post office or utility company. Any matters outside of the ARC's authority will be left to the proper authority to identify and handle accordingly.

The ARC nor the Board can anticipate every circumstance in which a homeowner could seek to modify their home. The Board could seek to make changes to the covenants with the appropriate vote of the members should it be required, however it should not be the goal of the board to hinder owners rights outside of the covenants under which they bought their home.

Composition of the Committee

Committee Members

- The ARC should consist of a minimum of three members and a maximum of five members.

- Members should be homeowners within the HOA community.

- Members can include board members, volunteers, or professionals with expertise in architecture or design.

- Terms of service for committee members should be two or three years, with staggered appointments to ensure continuity.

Selection Process

- Members are appointed by the HOA Board of Directors.

- Candidates may be nominated by the community or self-nominate.

- The selection process should emphasize impartiality and qualifications, prioritizing individuals with a clear understanding of the CC&Rs and architectural principles.

Roles and Responsibilities

Management Company

- Receives the application/applications and or full packets from the homeowners.

- Automatically approves those items on the preapproved list if the application meets the criteria (explained below).

- Puts the application information into the homeowner's lot file.

- Places the application and relevant information into the HOA Portal for Committee review if it requires a site visit or ARC Committee approval.

- Sends the official approval to the homeowner.

Chairperson

- Facilitates committee meetings.

- Oversees review processes.

- Acts as the liaison between the ARC and the HOA Board.

Committee Members

- Conduct reviews of submitted applications and supportive materials if required.

- Attend regular meetings and site inspections when necessary.

- Provide fair and unbiased assessments aligned with the CC&Rs.

Application Process

Submission Requirements

- Homeowners must submit a completed application form for all required items listed in the covenants. Some items will not require anything more than an application.

Those items are:

1. Storm Doors: if the door is white or black and fits the standard description.
2. Painting of the front door: The paint colors must be one from the approved colors held by the management company.

All other items as indicated in the covenants require the application and:

1. A drawing of the project, this can be done by hand or via computer program or architectural rendering.
2. A photo of a similar project or style
3. A diagram of the project as it relates to the plat

- Submissions should be sent electronically to the management firm unless the homeowner has no computer or the technical capability to do so in which case a member of the ARC could accept the application by hand and give it to the management company to be scanned in.

- If the applicant is not able to perform these tasks a family member may submit through email or the portal this information on their behalf as long as it is clear for whom they represent and provide clear contact information.

Review Timeline

- Management company must review and approve any automatic approval request within 3 days of receipt.

- The ARC must review applications within 5 days of receipt if there are no extenuating circumstances.

-- If additional information is required, homeowners will be notified promptly, with a specified deadline for resubmission.

Evaluation Criteria

- Compliance with the existing covenants in the deed of dedication.

- Compliance with the ARC Guidelines

- Compatibility with the neighborhood's architectural style and landscaping **if that** compatibility is governed by the covenants.

- If the required documentation is met for inclusion in the file.

- The Committee **does not** evaluate on taste, beauty or any other subjective manner. This relieves the board and the committee from lawsuits for straying from the covenants and deed of dedication.

Approval

- If the application meets all criteria, the management company sends a written approval to the homeowner and places the approval in the Lot's file.

- Approved projects must adhere strictly to the submitted plans. Any deviations will require further review.

Denial

- If the application fails to meet criteria, the ARC provides a written explanation for the denial.

- The homeowner may revise and resubmit the application or appeal the decision to the HOA Board.

- If once the project is completed and there is a noticed deviation from the submitted project design or proposal the ARC will report this to the management company and HOA for follow up action.

Meetings

Frequency

- Regularly scheduled meetings should occur monthly or bi-monthly, depending on the community's needs.

- Special meetings may be called for urgent applications or appeals.

Agenda

- Review of submitted applications.

- Discussion of ongoing projects and compliance.

- Address community concerns or feedback.

Communication

Transparency

- The Committee Chair will report at each board meeting the number of approvals or denials. (No homeowner's names or lots will be discussed in open session).

- No Board Member nor ARC Committee member should solely communicate a decision verbally to a homeowner. All approvals are made in writing in accordance with this SOP. The ARC nor the Board should be put in a bad position having a homeowner say "He or she said it was okay".

- Any requirement to discuss an architectural review violation will be conducted in closed session.

- Decisions and reasoning should be documented and shared with the HOA Board and applicants.

- Periodic updates on committee activities should be provided to the community.

Conflict Resolution

- The ARC should foster open dialogue with homeowners to address disputes or misunderstandings. It is not the position of the ARC to create undue financial hardships, costs or stipulations as they should only follow the rules as outlined in the covenants.

- Appeals should follow a structured process, escalating to the HOA Board if necessary.

Record Keeping

- The ARC must maintain records of all applications, decisions, meeting minutes, and correspondence.

- Each application and project must be kept and recorded the same exact way.

- Records should be stored securely, with access limited to authorized individuals.

Ethical Standards

- ARC members must act in the best interests of the community, avoiding favoritism or conflicts of interest.

- Decisions should be impartial, based solely on the covenants and established guidelines.

- No Board or ARC member can speak on behalf of the board or committee and enforce any rule or impose any restriction on a neighbor.

- All files should be kept in accordance with the record keeping standards and treated the same.

Training and Development

- Members should receive an initial briefing to familiarize themselves with the covenants, architectural guidelines, and community standards. If there are modifications to the ARC or Covenants the committee shall review those and become familiar with them.

Amendments to the SOP

- The SOP should be reviewed annually and updated as necessary to align with changing community needs or legal requirements.

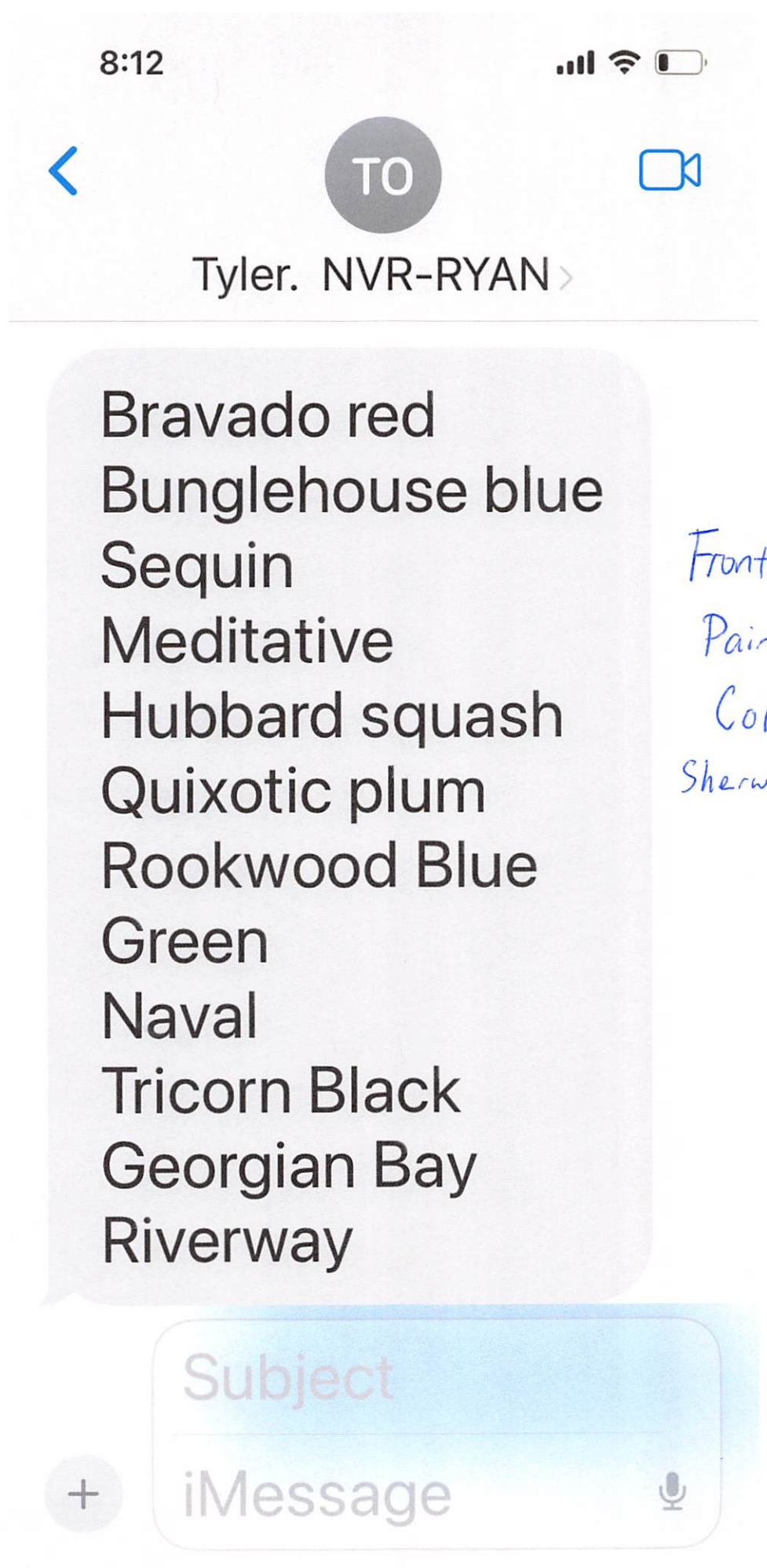
- Amendments must be approved by the HOA Board and communicated to the community.

Conclusion

An effective ARC ensures that homeowners can make improvements to their properties while safeguarding the visual and structural harmony of the community. By adhering to this Standard

Operating Procedure, the ARC can maintain fairness, transparency, and efficiency in its operations, fostering trust and cooperation among homeowners and the HOA Board.

The ARC members along with the Board should agree when serving that they understand they are not rule creators, they are not performing this role for their own tastes or styles. In these areas of responsibility the ARC serves at the direction of the Board to enforce the covenants in the Deed of Dedication for which the homeowners assume they are to adhere to when they purchase a home.



Front Door Paint Colors - Sherwin Williams