

TURNSTONE HOMEOWNERS ASSOCIATION

Architectural Review Standards and Guidelines

I. Purpose

The Board of Directors of **Turnstone Homeowners Association** has adopted these Standards and Guidelines for three primary purposes:

- A. To establish and preserve a harmonious design for the community
- B. To protect the value of property within the community
- C. To assist Owners with obtaining approvals for improvements

Simply stated, the Board's purpose in setting these Standards and Guidelines is to keep **Turnstone Homeowners Association** a pleasant community and to ensure that the value of the property increases in accordance with the market. These standards are adopted with the intent of effecting the provisions of the Covenants, Conditions & Restrictions, the Bylaws and the Articles of Incorporation. The Covenants, Conditions & Restrictions obligate the Directors to lead by representing the interests of the Owners. When the Board adopts policy it should be the articulation of a policy that contains both values and perspectives. In the deliberation, before policies are adopted, the Board is obligated to focus on "what good is being performed for what people and at what cost."¹ The use of the Architectural Review Process is a necessary component contributing to the success of planned communities such as **Turnstone Homeowners Association**.

II. Architectural Review Objectives

Turnstone Homeowners Association Architectural Review Process considers all aspects of each design, concentrates on the following objectives:

A. Landscape and Environment

It is the objective to prevent unnecessary destruction of the natural landscape or existing landscaping.

B. Relationship of Structures

Assure that the existing developed areas are maintained in an attractive and harmonious relationship with any new improvements proposed by Owners

C. Protection of Neighbors

Protect neighboring Owners by making sure that reasonable provisions have been made for:

1. Surface water drainage
2. Sight and sound buffers
3. Preservation of view
4. Light and air access
5. Improvement's affect on surrounding property values
6. Visibility with respect to existing structures

III. The Application Process

The Residence Owner wishing to make any alteration or addition, which will affect the exterior of their Lot

or building, front, side or rear, must submit an official Architectural Application, including copies of detailed plans and specifications, **prior** to obtaining a building permit and **prior** to beginning the proposed work. It is important to note that should the application be denied approval, and the work is in progress or is completed, the Association may require or cause the improvement to be corrected at the owner's expense.

A. General Information

In order to conform to the governing documents, each proposal/Architectural Application must be reviewed by the Association. Requests for Architectural review and approval must be submitted in writing as designated in part "B" below.

If a proposal is rejected, the applicant is free to request reconsideration. Owners are encouraged to present new or additional information, which, might clarify the request or demonstrate its acceptability.

Grounds for reconsideration can be:

1. The applicant believes that the policies of the Association have not been applied correctly; or
2. The applicant believes that the Association should amend the existing policies to allow approval of proposals such as his. It shall be the obligation of the Member requesting reconsideration to prepare and make such argument, as he or she believes. The requesting Member shall respond to the Association's Architectural Review Committee, the Board or Management with such other information as is necessary for the reviewer's consideration. It shall not be the duty of the Association to prepare the Member's request for review.

B. Procedure

Each proposal for improvement must be submitted to the Management office using the official Architectural Application. The description of the Project should include all information necessary to determine compliance with the established Standards and Guidelines.

Necessary data would include the height, width, length, size, shape, color, material and location of the proposed improvement, as outlined on the Architectural Application. Photographs or sketches of similar completed Projects would aid in the review process. If the proposed modification would in anyway change the existing drainage pattern, it must be clarified in the Application. Solutions for maintaining the correct drainage pattern must be included with the application.

No work may commence prior to receiving written approval of the modification. Nothing may be installed which is not in compliance with building codes. It is the responsibility of the applicant to apply for all required building permits **following approval** of the Architectural Application and prior to commencement of work.

IV. The Review Process

Upon receipt of an Architectural Application, the management staff will compare it to the established Standards and Guidelines. The Application will be processed as if time is of the essence.

- A. If the requested modification complies with the published Standards and Guidelines, Management will approve the Application.
- B. If the Application is approximate or meets the intent of the Guidelines, Management will give a conditional approval subject to Board of Director's approval.
- C. If the Application is not within the Standards and Guidelines it will be denied.

If an application is denied because the Architectural Standards and Guidelines made no provision for the proposed modification, the following procedure is instituted:

- A. The applicant will be informed that the application was denied and will be given the reason for the denial; and
- B. The applicant will be informed of his right to request reconsideration. Requests for reconsideration must be in writing and must include the grounds for the request.

Upon receipt of the written request, by Management, the request will be forwarded to the Architectural Review Committee². The Committee will make recommendations to the Board of Directors as to whether or not the modification should be allowed, and what parameters should be established for approval and inclusion into the Standards and Guidelines. Upon review of the Committee recommendations, the Board will elect to approve or deny the request.

The decision of the Board becomes permanent policy and the Standards and Guidelines will be revised to reflect this policy decision. The Board shall use its best efforts to approve requests and shall not unreasonably withhold approvals.

V. Conformance

The failure of a completed modification or addition to conform to the plans, specifications and conditions approved by the Board of Directors, or failure to complete the approved Project within the specified time limitations, shall be deemed a violation of the Architectural Standards and Guidelines.

Upon completion of any work by an Owner for which approval was required, the Owner must notify the Board of completion in writing. If an Owner fails to give this notice, the Board may take appropriate follow-up action. Nothing shall be installed which is not in compliance with building codes and regulations.

Important Note: Conformance with the following Architectural Standards does not relieve the Owner from the application process. All modifications must be approved prior to installation.

VI. Architectural Standards

A. Landscaping/Physical Improvements

None of the following actions shall take place anywhere within the development without the prior written approval of the Association:

Any construction, installation, repair (including exterior painting), replacement, alteration or removal of any building, outbuilding, structure, exterior wall, windows, exterior doors, exterior stairs, fence, sign (subject to provisions of Section 3.8), garage, trash enclosure, storage, storage, area, berms, utilities, fixtures, (gas, electricity, telephone, water, or otherwise) or other improvements visible from any other Lot or Common Area.

Without written approval there shall be no:

- Planting of any tree (including the removal of any trees)
- Any grading or excavating
- Any placement or storage of building materials or temporary structures (including trailers, tents, mobile homes, offices or vehicles)

B. Maintenance

Alterations

No structure shall be placed, erected, or installed, and no construction (which term shall include within its definition staking, clearing, excavation, grading, and other site work), no exterior alteration or modification of existing improvements, and no plantings or removal of plants, trees, or shrubs on Common Areas shall take place without written approval of the appropriate committee.

Antennas

Except in accordance with Civil Code §1376, no television or radio poles, antennae, microwave or satellite dish, aerial, cables or other device shall be constructed, used and operated by an Owner without the prior written consent of the Board which shall not be unreasonably withheld.

Solar Energy

The Architectural Committee may impose such restrictions on the installation of solar panels as are permitted by applicable state laws.

VII. Improvements Requiring Approval

Any construction, installation, repair (including exterior painting), replacement, alteration of any building, structure, wall, fence, sign, garage space, storage area, berm, (gas, electricity, telephone, water, or otherwise), requires prior approval. All requests will be reviewed for adherence to the established Architectural Standards and Guidelines and compatibility with surrounding structures.

IX. Conclusion

Turnstone Homeowners Association provides these **ARCHITECTURAL REVIEW STANDARDS AND GUIDELINES** in an effort to eliminate questions concerning individual modifications to a Lot. Every effort has been made to allow as much individual discretion as possible within the constraints of acceptable community standards. The Board of Directors views this process as evolutionary and invites Owners to make comments and to provide constructive input. It is hoped that Owners, working together within a fairly administered structure of reasonable guidelines, will help create a greater sense of community at Turnstone Homeowners Association.

TURNSTONE HOMEOWNERS ASSOCIATION

Architectural Review Procedure

The Board of Directors approves revisions to the Architectural Standards and Guidelines based upon the recommendations of the Architectural Review Committee.

1. Upon receipt of an Architectural Application by Management, the Application will be compared to the Architectural Standards and Guidelines.

- A. If the requested modification reasonably complies with the Standards, the Application will be approved by Management.
- B. If the application is approximate or meets the intent of the Guidelines; Management will give a conditional approval subject to the Board of Director's approval.
- C. If the Application does not comply with the Standards it will be denied.

2. If an application is denied because the Architectural Standards and Guidelines made no provision for this proposed modification, the following procedure is instituted:

- A. The Owner will be notified and given a reason for denial; and
- B. The Owner will be informed that he can request reconsideration.

Grounds for reconsideration can be:

- 1. The applicant believes that the policies of the Association have not been applied correctly; or
- 2. The applicant believes that the Association should amend the existing policies to allow approval of proposals such as his. It shall be the obligation of the Member requesting reconsideration to prepare and make such argument, as they believe to be in support of their position. The requesting Member shall respond to the Association's Architectural Review Committee, the Board or Management with such information as is necessary for review. It shall not be the duty of the Association to prepare the Member's request for review.
- 3. The applicant shall send his written request for reconsideration to Management, who will forward this request to the Architectural Review Committee. The Committee will review the request, and if appropriate, will recommend to the Board of Directors to amend the Standards and Guidelines to make provisions for proposals such as his.
- 4. The Board will review the Committee's recommendations and elect to approve or deny the establishment of the amended Architectural Standards and Guidelines. They may also act to approve the application if there is a pending application that conforms to the new policy.
- 5. Once the Board has made a decision, the Member requesting the review of a denied application will be informed, in writing, of the decision. If the requested Modification is not approved after the review, the Member seeking the change has the right to request the Board to reconsider.