

Chinquapin Remodel Guidelines

"Before commencing construction or installation of any Improvement within the Properties, the Owner planning such Improvement must submit a written request for approval to the Architectural Review Committee." ¹

This Chinquapin Remodel Guidelines ("Guidelines") is intended to be used as a general guide for the homeowner planning anything from a simple door or some window replacements to a complete remodel. This Guidelines in no manner vary or supplement the official governing documents of the Chinquapin Homeowners Association ("CHOA") and is not an official governing document.

I. Chinquapin Homeowners Request Form.

The first steps for the homeowner are to:

- (1) Obtain and review a copy of the Chinquapin Homeowners "Check List" For Approval to Construct, which can be found on the CHOA web site, ²
- (2) Obtain a copy of the Chinquapin Homeowners Request To the Architectural Review Committee 'form' ("Form"), which can be found on the CHOA web site, ³
- (3) Complete the Form, and
- (4) Submit the Form to WMC Inc. ("WMC").

WMC will then forward the completed Form to the General Manager and Architectural Review Committee ("ARC"). We strongly suggest that if a homeowner is initially uncertain about the viability of a project in terms of the likelihood of its approval, then the homeowner should consider contacting the Chairman of the ARC or General Manager for discussion.

Submission of the Form to WMC initiates the process with the ARC. No action can be initiated by the ARC until the request is formalized by the submission of this completed Form.

II. Two Types of Project Classifications.

In completing the Form, the first step is to determine if your request is classified as a "Fast Track" item or a "General Item."

¹ Section 5.01(a) of the Chinquapin Homeowners Association Covenants, Conditions & Restrictions.

² http://www.chinquapinhoa.com/_pdf/checklist.pdf

³ http://www.chinquapinhoa.com/_pdf/architecturalreview.pdf

A. Fast Track Projects.

In conformance with Section 5.04 of the CC&Rs⁴, the Chiquapin Board of Directors ("Board") has previously approved certain "Architectural Rules"⁵ known as Fast Track items. "Fast track" items are 'common-cookie-cutter' items, such as certain doors, screen doors, skylights and windows. Each type of Fast Track item is listed on the CHOA web site.⁶

An expedited approval procedure has been created for Fast Track items, by the Board, and the specifics of how to expedite the process have also been identified by the Board by resolutions, which have been approved and reaffirmed by the Board. This means that Fast Track item specifications have been pre-approved by the Board. The advantage to the homeowner is that that Fast Track items only require confirmation by the ARC of the conformity of the project to the Fast track rules (with no further action by the Board required once conformity of the project has been confirmed and approved by the ARC to the Fast Track specification). No work may begin until the ARC approves any Fast Track project.

B. General Projects.

All remodel requests which are not Fast Track items can only be approved by the Chiquapin Board, a process that if it occurs, occurs after a recommendation for approval by the ARC.

For General Projects, that is all projects that do not meet the Fast Track criteria, the Form lists the criteria to be met for submission of the Form before the ARC will review the request. Those criteria can be found in Section 5.05 of the CC&Rs.⁷

The ARC meets approximately three weeks prior to the each Board meeting. It is at that meeting of the ARC that the ARC determines that all criteria have been met on the submission of a General Project and determines whether or not to recommend approval to the Board. Following the ARC meeting the homeowner will be notified of the outcome. The ARC may take several actions, but the two most likely actions are, either:

- (1) Recommending approval to the Board, or
- (2) Asking for more information or clarification from the homeowner.

⁴ <http://www.chiquapinhoa.com/ccrs.htm#Architectural>

⁵ "Architectural Rules" are rules and regulations adopted by the Chiquapin Board which "address any subject[] related to construction and modifications of improvements . . . including, but not limited to . . . guidelines for architectural design, placement of any work of Improvement or color schemes, exterior finishes and materials and similar features which are recommended or required for use in connection with particular Improvement projects"

⁶ <http://www.chiquapinhoa.com/hoarequests.htm>

⁷ Section 5.05 of the CC&Rs can be viewed in:

- (1) Exhibit 1,
- (2) at http://www.chiquapinhoa.com/_pdf/architectural-control.pdf, and
- (3) in the full version at <http://www.chiquapinhoa.com/ccrs.htm#Architectural>

No work may begin until the Board approves any General Project. A recommendation by the ARC is just that, a "recommendation." Only the Board can approve a General Project.

III. Conclusion.

We hope this Guidelines helps homeowners understand how to navigate the process. We encourage property improvements that are consistent with Chiquapin design-standards. This Guidelines, a general guide in nature only, does not change or modify any procedure discussed herein, the specific rules of which should be referred to in the case of any question.

Exhibit 1

**CC&R, Section 5.05,
Basis for Approval of Improvements**

<http://www.chinquapinhua.com/ccrs.htm#Architectural>

V. Basis for Approval of Improvements.

A - When a proposed work of Improvement is submitted to the ARC and Board of Directors for review, the ARC shall recommend, and the Board shall grant, the requested approval only if, in its sole discretion, the Board finds that all of the following provisions have been satisfied:

B - The Owner's plans and specifications: (i) conform to this Declaration and to the Architectural Rules in effect at the time such plans are submitted to the Board; (ii) will result in the construction of an Improvement that is in harmony with the external design of other structures and/or landscaping within the Properties; and (iii) will not interfere with the reasonable enjoyment of any other Owner of his or her property, including, without limitation, the other Owner's rights: 1) to enjoy scenic and solar access free of unreasonable obstructions; 2) to be free of unreasonable noise and/or vibration from appliances, mechanical equipment, audio and/or video equipment, and similar noise sources; and

C - The proposed Improvement(s), if approved, will otherwise be consistent with the architectural and aesthetic standards prevailing within the Properties and with the overall plan and scheme of development and the purposes of this Declaration.

In approving a request for construction of an Improvement, the ARC may recommend, and the Board may condition, approval upon the adoption of modifications in the plans and specifications or observance of restrictions as to location, noise abatement or similar mitigating conditions.