

HARTZELL HOMEOWNERS' ASSOCIATION
ARCHITECTURAL REVIEW PROCEDURES

1. Except for doghouses within fenced patios that are not visible from other units, streets or walkways and improvements made by the Association, no building, fence, wall, obstruction, screen, balcony, patio, patio cover, deck, tent, awning, or other structure of any kind may be erected or maintained in the common area or exclusive use common area by any Owner or resident without prior approval by the Association's Board of Directors.
2. No exterior addition or alteration may be made until the plans and specifications showing the nature, kind, shape, color, height, size, materials and location of same have been submitted to and approved in writing by the Board as to the quality of workmanship and design, harmony of external design and location in relation to surrounding structures and finished grade elevation.
3. No interior addition or alteration may be made which would affect the building's stability, structure or impact neighboring units in any way.
4. Any Owner proposing to perform any work which requires Board approval must fully complete the *Architectural Variance/Hold Harmless*, furnishing such information and documentation as the Board may require.
5. The written *Architectural Variance/Hold Harmless* must be submitted at least 10 days prior to the Board meeting at which it is to be considered. The Association will respond in writing within 45 days. Should the Association fail to respond within 45 days, the request shall be considered approved.
6. Upon receipt of approval, the Owner must complete the approved work within 90 days. Approval is automatically withdrawn for work not completed within 90 days, unless the Owner requests and is granted a 90-day extension. Any request for extension must be in writing and include a valid reason why the work cannot be completed within the original 90 days.
7. Upon completion, the Board or a designated representative may inspect the work to ensure it is in compliance with the approved plans. If it is found the work is not in substantial compliance, the Owner will be notified in writing within 60 days and have 30 days to remedy the non-compliance.
8. If the Board fails to notify the Owner of the non-compliance within 60 days, the improvement shall be deemed in accordance with the approved plans.
9. If the non-compliance is not rectified within 30 days, a hearing will be scheduled, no more than 30 or less than 15 days after the expiration of the remediation period. Notice of the hearing will be provided to the Owner at least 10 days prior to the hearing date.

10. At the hearing the Owner may present any relevant information regarding the alleged non-compliance. After considering all information, the Board will determine if there is non-compliance and, if so, its nature and the cost of correction. If a non-compliance exists, the Board will give the Owner 45 days to remedy or remove same. If the Owner fails to comply or to get an extension, the Board may have the non-complying variance removed and charge the Owner a Reimbursement Assessment.
11. If a requested Architectural Variance is not approved, the Owner must be informed in writing, including an explanation as to the rationale for the decision.
12. If a requested Architectural Variance is not approved, the Owner may request reconsideration at an open meeting of the Board within 30 days of denial. This request is to be made at least 10 days prior to the Board meeting.
13. Decisions made by the Board must be made in good faith, reasonable, not arbitrary or capricious and must be consistent with any governing provision of the law, including but not limited to the *Fair Employment and Housing Act*.

Also see CC&Rs, Architectural Control.