

**CANDLEWYCK HOMES ASSOCIATION
HOMEOWNER'S HANDBOOK
ARCHITECTURAL CONTROL COMMITTEE
4/7/2014 Version**

ARCHITECTURAL CONTROL COMMITTEE RESPONSIBILITIES

The Architectural Control Committee ("ACC") is responsible for the administration of Article VI (Architectural Control), Article VII (Exterior Maintenance), and Article VIII (Use Restrictions) of the Covenants, Conditions, and Restrictions ("CC&R") of the Candlewyck Homes Association. Articles VI, VII, and VIII are legally binding and supersede the ACC Guidelines in the following section. The key elements of Articles VI, VII, and VIII are as follows (refer to the CC&R for the specific language and details):

- The ACC members are appointed by the Board of Directors (Board).
- Any change to a building or other structure on a property must be submitted to the ACC and approved by the ACC prior to start of construction. Within 30 days the ACC will review and either approve or disapprove the request.
- The ACC will request property owners to address any structure or landscaping issues that are not consistent with the ACC Guidelines. Any structure or property that continues to be out of compliance will be reviewed by the Board. The Board can act, following a two-thirds vote, to initiate repairs and maintenance and assess the cost to the owner.
- Lots are for residential use only.
- No activities that may become a nuisance to the neighborhood will be conducted.
- Only household pets are allowed.
- Restrictions on outdoor clothes drying must be followed.

City/County/State Laws and Regulations

Neighborhood issues that are subject to city, county, or state laws or regulations are not the responsibility of the ACC and should be brought to the attention of the appropriate agency. Examples of city ordinances would include pet complaints, election signs, parking of commercial vehicles in the neighborhood, nuisances, trash/junk, leaving trash containers and bulky items at the curb, junk vehicles, parking on front lawn, and neglect of property. Information on these issues and how to report violations can be found at www.charmeck.org and by dialing "311".

ARCHITECTURAL CONTROL GUIDELINES

The Architectural Control Committee ("ACC") is responsible for preserving the architectural integrity of Candlewyck, excluding the patio homes. The functions of the ACC are to establish general Architectural Control Guidelines, to inform homeowners about the Guidelines, and to ensure the Guidelines are followed. The goal of the ACC is to administer the Guidelines uniformly to all. The general responsibilities of the ACC are as follows:

- 1) Comply with the CC&R Articles VI, VII, and VIII.
- 2) Establish the Guidelines and procedure for architectural control and obtain Board approval.

- 3) Communicate to the property owners the Architectural Control Guidelines and the procedure for ACC activities.
- 4) Perform ACC activities according to the CC&R and the Guidelines:
 - a. Review all requests for changes to structures prior to construction and either approve or disapprove.
 - b. Conduct periodic surveys of the neighborhood to identify non-compliant structural or landscape issues.
 - c. Notify property owners of non-compliant structural or landscape issues to obtain improvements.
 - d. Notify the Board of property owners who have not addressed non-compliance issues.

Architectural Control Guidelines have existed and have been administered by the ACC since the original construction of Candlewyck. The Board has approved the following Guidelines and has directed the ACC to implement them for the benefit of the community:

1. Approval Process for Modification to Structures and Properties

All alterations, additions, or modifications to existing properties must have approval from the ACC. Work cannot begin until approval is obtained. The ACC will act only on written requests using the Architectural Modification Submittal Form. This form is included in this handbook (Architectural Control Committee – Form 1) and is also available on the Candlewyck Homes Association website (www.candlewyckhomes.com). The form describes what information is required and how to submit it to the ACC for approval.

The ACC will either approve or disapprove submitted modifications within 30 days. If the ACC does not respond to the property owner within 21 days, the property owner must initiate a personal contact with the ACC. If the ACC does not respond to the owner within 30 days, approval is not required. If a request is not approved, the property owner may appeal to the ACC or to the Board.

The following structures, alterations, modifications, and changes must be submitted for ACC review and approval.

- | | |
|----------------------------------------------------------------------------|---------------------|
| 1) Utility building | 9) Porch |
| 2) Fence | 10) Screened porch |
| 3) Garage | 11) Attached awning |
| 4) Carport | 12) Deck |
| 5) Home addition | 13) Siding |
| 6) Patio | 14) Painting |
| 7) Driveway (not required if same size, configuration, and concrete) | |
| 8) Roof (not required if asphalt or fiberglass shingles and similar color) | |

Additional specific Guidelines are provided below to communicate what will or will not be approved by the ACC.

2. Exterior Alterations, Modifications to Buildings, and New Structures

All require ACC approval. Any addition, exterior alteration, modification, change, or new structure shall be compatible with the design character of the original building. A utility building including the shingles must be compatible with the house. Only asphalt or fiberglass shingle roofs of a similar color will be approved. Metal utility buildings will not be approved. Utility buildings must be placed behind the rear

line of the house. Pods or other temporary storage units will only be permitted for a period of 30 days, and will be located at the rear of the driveway.

3. Fences

All fences require ACC approval. Fences are restricted to backyards and are not to be in front of the back line of the house. Approved fence designs are split rail and unpainted wooden picket fences with spacing between the pickets. Fences are not to exceed four feet in height. Privacy fences are allowed as a patio boundary only and are not to exceed six feet in height. Chain link fences will not be approved. Metal mesh fence combined with approved split rail and picket designs for the purposes of containing children and dogs are permitted.

4. Boats, Trailers, and Campers

All boats, trailers, and campers shall be parked in a garage or at the end of the driveway as far from the street as possible. Other parking locations in the backyard must be approved by the ACC. Occupancy of campers can only be used for purposes such as temporarily housing visitors.

5. Playground Equipment and Playhouses

All playground equipment and playhouses must be placed in the backyard behind the rear line of the house. Basketball goals must not be located near the street. Playhouses and treehouses are considered structures and must be approved by the ACC.

6. Landscaping

Landscaping contributes substantially to the quality of the neighborhood; therefore the following Guidelines will be administered:

- 1) Grass must be mowed to a height less than 8 inches.
- 2) Bare ground in front yards is not acceptable and must be planted with grass, groundcover, or mulched.
- 3) Dead trees, shrubbery, and plants must be removed.
- 4) Leaves and downed branches must be removed.
- 5) Vegetation obstructing view of traffic must be removed.
- 6) Drainage patterns must not be altered to the detriment of neighbors or the common areas.
- 7) No dumping of anything in the common areas or the storm drains.
- 8) Ornamental shrubbery should be trimmed to avoid an overgrown appearance.
- 9) Weeds should be removed from flower beds.
- 10) Mulch should be replenished in flower beds and natural areas.
- 11) Piles of truck delivered mulch and soil in front yards should be moved within 30 days.
- 12) Curbs, gutters, and storm drains should be free of debris.

7. Realtor, Contractor, and Commercial Signs

One realtor sign is allowed on the front lawn of a property for sale or rent. Realtor signs are only allowed in other locations in Candlewyck on the day of an open house. Contractor and service provider signs are allowed during construction/service and for two weeks following completion of work. Commercial signs are not allowed at any time.

8. Garbage and Recycling Bins

Garbage cans and recycling bins are required by city law to be brought to the curb not more than one day prior to pick up, and removed from the curb by midnight of the pickup day. At other times they are to be kept out of view from the street (the street which is the street address for a corner lot).

9. Other Neighborhood Architectural and Landscape Aesthetics Issues

Any architectural or landscape aesthetic issue not listed in Sections 2-8 above which is inconsistent with the intent of the Architectural Control Guidelines, or could potentially harm the property values of the neighborhood, will be brought to the attention of the property owner as a non-compliance issue to be addressed.

10. Right to Appeal

Any homeowner has the right to appeal any action by the ACC to the Board for resolution.

ARCHITECTURAL CONTROL PROCEDURES

The Architectural Control Committee ("ACC") will use the following procedures to perform its responsibilities regarding CC&R Articles VI, VII, and VIII and the Architectural Control Guidelines.

1. ACC Review of Architectural Modification Submittal Form

The ACC will either approve or disapprove submitted forms within 30 days. If the ACC does not respond to the property owner within 21 days, the property owner must initiate a personal contact with the ACC. If the ACC does not respond to the property owner within 30 days, approval is not required. If a request is not approved, the property owner may appeal to the ACC or to the Board. The Board will have the final decision.

2. Property Owner Starts Construction Without ACC Approval

The ACC will notify the property owner that they are in violation of the CC&R and will be advised to submit an Architectural Modification Submittal Form. The ACC will then review the form using the above process.

3. ACC Survey of Neighborhood for Architectural Control Issues

The ACC will periodically survey the neighborhood for architectural control issues. The ACC will also respond to issues brought to their attention.

4. ACC Response to Property Issues Inconsistent with CC&R or Guidelines

The ACC will issue an initial letter (Architectural Control Committee – Form 2) to the property owner informing them of the non-compliance issue and requesting resolution. The property owner may either address the issue, or reply with a plan and schedule to resolve the issue. For structural issues, the property owner will have 30 days to remedy the situation. For landscaping issues, the property owner will have 14 days to remedy the situation.

If the property owner replies with a reasonable plan and schedule longer than the standard 30 or 14 days, the ACC will decide if the plan and schedule is acceptable and will reply to the property owner.

If the property owner does not resolve the issues, a second letter (Architectural Control Committee – Form 3) will be issued to the property owner with an additional period of time to address the situation. The ACC will notify the Board of the need to issue a second letter. This letter will also inform the property owner that failure to remedy the situation may lead the Board to consider actions including repairs and maintenance to the property that will be billed to the property owner, in addition to a possible fine and legal costs consistent with the CC&R. Failure of the property owner to pay these costs could result in a lien placed on the property.