

WOODLAKE CROSSING HOMES ASSOCIATION

POLICY RESOLUTION 2018-12-A Architectural Review Procedures

Authority

WHEREAS paragraph three (3) of the Woodlake Crossing Homes Association's Amended, Restated and Consolidated Residential Restrictions require that all 'Improvements or Replacements' must be submitted to the Board of Directors ("the Board") for approval in writing;

WHEREAS the same paragraph three (3) gives the Board the right to approve all plans in its sole discretion or to appoint an agent or committee to perform such approvals;

WHEREAS the Association currently employs Victory Community Management, Inc. ("the Manager") to manage the affairs and business of the Association;

Purpose

WHEREAS there is a need to document a clear and consistent process governing all homeowners and the Board on the process for approving Improvements or Replacements;

Scope & Intent

WHEREAS it is the intent that these procedures shall be applicable to all homeowners, and this resolution shall remain in effect until otherwise rescinded, modified, or amended by the majority of the Board;

WHEREAS the Board has determined it to be in the best interests of the Association to revise and restate its Architectural Review Procedures;

Specifications

NOW THEREFORE BE IT RESOLVED that this Resolution 2018-12-A Architectural Review Procedures rescinds and replaces the previous Resolution 2011-04-1 Architectural Review Procedures. The Board hereby adopts the following Architectural Review Procedures:

A. ROLE OF THE ASSOCIATION MANAGER

Victory Community Management, Inc. will act as the Association's agent to implement the Architectural Review Procedures on behalf of the Board of Directors.

The Association Manager is authorized to:

1. Evaluate each project (to include a physical site inspection) to determine if covenants compliance standards will be met.
2. Advise the homeowner as to whether the project meets those guidelines or suggest appropriate changes to bring the project into compliance.
3. Obtain the approval of one Board Member to approve those applications that clearly comply with the governing documents and require no interpretation of the documents. All other requests will be forwarded to the full Board for approval or denial.
4. Sign the approved Architectural Request form on behalf of the WCHA President.

B. APPLICATION APPROVAL PROCESS

The Board of Directors/Association Manager shall be required to review any 'Improvement or Replacement' request and respond to the applicant within thirty (30) days.

Step 1. Check the WCHA Covenants

An owner who is contemplating making any improvement or replacement to his/her property should check the WCHA Amended, Restated & Consolidated Residential Restrictions (the "Restrictions") and any other relevant governing documents to confirm that the proposed project is included under the definition of an 'Improvement or Replacement'. Owners should contact the Association Manager if they have any questions regarding clarification of this definition or any questions regarding the approval process. Copies of the Restrictions and other governing documents are available on the Association's website www.woodlakecrossing.org.

Step 2. Submit Architectural Review Request Form

The owner fills out an 'Architectural Review Request' (ARR) form and submits it with the required supporting documents to the Association Manager.

Copies of the ARR form are attached to this Resolution, are available on the Association website, are included at the back of each WCHA newsletter and are available from the Association Manager. Owners can mail a copy of the entire package to the Association Manager's office address or they can email the completed form and supporting documentation to the Association Manager.

The supporting documentation listed below must accompany the Architectural Review Request application. An application submitted without all required submissions will be considered incomplete. In such a case, the 30-day review period will not commence until all required documentation has been provided.

- A. Written Plans and Specifications
- B. Plat (Site Plan): a site plan, drawn to scale (copy of the property plat registered with York County is encouraged) or appropriately dimensioned, showing the location and dimensions of the proposed improvement, including orientation with respect to the property lines, structures on the property and adjacent dwellings. The plan should include driveways, landscaped areas, setback lines, buffer areas and other features under the County's Zoning ordinance.
- C. Architectural Plans/Illustrations of Improvements: architectural plans and exterior elevations of proposed structures which indicate construction materials and exterior colors. When applicable, plans should include a description and/or sample of all finish materials for exterior surfaces. For fence construction applicants shall provide an elevation that identifies the style, type of material, color and dimensions of the proposed fence.
- D. Neighbors Signature of Project Awareness: signature of all immediately adjacent property owners, to include each side property and rear property, indicating that they are aware of the proposed project. The signatures do not signify the neighbor's approval. (Neighbors are encouraged to contact the Association Manager or a Board Member as soon as possible if they have concerns.)

Step 3: Association Manager's Initial ARR Review

Upon receipt of the ARR, the Association Manager will check to ensure that the application is complete. If necessary, the Association Manager will return the ARR to the applicant or contact the applicant to request further information and/or supporting documents that are obviously needed to complete the ARR packet.

The Association Manager will log in and date stamp the Architectural Review Request upon receipt of a completed packet. This will formally establish the 30-day approval period. This date-stamped application will be considered the original ARR application packet.

Step 4. Site Visit

The Association Manager will make a site visit to verify the specifications outlined in the request documentation.

Step 5. Architectural Review Decision

- If the proposed project clearly complies with the governing documents, then the Association Manager will email the application and supporting documentation to the Board of Directors. Upon affirmative response from one or more Board members the Association Manager will sign the "Approved" section of the application and proceed with notifying the homeowner of the decision.
- If the proposed project does not clearly comply with the governing documents, then the Association Manager will email the completed package to the Board of Directors along with any other applicable information. The Board will then review the request and decide whether to approve the request, approve the request with conditions, request additional information, or deny the request. If additional information is needed the 30-day timeframe will be placed on hold until the Board receives the information. The Association Manager or Board may at its own discretion solicit comments from and/or request additional neighbor signatures if the project will have a relevant impact on members of the community other than the adjoining property owners, e.g. drainage, views, access, etc. Once the Board's decision has been made the Association Manager will be notified. The Association Manager will then proceed with notifying the homeowner of the Board's decision.

Step 6. Applicant Notification of AR Decision

On or before the 30th day after receipt of the original application material the Association Manager will notify the applicant of approval, approval with condition(s), request additional information, or denial. The notification will be mailed by regular first class mail and will include:

1. A copy of the approved or disapproved application.
2. A letter explaining the conditions of approval or reasons for disapproval. The letter will include the following statement to ensure that the applicant accepts the decision and understands his/her option to appeal to the Board:

'Upon receipt of this letter if you are not in full agreement with the terms and conditions set forth you must immediately notify the Board with your concerns through the office of the Association Manager. Once construction has started or after ten (10) days of receipt of this letter, whichever comes first, it is assumed by the Board that you are in full agreement with this letter and will meet all terms and conditions of the Architectural Review Application submitted.'

3. Copies of the supporting documentation that was submitted with the application.

The Association Manager will scan all forms and attachments. Original paper copies will be returned to WCHA for long-term storage.

Step 7. Approval Compliance & Enforcement

The Association Manager will coordinate with the owner to monitor compliance with the approved plans through completion of the project. The Association Manager will inform the Board of any deviations from the approved project scope or timing and will determine if the case shall be referred to the Board for enforcement as detailed in Attachment 1 of this resolution.

C. OPTIONS WHEN AN APPLICATION IS DENIED

If the Board denies the submission, the member may:

1. Resubmit his/her request modified to eliminate the stated reason for denial, or
2. Appeal the decision in writing to the WCHA Board via the Association Manager, within ten (10) days of the date on the notification letter of the Board's decision. Any appeal to the Board must provide information as to how the homeowner believes the application was not reviewed in accordance with Association governing documents.

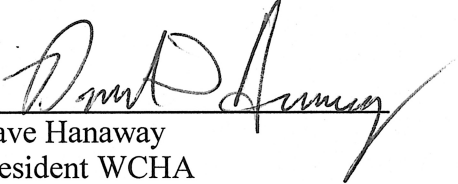
A hearing will be scheduled only if specifically requested by the homeowner or by the Board. Otherwise the Board will communicate its decision in writing through the Association Manager. Neighbors and other community members who have a registered complaint concerning the application may be notified of the request for reconsideration and/or invited to the appeal hearing. Two thirds of the Board is required to overturn or modify an ARC decision (in whole or in part) but a simple majority is needed to affirm.

RESOLUTION 2018-12-A APPROVAL

This Resolution # 2018-12-A was approved on December 13, 2018 by the Woodlake Crossing Homes Association Board of Directors. The voting went as follows:

<u>Title</u>	<u>Name</u>	<u>Approved</u>	<u>Disapproved</u>	<u>Abstained</u>
President	Dave Hanaway	X		
Vice President	Patrick Forys	X		
Treasurer	Randy Parrish	<i>X via email</i>		
Secretary	Barry Hutchison	X		
Member-at-Large	Lisa Church	X		

Signed:


Dave Hanaway
President WCHA

Attachments:

1. Architectural Enforcement Responsibility
2. WCHA Architectural Review Request (ARR) Form

Attachment 1: Architectural Enforcement Responsibility

The Woodlake Crossing governing documents and Virginia statutes authorize the Board of Directors to enforce the Association's Architectural Review Procedures. The following situations will be handled through the Association's Covenants Compliance Program:

1. A homeowner is making or has made an improvement without an approved Architectural Review Request. The Association Manager or a member of the Board has informally contacted the owner to ensure they are aware of the ARR requirement and have requested the homeowner to provide the required documentation. The owner has not provided the required paperwork within a reasonable time after being contacted (generally two weeks).
2. A homeowner has deviated from an approved plan, violated the intent of the approved plan or violated the WCHA Covenants, and the Association Manager or Board member has been unable to correct the situation through informal contact with the member.
3. The estimated completion date on the approved ARR has passed and the Association Manager and/or a Board member have been unable to coordinate a revised completion date that is mutually satisfactory to the Board and the homeowner.

Attachment 2: WCHA Architectural Review Request (ARR) Form

**WOODLAKE CROSSING HOMES ASSOCIATION
c/o: Victory Community Management, Inc.
5007-C Victory Blvd. #240, Yorktown, VA 23693
Tel: 757-593-0166, Email: VictoryComMgt@gmail.com**

ARCHITECTURAL REVIEW REQUEST APPLICATION

Section: _____ Lot Number: _____

Applicant's Name: _____

Address: _____

Phone: _____

Email: _____

Description of Alterations: _____

IN ORDER FOR THE ARCHITECTURAL REVIEW COMMITTEE TO PROPERLY REVIEW YOUR APPLICATION, PLEASE INCLUDE THE FOLLOWING ATTACHMENTS:

WRITTEN PLANS and SPECIFICATIONS

PLAT (SITE PLAN) with drawing of exact location, configuration, and size of alteration(s)
(Including driveways, landscaped areas, setback lines, buffer areas and other features under the Zoning Ordinance)

ARCHITECTURAL PLANS/ILLUSTRATIONS OF IMPROVEMENTS
(Exterior elevations, construction materials and exterior colors)

PHOTOGRAPH(S) and/or DRAWING(S)

ANY ADDITIONAL INFORMATION (Please specify):

HOMEOWNERS: By signing below you are indicating that you understand **you must wait for receipt of your written approval of this application before beginning the foregoing alteration(s)**, and that approval of such alteration(s) by the Architectural Review Committee does not release you from your obligations to ensure that such alteration(s) is (are) in compliance with the applicable Building and Zoning ordinances for York County.

I/We understand that any damages that may occur during the course of this alteration are my/our responsibility, whether the damage is done to common property or private property (to include underground wiring, landscaping, roadways, etc.).

Homeowner Signature: _____ **Date:** _____

Homeowner Signature: _____ **Date:** _____

The signatures of all immediate neighbors must be obtained before your application will be considered.

NEIGHBORS: Your signatures must be obtained for all "improvements" (these include, but are not limited to, room additions, decks, fences, storage sheds and major landscape changes). BY SIGNING BELOW, YOU ARE INDICATING YOUR AWARENESS OF THE ALTERATION, NOT YOUR APPROVAL. If, as a neighbor, you have concerns regarding this application we encourage you to contact a member of the Association Board of Directors or the Association Manager as soon as possible.

Neighbor: _____

Neighbor: _____

Address: _____

Address: _____

Neighbor: _____

Neighbor: _____

Address: _____

Address: _____

All applications must be submitted to the WCHA Association Manager, Victory Community Management at the above address. Applications are reviewed monthly, so please allow adequate time to receive a response.

ARCHITECTURAL REVIEW COMMITTEE

Date of Receipt: _____ Date of the ARC Review: _____

- APPROVED
- APPROVED WITH COMMENTS/CONDITIONS
- DISAPPROVED
- DECISION WITHHELD
- OTHER: _____
- COMMENTS: _____

Signed: _____