

Hawk Ridge Estates Association
Architectural Review Committee (ARC)
Policies and Procedures

Effective: 1 January 2025

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ARTICLE 1: INTRODUCTION

1.1 Purpose

All Owners of residential Lots and all residents of Hawk Ridge Estates Association are legally bound and shall abide by the Declaration of Covenants and Restrictions as amended (the “Declaration”), Supplemental Declarations, as amended, for individual Neighborhoods (each a “Supplemental Declaration” and, along with the Declaration, collectively the “Covenants”), the Articles of Incorporation and Bylaws, these Policies and Procedures, and other applicable legal documents related to Hawk Ridge Estates Association (all aforementioned documents collectively referred to hereinafter as the “Governing Documents”).

These Policies and Procedures were adopted to facilitate the Architectural Review Committee’s (ARC’s) review of applications for exterior improvements within the Hawk Ridge Estates Association community. These Policies and Procedures, in accordance with the Covenants, is the basis by which the ARC maintains the high standards of Hawk Ridge Estates Association from initial home design and construction, through home additions and maintenance. Through systematic, uniform review procedures, the goal of the ARC is to encourage design excellence, preserve and enhance property values, and foster owner pride and satisfaction. The intent of these Policies and Procedures is to protect overall appearance, maintain the values of the community, and retain a good neighbor relationship.

To the extent not otherwise defined herein, capitalized terms shall have the meaning set forth in the Covenants. Non-resident Owners are responsible for ensuring that their tenants and guests follow these Policies and Procedures and the Governing Documents.

1.2 Authority

The Declaration provides that no improvements, alterations, repairs, change of paint colors, excavations, changes in grade or other work which in any way alters the exterior of any property or the improvements located thereon from its natural or improved state existing on the date such property was first conveyed in fee by the Developer to an Owner shall be made or done without the prior approval of the ARC, except as otherwise expressly provided in the Declaration. Accordingly, by resolution, the Board of Directors of the Association and the ARC adopted the following Policies and Procedures to facilitate the ARC’s review of applications. Owners are cautioned that these Policies and Procedures are guidelines only, and, subject to the terms and provisions of the Declaration, the ARC may exercise its sole discretion in determining whether to approve or disapprove any applications.

1.3 Governing Documents

These Policies and Procedures should be reviewed together with the Covenants and the other Governing Documents. If any provisions of these Policies and Procedures conflict with the terms or provisions of any Governing Documents, the terms and provisions of the applicable Governing Documents shall control. Owners contemplating the submission of an application to the ARC are urged to take special notice of sections 7, 8, 9 and 10 of the Declaration of Covenants and the Supplemental Declaration for each Neighborhood which may contain additional requirements and restrictions.

1.4 Previously Approved Improvements

If an Owner has previously obtained ARC approval for improvements on such Owner's Lot, which improvements would be rendered non-conforming under these Policies and Procedures, such prior ARC approval will continue in full force and effect as to those Improvements previously approved to the full extent of such previous approval; provided, however, that the requirements of these Policies and Procedures must be met at the time, if any, that such non-conforming improvements are replaced unless the Owner of such Lot obtains a variance pursuant to Section 2.7 of these Policies and Procedures.

ARTICLE 2: ARC DESIGN REVIEW PROCEDURES

2.1 Owner Responsibility

Each Lot Owner and resident within Hawk Ridge Estates Association is responsible for complying with the Governing Documents. Any application for a Lot that is not current with assessments, has violations, or is not in compliance with the Governing Documents will not be considered. **Any proposed improvements/changes/enhancements to be made to an Owner's Lot require the Owner to receive written ARC approval prior to making the improvements.** The Owner is responsible for all work done to his or her property, whether the Owner or Owner's contractor (or subcontractor) is performing the work.

2.2 Owner Responsibility - Compliance with Other Applicable Laws

Subsequent to ARC approval, each Lot Owner is responsible for obtaining all applicable approvals and permits as required, including but not limited to City/County Building permits, approval from City/County Engineering and Resource Protection Division, etc., and for constructing any changes to the Lot in a manner that complies with all applicable regulations.

2.3 ARC Meetings and Deadline Information

The ARC reviews emailed applications correspondence provided to ARC@hawkridgeestates.org twice monthly on the 1st and 15th of the month. Thereafter, email responses to inquiries are provided, and applications for property improvement conforming to the requirements of the Architectural Design Guidelines which governs requirements for property improvements commence. This document may be downloaded from <https://www.hawkridgeestates.org/documents.html>. For an application to be placed on the agenda it must be complete, including all required additional information, and submitted to ARC@hawkridgeestates.org prior to the scheduled ARC email review. Email review dates are posted on Association's calendar and on-site meetings for application review with Owners and Contractors are scheduled via email when all parties are available with majority representation. The ARC reserves the right to cancel and/or reschedule meetings, if necessary, without notice.

2.4 Preparation of Submittals

The Lot Owner is required to submit an ARC application and obtain approval for ALL exterior changes prior to the commencement of work on the property. If a Lot Owner or his or her builder or designer has questions about the Architectural Design Guidelines' procedures and design standards, an email inquiry may be sent and/or a conference with a member of the ARC may be requested. This is highly recommended to prevent misunderstandings and costly delays and may be coordinated by emailing ARC@hawkridgeestates.org.

2.5 ARC Review Basis

The ARC reviews each application based on:

- (a) Compliance with the Governing Documents and any restrictions and notes on the relevant plats;
- (b) These Policies and Procedures and any other policies that may be adopted by the Board of Directors from time to time;
- (c) Aesthetic consistency within the Association (precedent within the community and/or Neighborhood does not establish grounds for approval and each submission will be considered on a case-by-case basis); and
- (d) The impact to the community. The ARC reserves the right to require modifications to proposed designs, including deletion, addition, or relocation of design elements, in order

to achieve compliance with these policies. The applicant or his/her representative is encouraged to attend the meeting during which the application is reviewed by the ARC to answer any questions that may arise; however, applicants are not required to be present.

2.6 ARC Decisions

A complete final application submitted in accordance with the ARC Requirements for Plan Submittal found in the Architectural Design Guidelines Appendix A is approved when notice of approval is given to the applicant in writing by the ARC. Following the ARC Final Review & Approval Meeting, the Association will communicate with the applicant within 3 days with one of the following decisions:

(a) Approved as submitted.

(b) Approved with changes. The ARC may provide suggestions for revisions, but it does not provide design solutions. A new application with suggested revisions will be required.

(c) Disapproved: Reasons for disapproval will be given in writing. A disapproved application requires the application to be resubmitted before any approval may be granted.

Except for new construction, additions and major improvements, approvals are good for 180 days from the date of the written notice to applicant; however, if application is to cure a violation on the Lot, the work to cure must be done within 30 days to avoid further due process. This may be extended with prior ARC approval.

2.7 Variances

The ARC shall have the authority to grant variances from the strict application of the Policies and Procedures in circumstances where;

(a) the strict application of the Policies and Procedures would create a hardship with respect to an Owner's use of his/her Lot and,

(b) the structure or other proposed architectural feature would comply with the spirit and intent of these Policies and Procedures and would not violate the provisions of the Covenants.

Requests for variances will be reviewed on a case-by-case basis and each case will stand on its own facts, regardless of whether similar variances have been previously approved for others under similar facts. Owners are advised that the ARC supports the application and enforcement of the Policies and Procedures and, therefore, variances will not be routinely granted.

2.8 Appeal Process

If an application is disapproved and the applicant feels that the submittal was misinterpreted, the applicant should contact the ARC Chair to discuss the application by emailing ARC@hawkridgeestates.org. If the Chair agrees that a second review is in order, an on-site meeting for a second application review with Owners and Contractors will be scheduled via email when all parties are available with majority representation. If an applicant does not agree with the ARC's decision, the applicant can appeal to the Association's Board of Directors by emailing president@hawkridgeestates.org provided the Owner files written notice of such appeal with the Secretary of the Association secretary@hawkridgeestates.org within ten (10) days of the date of the letter communicating the ARC's decision. Upon filing of any such appeal, the Board shall schedule a hearing after at least ten (10) days written notice to the Owner stating the time and place of such hearing. At any such meeting, the Board may reverse or modify such decision by a two-thirds (2/3) vote of the Directors.

2.9 ARC Review Fees and Bonds

(a) New Construction Review Fee

The Association does not currently charge a fee to review applications for new home construction.

(b) New Construction Conformance Bond

The Association collects a Conformance Bond at the time of the initial submittal of an application for new home construction as a deposit and partial assurance that the homeowner/builder will comply with the requirements of the Covenants, Architectural Design Guidelines and these Policies and Procedures during new home construction. Specifically, this bond (hereinafter the “New Construction Conformance Bond”) will serve as partial assurance that the erosion and sediment controls are installed and maintained, the Lot is kept clean of trash and debris, and drainage ditches and other improvements are operable, maintained and restored to their proper conditions after construction is complete. Further, this bond serves as partial assurance that all rules stated in section 7 of the Declaration, the ARC Design Guidelines and these Policies and Procedures are adhered to during construction. At the end of construction and upon application for a refund of the New Construction Conformance Bond, the ARC shall review the homesite and if the construction and improvements conform to the documents approved by the ARC and the homesite is considered satisfactory, the bond will be promptly refunded.

(c) Major Improvement Review Fee

The Association does not currently charge a fee to review applications for Major Improvements.

(d) Major Improvement Conformance Bond

The Association does not currently require a Major Improvement Conformance Bond. “Major Improvements” are defined as improvements altering the original home or garage footprint, exterior siding/stone type, window locations, roofline, or addition of a second building on the Lot. The homeowner/builder will comply with the requirements of the Governing Documents during improvements to existing construction. All rules stated in section 7 of the Declaration, the ARC Design Guidelines and these Policies and Procedures will be adhered to during construction. Changes to approved plans without ARC approval during the construction phase will be subject to Covenants’ section 7.10 Remedies for violations.

(e) Minor Improvement Review Fee

The Association does not currently charge a fee to review applications for Minor Improvements.

(f) Minor Improvement Conformance Bond

The Association does not currently charge require a Minor Improvement Conformance Bond. “Minor Improvements” are those improvements to a Lot or an existing structure which do not qualify as “Major Improvements” as defined on Section 2.9.1(c) above. Examples of Minor Improvements include, but are not limited to, change in paint color, a

deck or the addition of steps to an existing deck, landscaping, runoff control/French drains, raised garden or backyard fence, etc. Owners must still submit an application to the ARC and receive ARC approval prior to any work commencing on the Lot or be subject to the Covenants' section 7.10 Remedies for Violations.

2.10 Schedule of Fees and Bonds

The Association's Board of Directors established the following Fees and Bonds effective _____, 20__:

TYPE OF FEE / BOND	AMOUNT DUE	NOTES
New Construction Review Fee	\$0.00	
New Construction Conformance Bond	\$3,000	Due upon initial application
Major Improvement Review Fee	\$0.00	
Major Improvement Conformance Bond	\$0.00	
Minor Improvement Review Fee	\$0.00	
Minor Improvement Conformance Bond	\$0.00	

All Review Fees and Bonds must be paid by check payable to "Hawk ridge Estates Association" at the time the application is submitted. Checks for Bonds will be deposited in an Association account, may be co-mingled with other funds of the Association, and will be refunded to the Owner in accordance with the procedures established in Section 2.9, provided the improvements comply with the approved application and any conditions imposed by the ARC in approving the application. In the event an Owner fails to satisfy the conditions imposed by these Policies and Procedures or by the ARC in approving the application, the Association may retain such Bond which will become the property of the Association if the Owner has failed to satisfy such conditions within 30 days after the date the Association notifies the Owner in writing that such Bond will be forfeited. The forfeiting of the bond to the Association shall not relieve the Owner of the Lot from bringing the improvements into compliance, nor shall such forfeiture serve as an election of remedies by the Association and the Association reserves any and all remedies it may have under the Governing Documents and applicable law to cause such improvements to comply with the ARC approval and the Governing Documents.

Currently, the Association does not charge review fees. If implemented upon future revision of these Policies and Procedures, review Fees will be non-refundable and become the property of the Association upon submittal.

ARTICLE 3: BUILDING POLICIES

3.1 Owner Construction Responsibility

Lots may not be cleared for construction prior to receiving the notice of approval in writing by the ARC. During construction, additions or major improvements, the Lot Owner is responsible for the work of his/her builder/contractor. It is the responsibility of the Lot Owner to ensure that any damage to the road shoulders, drainage or adjoining Lots caused by his/her contractors is promptly repaired at Owner's sole cost. If an Owner wishes to make any changes to the ARC approved plans, such requests for Alteration are subject to Article 2 herein. Changes started or completed at the construction site without the prior written consent of the ARC will constitute a violation and are subject to the Covenants' section 7.10 Remedies for Violations and/or forfeiture of Bond to remedy the violation. All buildings, drives, walks, landscaping, and other work originally submitted to and approved by the ARC must be completed within 12 months from ARC approval. This may be extended with prior ARC approval. Any approved changes to the original plans will be completed within the same timeframe, unless an extension has been granted in writing by the ARC.

3.2 City/County Compliance

All work must be in compliance with the City and County Building Codes and all necessary permits must be obtained in compliance with such Codes. Information regarding water or sewer line availability, grinder pumps, depths, etc. must be obtained from the City and County.

3.3 Permitted Hours of Construction

Exterior construction work may only occur Monday through Friday 7:00AM - 7:00PM and Saturday 8:30AM – 5:00PM. No exterior construction work may be performed on Sundays. Interior work on Sundays must be completed on the interior of an enclosed structure. Noise transmitted to neighboring properties including generators and pumps is prohibited on Sundays.

ARTICLE 4: NEW HOME CONSTRUCTION

4.1 Purpose

The intent of the requirements below is to provide the ARC with enough information to determine the appearance, proportion and aesthetics of the proposed construction. The ARC may require additional information if, in its opinion, the detail submitted does not sufficiently portray the intent.

As a minimum, one copy of each of the following drawings or samples shall be submitted with the application:

4.2 New Home Submittal Requirements

4.2.1 Site Grading Plan — (preferably 1 inch = 10 feet or greater)

- (a) Proposed building footprint(s) located on lot with driveway, walks, patios and other permitted structures.
- (b) Structures must be dimensioned with distances from the property and set back lines.
- (c) Show finished floor elevations. Elevations may be relative to a point on the curb gutter line, or other known benchmark indicated on the plan AND on the site. Spot elevations must be shown at the corner of the foundations, as well as across the site.
- (d) Show proposed routing of sewer and water services. All proposed structures and improvements, utility yards and driveway shown.
- (e) Topography, at 1-foot, or 2-foot contours if >10 ft of elevation change across the lot.
- (f) All trees over 6 inches in diameter and taller than 3' shown, with those to be removed marked with an "X". If more than 5 trees a "note" may be included on the Landscape Plan.

4.2.2 Landscape Plan

- (a) Depict how graded areas will be stabilized, i.e. turf, native plantings, mass plantings.
- (b) Depict how final grade or drainage plan mitigates runoff onto adjacent properties. Indicate the intended water runoff direction with arrows and/or contours and spot elevations. Show that clearing limits work with what has been flagged on the site.
- (c) Depict the location of existing and proposed vegetation in relation to proposed driveway, walks, patios, garage, house and other structures.

4.2.3 Floor Plans

(a) Show dimensions of walls, eaves, location of stairs and stair landings.

4.2.4 Elevations

(a) Front, side and rear elevations of all structures to be completed on the site must have their finished floor elevations shown so that they relate, in scale, to the new finished grades at the building perimeters.

(b) Front, side and rear elevations shall be shown, to scale, in full detail, including the proposed fenestration with the trim and brick moldings. Window grilles must be shown. The proper number of exterior stair risers shall reflect the proposed finished floor line to grade. Elevations shall be $\frac{1}{4}$ of an inch = 1 foot, 0 inches on standard sized paper used by architects and engineers (which is a minimum of 24 inches x 36 inches or 30 inches x 42 inches, respectively.)

(c) Floor plans to scale with dimensions and material specifications to be provided.

(d) All text must be legible and readable. Reversed copies are not acceptable.

4.2.5 Samples

(a) Samples of actual siding, brick/stone, and shingles, with color charts/chips must be provided with the application for ARC review.

4.2.6 Sections

(a) Show at least one section through the building showing the construction method of the walls and roof. Show information on your sections that you could not show on your other plan sheets.

4.2.7 Staking of Lot

(a) Field stake the Lot, showing corners of house, driveway entrance and corners, parking areas, as well as drainage or erosion control measures (where applicable) must be performed. Flag all trees over 6 inches in diameter to be cleared.