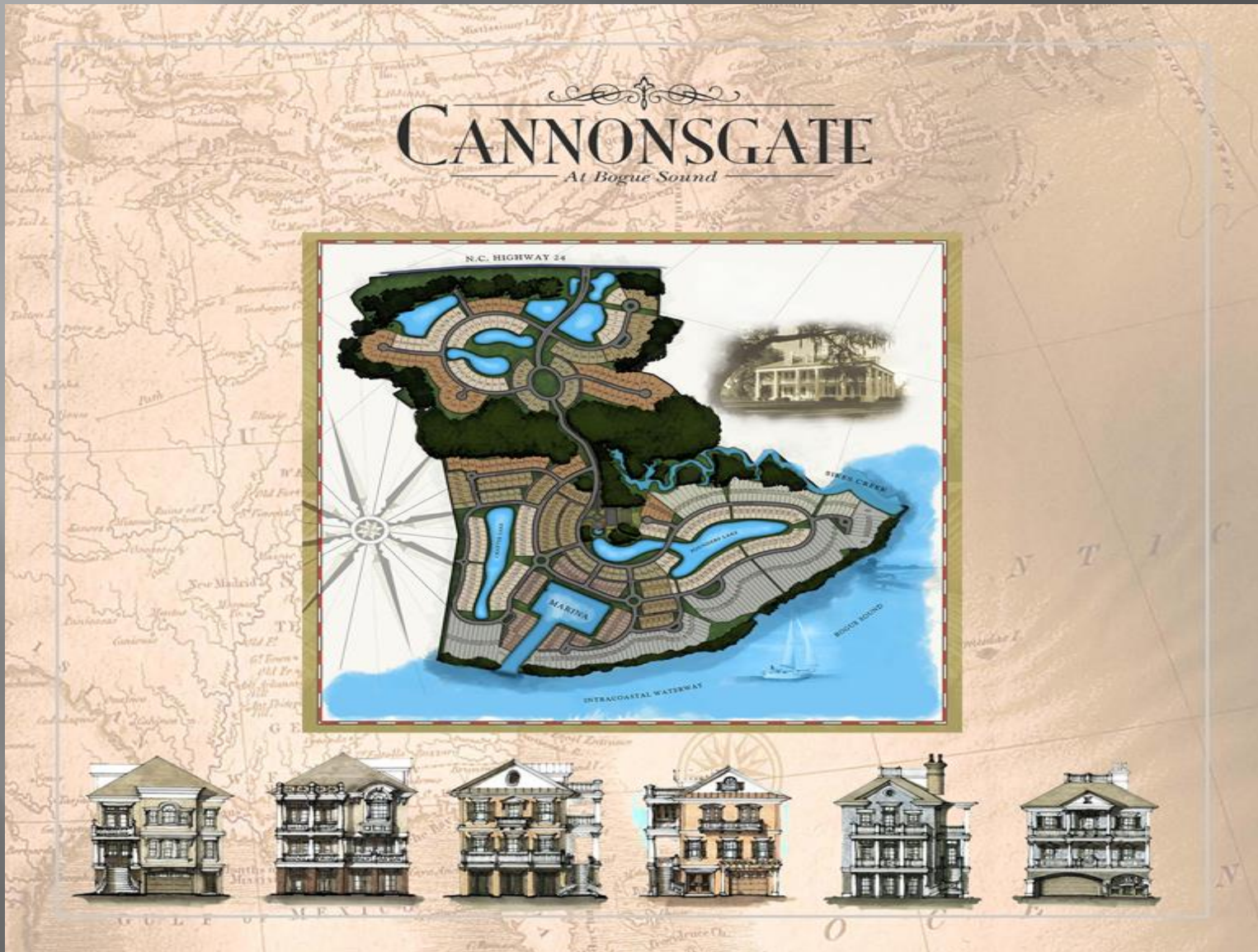
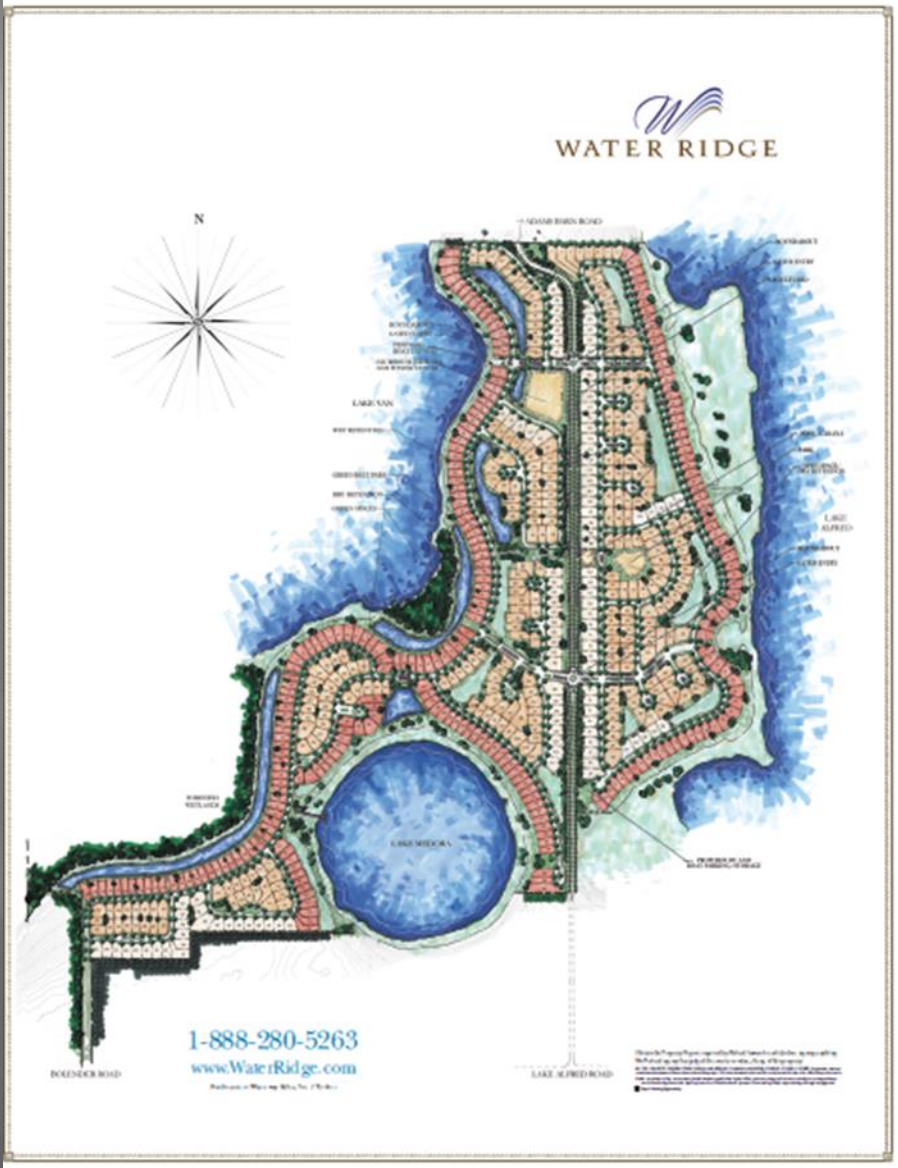


# ARCHITECTURAL REVIEW BOARD REQUIREMENTS FOR PLANNED COMMUNITIES



According to the Community Associations Institute, more than 60 million Americans reside in approximately 305,000 association-governed communities, which include among other neighborhood types, city-size master-planned communities.

Undeveloped parcels in these communities currently represent a sizeable percentage of the ready to build single family home sites nationally.



For this reason, many national home building firms are acquiring parcels in existing communities instead of developing their own communities.

Custom Home Communities are very often in their sights because of the high value of adjacent homes.

# IN MANY INSTANCES, THE NATIONAL COMPANIES HAVE AGREED TO ADHERE TO EXISTING COMMUNITY STANDARDS

The most common fear is that an influx of poorly designed and constructed homes, mostly proposed by purchasers of foreclosed lots who actively seek to bypass community standards, will create a blight of low quality housing in their community resulting in ‘permanent devaluation’.



## THIS CONCERN IS UNIVERSAL

IT MAY BE THE CASE THAT THE ARCHITECTURAL  
REVIEW COMMITTEE IS THE SOLE HOA RESOURCE  
WHICH CAN PROTECT HOME VALUES



For this reason, a great amount of attention should be given to the structure of the Architectural Review (Control) committee.

## Most all of the communities are governed by Home Owner Associations and their Board of Directors

- They are Declarant appointed or elected by property owners.
- They are obligated to enforce the Declaration of Covenants, Conditions and Restrictions (CCRs)
- They are subject to provisions of their bylaws and to Statutes, such as Chapter 47F, the North Carolina Planned Community Act.

In many CCRs, the HOA Board is also given the charge to appoint members of the Architectural Review Committee

The ARC is typically given “exclusive jurisdiction” over all construction or improvements within the community.

This often includes the responsibility to develop and periodically revise Architectural Guidelines.

And the responsibility to review and approve plans based on those Guidelines.

Unless specifically stated in the CCRs, the HOA Board cannot overrule an ARC determination, and the ARC is not required to obtain Board approval of revisions to the Architectural Guidelines.





**Architectural Review Committee  
Design and Construction Guidelines  
&  
Review Procedures and Applications**



Carolina Forest  
Myrtle Beach  
Horry County, South Carolina  
January 2013 Edition

It is therefore very important for the HOA Board to have a stated selection process for appointment to the ARC.

Look for:

- Knowledge of the CCRs and ARC Guidelines.
- Ability to understand drawings, or willingness to learn.
- Commitment to enforce the Guidelines.
- Good communicator.
- Availability



Cooperative spirit...willing to invest time with each project to make the home better than could be achieved otherwise and to advance the value of the community.

Protecting values within a community is the first and foremost responsibility of the ARC



# ...and a reason to engage an architect as a consultant...

Architects understand the aspects of good design:

- Streetscape and Landscape and site placement
- Building proportions and aesthetics
- Historic themes
- Details of Construction
- Quality of Materials
- The construction process

Architects will

- Enforce Guidelines consistently.
- Provide an educational component to develop members
- Communicate committee determinations to owners and builders, giving the members a degree of anonymity.

To locate an architectural consultant, go to the following:

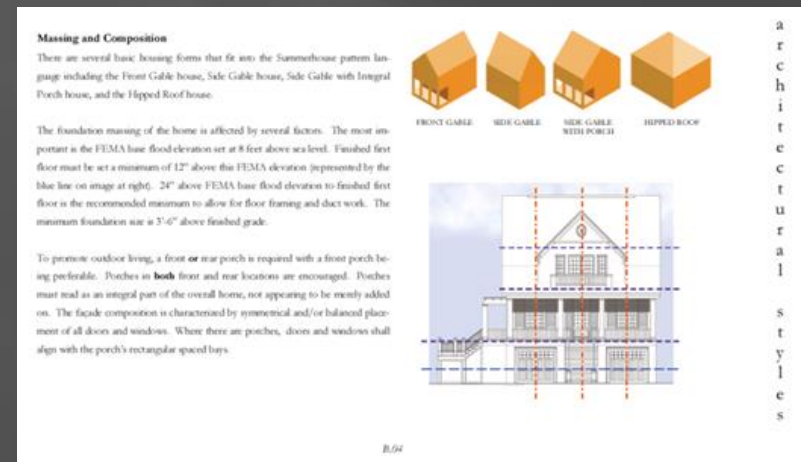
[aiacharlotte.org](http://aiacharlotte.org)...link to Community...link to Arch Review Committee

# Making changes to the guidelines:

As communities mature, it will be necessary to make adjustments to many of the standard provisions of the initial Architectural Guidelines.

- Changes to the guidelines only affect new work. This includes modifications to existing homes.
- Guideline changes may be fairly extensive. The changes might also vary depending on location within the community that a home might be built
- Care should be taken to not make the changes overly burdensome, or which abandon too many of the original requirements for the community, and in all cases ensure the changes are not in conflict with the CCR's.

A Pattern Book is often created to provide graphic illustration of Guideline intent.



- The most important requirement in enforcing the guidelines is to be consistent in enforcing the “current” Guidelines. Liability is created when you do not enforce a provision for one owner and then attempt to enforce it on another. However, if each was completed under a different set of Guidelines, the ARC can still be shown to be consistent.
- If an item was previously not enforced or was approved contrary to the Guidelines, the ARC may have no rights to force the owner to become compliant at a later date.
- While the developer has control of the HOA, it must make changes to the CCRs using the additional votes it is entitled to under its class of membership. It may make changes to the Architectural Guidelines without an owner vote.



# The Review Process

Guidelines should be very specific as to what is being requested at each step of the process:

## Site Plan

- Boundaries and Easements
- Topography and existing features (trees)
- Home placed on the site

## Schematic Review

- Four elevations
- Plans, including roof plan

## Design Development Review

- Fully developed plan
- Wall sections and details
- Materials of construction

## Construction Document Review

- All documents which are used to construct the home
- Insurance Endorsements, Contractor Information
- Contract for Construction

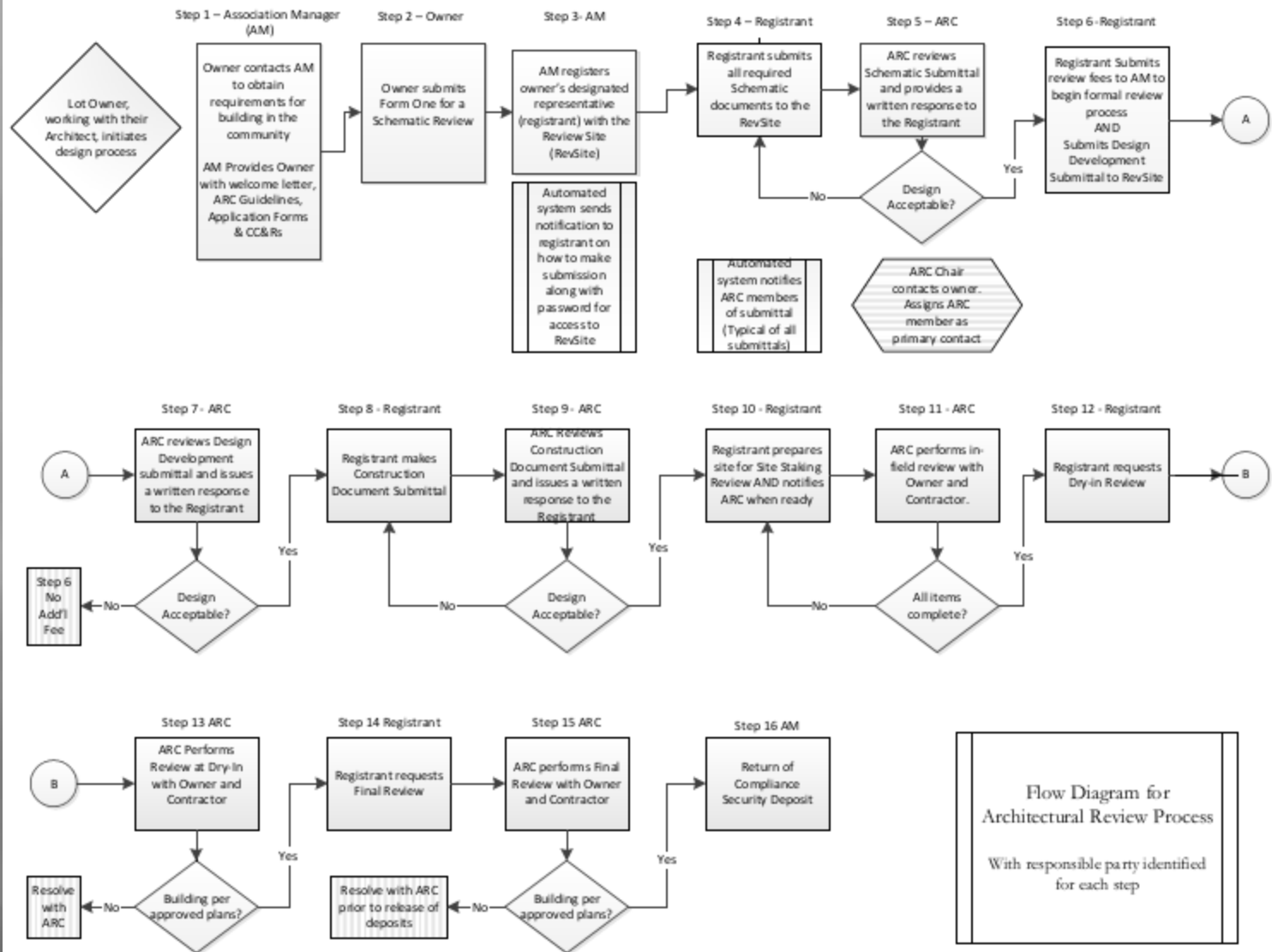
CHECK SHEET THREE: Provide this page as part of your DD submittal. Confirm that you have included the required information by initialing beside each item listed below.

PROVIDE:

- \_\_\_\_(1) A completed Waterway Palms Plantation Form Two-Design Development Review Request
- \_\_\_\_(2) A completed Form Three - Materials of Construction, exclude color selection if desired.
- \_\_\_\_(3) Design Development Floor Plans and Elevations in digital format including:
  - i. Floor plan: Indicate all rooms, and sizes, along with square footage. Show the finished floor elevation (FFE) of the first floor with respect to the benchmark and highest grade elevation noted on the site survey identified on check sheet one.
  - ii. Roof plan indicating slopes and finish materials.
  - iii. Elevations: Provide front, rear, and side elevations indicating building materials and finishes. Elevations to be site adapted showing correct location of grade with respect to the topography. Show floor to floor heights and overall height.
  - iv. A fully detailed wall section from foundation to roof and through a window, showing all significant elements of construction including flashing, air and water barriers, etc.
  - v. A transverse and longitudinal section through the front porch and front door.
  - vi. Additional key details of each unique feature on the exterior of the home.
- \_\_\_\_(4) Submit updated site survey described in Check Sheet One if there have been changes since the SD submittal.
- \_\_\_\_(5) Include any request for a Variance at this time. Typically, a Variance is granted only in cases of hardship related to site constraints that may dictate conditions of the design that are in conflict with Guideline requirements. A variance request is attached \_\_\_\_ yes \_\_\_\_ no.
- \_\_\_\_(6) On each drawing provide designer/ architect information as required in Article II (2).
- \_\_\_\_(7) A copy of this page with your initials on the lines to the left and item 5 checked, yes or no.
- \_\_\_\_(8) Submit Fees denoted on Form Two, with checks made to "Waterway Palms Plantation HOA."

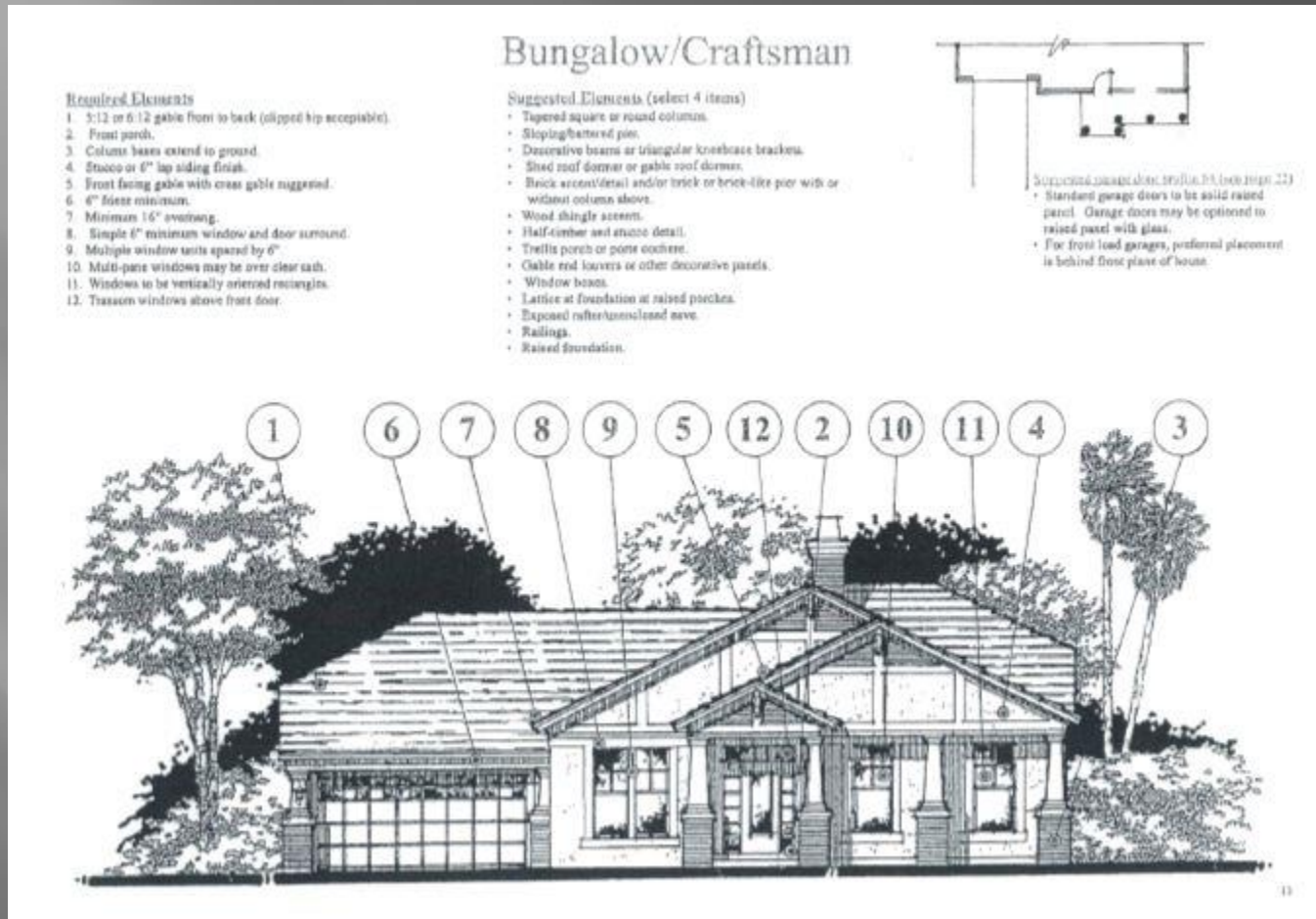
Other data: The Waterway Palms Plantation ARC reserves the right to require the submittal of other information, data, drawing and samples as deemed necessary.

SUBMITTED BY: \_\_\_\_\_ TITLE \_\_\_\_\_





# Architectural Guidelines will likely have some amount of “Prescriptive Requirements.”



However, the CCRs and ARC Guidelines may give sole discretion to the ARC to use any aesthetic standard or criteria it so chooses. But in doing so, it should adhere to what is published in the Guidelines for the sake of consistency.

# NON PRESCRIPTIVE CRITERIA WHICH MAY BE EMPLOYED BY AN ARC

- 1) Is the placement of the home on the lot appropriate with respect to setbacks, topography and streetscape? An unnatural fit, requiring extensive excavation or fill for example, may cause a design to not be approved.
- 2) Are the masses balanced? In looking at the overall configuration of the home, is it one big box, sometimes appropriate – sometimes not, or is it comprised of a variety of boxes and other shapes or masses? Are they well composed and in proportion to one another?
- 3) Do the roof lines tie the massed elements together successfully? Are there large areas of roof which are featureless? And is the roof appropriate to the style of the home or the aesthetic theme of the community. The roof should add aesthetic appeal to your home.
- 4) Are windows, doors, porches, balconies, chimneys or bays organized in a pleasing manner? Are large wall areas blank? Are windows sizes and configurations varied in an appropriate manner? Does the window configuration appear arbitrary? An interior layout may result in poorly composed exterior elevations. All elevations are subject to ARC review, with the ARC placing tighter requirements on highly visible ones.
- 5) Are trim and details appropriate to the style of the home? Look at windows, doors, soffits and fascia, frieze boards and other details to determine if these items complement the style of the home.
- 6) Finally, are the finish exterior materials appropriate to the design? Do you have full elevations with only one wall material, or are you mixing in a balanced manner several materials such as brick, stone and stucco on the elevations to create more visual appeal?

# Construction Phase Requirements

Reviews at three times during construction:

## Site Staking Review

- Location on the site
- Erosion Control measures
- Sample Board

## Dry-In Review

- Confirm construction is framed as approved
- Job conditions

## Final Review

- Confirm all items complete including landscape
- Verify conditions for release of deposit.

# UNIFORM FIELD REPORT 3 LOT REVIEW AT FINAL

1. Community: \_\_\_\_\_
2. Lot Number: \_\_\_\_\_ Review Date: \_\_\_\_\_
3. Street Address: \_\_\_\_\_
4. Homeowner: \_\_\_\_\_
5. Builder: \_\_\_\_\_

Road and Curbing: Note any damage due to current construction: \_\_\_\_\_

Water Meter: Condition of cover and piping: \_\_\_\_\_

Type of protection: \_\_\_\_\_

Sewer System: Condition of cover and piping: \_\_\_\_\_

Silt Fence Condition: Road Side removed? If no explain: \_\_\_\_\_

Interior property lines removed? \_\_\_\_\_

Condition of Stone for driveway and location of dumpster/port-a-potty, site trash: All removed? \_\_\_\_\_

Sample Board: Materials on home same as board? If No, explain: \_\_\_\_\_

General Condition of Roadway: Needs cleaning and/or other: \_\_\_\_\_

Condition of curb or road: \_\_\_\_\_

Building materials stored: If on neighboring property was property restored? \_\_\_\_\_

Exterior Home Massing and Details as approved: If no, explain: \_\_\_\_\_

Landscape Elements as approved: If no, explain: \_\_\_\_\_

Mailbox \_\_\_\_\_

Signatures: (Note: representative required on site at time of review)

Homeowner: \_\_\_\_\_ Date: \_\_\_\_\_

Builder: \_\_\_\_\_ Date: \_\_\_\_\_

Is Security Deposit Authorized for release? Explain YES or NO: \_\_\_\_\_

Is there any outstanding claim with the contractor's insurance company with respect to community property pending resolution? If yes, explain: \_\_\_\_\_

ARC/ACC: \_\_\_\_\_ Date: \_\_\_\_\_ Photos on file? YES NO

Approved

Approved With Conditions

Not Approved - Revise and Resubmit

Not Approved

Incomplete - Add'l On Site Review Required

Non-Compliant - Requires Resolution

The Community CCRs may describe Featured or Participating Builder Program. Typically, these are established for the benefit of the declarant. However, if recorded they may be utilized by the HOA, and administered by the ARC.



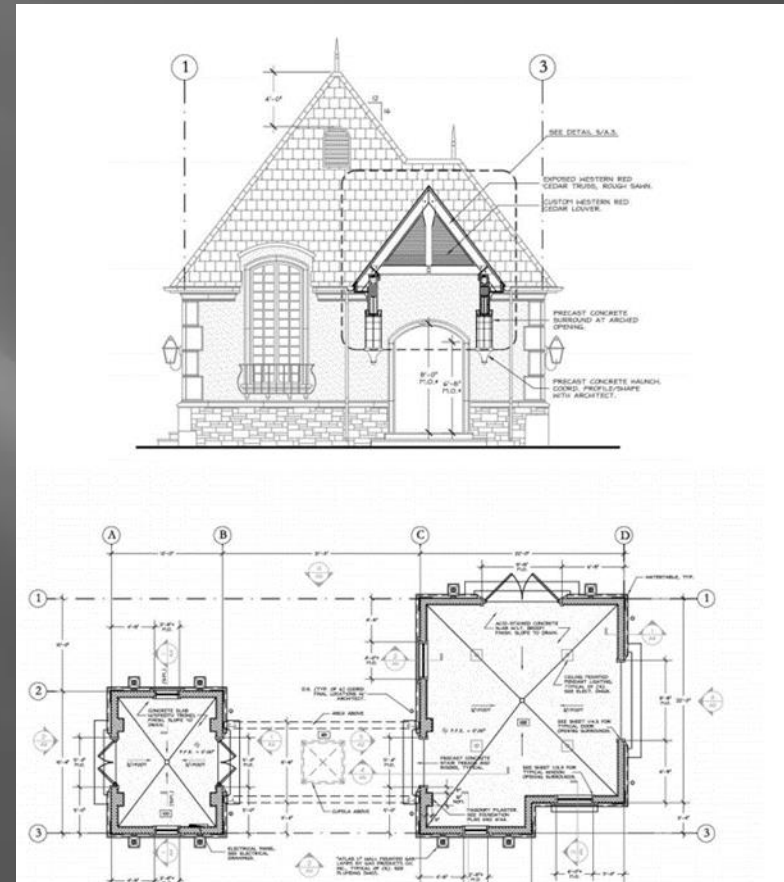
Examples of pre-qualifications include:

- Builder qualifications and require evidence of completed homes built under their license which meets the community standards.
- Builder license limits (e.g. Limited, Intermediate, Unlimited)
- Builder Insurance coverages, and the naming of the HOA as the Certificate Holder
- Financials (three year audited report and letter from a CPA).
- Purchase of lots in the community and the building of a spec home.

The purpose of the ARC review is to ensure aesthetic standards are maintained, and to protect the value of homes in the community.

Neither the ARC nor its Architect Consultant will review any plans for building code compliance nor review details with respect to the suitability of any design or design detail for any purpose.

The Architect may be required by law to report any safety violation to OSHA.



# COMMUNICATION AND DOCUMENTATION

The ARC requires a formal process for the review of submittals and a formal means to document its findings.

The process should allow free exchange of ideas. Such as when the Board meets in an executive session. But this privilege may not be protected for an ARC.

However, when the determination letter is released, the committee deliberation may be deleted and only the final decision retained as a record.

Charette Architects Compliance Review

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### Reviews

Search

Registrant Email  
Registrant First Name  
Registrant Last Name  
Community: ALL  
Site Number

Search

Community Name	Lot#	Status	Registrant	Date/Time Submitted	LastModified	
Wayway Palms Plantation	660	Not Approved - Revise and Resubmit	Name: Marisa Winship Email: mwinship@spokanehomes.com Phone: 843-293-4445	9/20/2012 2:24:59 PM	10/2/2012 11:52:00 AM	<a href="#">View File</a> <a href="#">Archive File</a>
Cannongate at Bogue Sound	420	Approved	Name: Howard and Marjorie Bogy Email: jorief10@hotmail.com Phone: 910-455-2233	8/18/2012 12:31:19 PM	9/30/2012 10:29:49 AM	<a href="#">View File</a> <a href="#">Archive File</a>
Woodland Bay	Shulte	Approved	Name: Tom Gliblin Email: gliblinom@bellsouth.net Phone: 704-241-6582	8/23/2012 4:19:10 PM	9/30/2012 7:20:30 PM	<a href="#">View File</a> <a href="#">Archive File</a>
Waterbridge	531	Approved with Conditions - No Re-submittal Required	Name: Edward Flied Email: eddie@homesbyrealibour.com Phone: 843-220-9979	8/29/2012 10:48:24 AM	9/28/2012 8:59:05 AM	<a href="#">View File</a> <a href="#">Archive File</a>
Wayway Palms Plantation	461	Approved	Name: Josh Conaty Email: conaty78@cox.net Phone: 843-230-9551	4/29/2012 11:48:04 PM	9/28/2012 8:57:56 AM	<a href="#">View File</a> <a href="#">Archive File</a>
Waterbridge	583	Approved with Conditions - No Re-submittal Required	Name: Denis Paulov Email: denispaulov@yahoo.com Phone: 843-333-0168	9/10/2012 12:41:59 PM	9/28/2012 8:56:53 AM	<a href="#">View File</a> <a href="#">Archive File</a>

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### File

Registrant: Howard and Marjorie Bogy  
Community/Lot: Cannongate at Bogue Sound: 420  
Status: Approved  
Submission Date: 6/18/2012  
Owner:

#### Documents

Document	Date Added	Uploaded By
20120705013758905_634798674143802871.pdf	8/6/2012 12:30:15 PM	Howard and Marjorie Bogy
2012073111220408_634798674157925281.pdf	8/6/2012 12:30:16 PM	Howard and Marjorie Bogy
Bogy Set_634798674172143940.pdf	8/6/2012 12:30:20 PM	Howard and Marjorie Bogy
BOGEYCO_634798674208081117.PDF	8/6/2012 12:30:20 PM	Howard and Marjorie Bogy
Cannons Gate App_634798674213862293.pdf	8/6/2012 12:30:21 PM	Howard and Marjorie Bogy
June 2012 017_634798674319729717.JPG	8/6/2012 12:30:24 PM	Howard and Marjorie Bogy
June 2012 012_634798674890506300.JPG	8/6/2012 12:38:13 PM	Howard and Marjorie Bogy
June 2012 010_634798679463776735.JPG	8/6/2012 12:39:09 PM	Howard and Marjorie Bogy
June 2012 015_634798680104232779.JPG	8/6/2012 12:40:15 PM	Howard and Marjorie Bogy
June 2012 007_634798681182486426.JPG	8/6/2012 12:42:03 PM	Howard and Marjorie Bogy
June 2012 020_634798683477696411.JPG	8/6/2012 12:45:52 PM	Howard and Marjorie Bogy
Lot 420_634814108253134179.pdf	8/24/2012 8:16:28 AM	Richard Altop
Bogy Change Set 9-12-12_634830484843409824.pdf	9/12/2012 8:08:08 AM	Howard and Marjorie Bogy
Fiery-3942735_63483048098525709.pdf	9/12/2012 8:10:12 AM	Howard and Marjorie Bogy
Site Review Cannons Gate Lot 420 Bogy_634841059381622092.pdf	9/24/2012 1:52:20 PM	Howard and Marjorie Bogy
Lot 420a_63484653860120921.pdf	9/30/2012 10:29:45 PM	Richard Altop

Available Forms

#### Reviewer Actions

Add Documents

SELECT FILES

Change Review Status:

- Approved
- Approved with Conditions - No Re-submittal Required
- Approved with Conditions - Re-submittal Required
- Not Approved - Revise and Resubmit

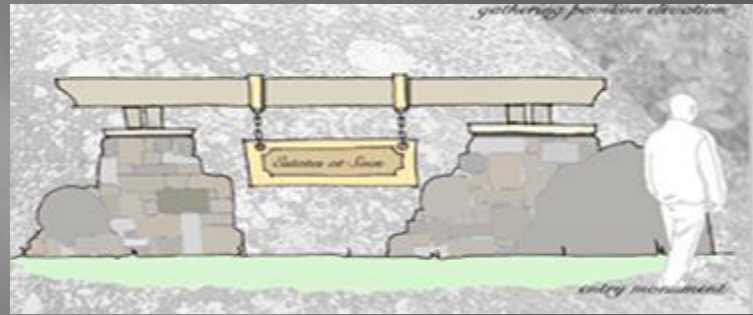
Notes

Add a Note

New Message

Send Note

# THE GATE KEEPERS



Association Management Companies provide valuable assistance in the management of community functions. Most often they do not have the professional expertise on staff to perform architectural reviews, but will assist an HOA in seeking needed resources...

Management companies will typically collect fees from owners/builders for deposits, and when authorized by the HOA designee, return compliance deposits.

They will also manage the distribution of Guidelines after revisions.





