

The Gardens' Architectural Control Policy

Architectural Standards

It is in the best interest of the homeowners of The Gardens to have standardized, predictable, and consistent requirements to be followed whenever a homeowner wishes to modify their property. The Gardens Architectural Control Committee (ACC) is established to carry out the following functions for the HOA.

The Gardens Architectural Control Committee (CCR 2022, Article 8)

- Established as needed by the board
- Serves at the pleasure of the board.
- Is guided by the CCR's, Bylaws, and Policies of the Gardens HOA, Inc.

ACC Responsibilities:

- Maintaining and reviewing Architectural Review Policy, including guidelines, processes, and forms for adequacy;
- Educating the community about set guidelines;
- Making recommendations to the board of directors;
- Managing the application and approval process;
- Monitoring the community for violations of standards;
- Fairly Enforcing standards outlined in the governing documents; and
- Making decisions about guideline compliance.

Architectural Approval Process

1. Approval is required for any changes to the residence, including but not limited to: remodeling; reroofing; changing windows; resurfacing stucco: painting stucco, trim, doors, or walls; changing any architectural design/footprint of the house, patios, walls, driveways, or other structures (CCR 8.02.a-c)
2. An application shall be submitted to the ACC prior to work being contracted, along with plans and materials/finishes/colors being used.
 - a. A walk through may be requested to better inform the ACC of the work being planned

- b. For stucco/trim colors, consult with the ACC for “Muted Earth Tones” palette and be prepared to paint a 2’ x 2’ section of a wall for approval. Stucco colors may appear different on the wall than they do on smaller paint swatches.
3. Out of courtesy to your neighbors, the ACC requests that you discuss your planned project with them prior to beginning work.
4. ACC shall approve or disapprove plans within 30 days after application received. (CCR 8.02.c). If the homeowner(s) have not received a response from ACC within 30 days, they should contact the president of the HOA board.
5. Review of work may be sought throughout the process in an effort to avoid costly repairs/rework if work does not comply with original plans submitted. If no review of ongoing work is requested by the ACC within 14 days of commencement of the project, including reviews requested in case of deviance of plans, then interim work shall be deemed approved.
6. Any work completed out of compliance with this Policy or CCR Article 8, shall be considered in compliance if no action is taken by the HOA within 1 (one) year to enforce this policy.
7. Enforcement (CCR Section 8.05) - If homeowner does not comply with ACC/Board’s requirements, legal steps may be taken against the homeowner at the homeowner’s expense.
8. An association may impose additional restrictions than those contained in the CCR’s, but cannot circumvent CCR provisions. Rules concerning architectural standards and guidelines are enforceable based on the contractual relationship between the homeowner association and its members.