

## All About the Architectural Review Committee

- Authority to monitor the community for compliance to standards;
- Administer Community Standards and guidelines;
- Submit revisions of VGC standards and guidelines to Master Board for approval;
- Manage the initial request and approval process;
- Make subjective and objective decisions about requests; and
- Educate the community about standards and guidelines.

## Community Standards Authority

The Architectural Review Committee (ARC) has authority to manage and monitor compliance with established CC&Rs, and related rules, standards, and guidelines for The Villages of Garrison Creek (VGC). Primary purpose of these governing documents is to establish a base for maintaining property values, and managing aesthetic symmetry throughout the community, while also providing the authority to regulate modifications and improvements to landscape and residential property. These governing documents are enforceable based upon the contractual relationship between the VGC homeowner association and its members, and would be interpreted by a court in the same way a contract would be interpreted.

## Administration of Community Standards and Guidelines

Adherence to CC&Rs, standards and guidelines are administered by an architectural review committee (ARC) which is responsible not only for monitoring members' compliance, but also for updating and revising the documents as necessary according to formal practices.

Administration is normally accomplished by overseeing changes and modifications to homeowner's property through an application and review process designed to balance the interests of individual homeowners and the community as a whole, while ensuring that standards are met and property values are protected. Ultimately, the review committee has a duty to put the interests of the community as a whole above the interests of individual homeowner members..

## Initial Request & Approval Process

If a homeowner wishes to make an exterior change to their property in the form of an addition or modification, they will need to follow the formal process set forth in the governing documents. The architectural review committee will review these requests and determine whether they are consistent with set standards and guidelines.

Requests for variances—changes that would constitute a departure from the stated criteria in the standards — will normally not be permitted. However, the governing documents provide for variances in extraordinary circumstances or cases of severe hardship. The application for modifications and variances may be included in the initial request or upon a subsequent request, all requests will generally follow the same process for review, as outlined in following:

1. **New Requests:** The homeowner will notify the Review Committee ([villagesARC@gmail.com](mailto:villagesARC@gmail.com)) of a desired request. Upon receipt by the committee, the homeowner will be contacted and necessary documentation will be discussed. Specific documentation may include details of the proposed project, specifications (materials, shapes, professional plans), work schedules, architectural plans, permits, and surveys. The initial request may simply consist of an email, or a written letter from the homeowner to the review committee.
2. **Committee Review** - Pursuant to its operational rules and fiduciary duties to the association, the review committee will review the request for compliance with set guidelines. If the governing documents permit

variations in certain circumstances, the architectural review committee will review the plans to determine whether the proposed changes comply with city and state codes and VGC CC&Rs.

3. Decision – Most Requests can be approved by the review committee, however some requests may need to have approval by the Master Board of Directors. Decisions are Final, fines may be imposed on homeowners for violation of decisions, and may be issued in accordance with a fine schedule. The Bylaws or CC&Rs may set forth suggested time frames within which additional information or a decision can be expected.

=====

**CC&Rs:** The Declaration of Covenants, Conditions, and Restrictions (CC&Rs) enumerates the rights and responsibilities of the association's board to its members, as well as the rights and responsibilities of members to the association. Generally, they contain restrictions on the use of the property, architectural standards, lawn maintenance standards, etc. These rules are permanent in nature, but can be changed or amended with the consent of the members.

**Rules, Regulations, and Standards:** Whereas changes to the Bylaws and CC&Rs require the vote of homeowners, rules and regulations of the community can be amended by providing notice to homeowners and conducting a board vote. Rules and regulations cannot contradict the Bylaws or CC&Rs, which take precedence, and cannot be more restrictive than the Bylaws or CC&Rs. The rules, regulations, and standards should merely serve to clarify, interpret, and help to understand the Bylaws and CC&Rs.

June 2019