

SUNSET ACRES II HOMEOWNERS ASSOCIATION
ARCHITECTURAL CONTROL (ARC) AND GUIDELINES

PROCEDURES FOR HOMEOWNER ARC APPLICATIONS

Article IV (Architectural Control) of the Sunset Acres II CC&Rs provide a process to approve building, addition, alteration or modification of any building or any other improvement which would change the exterior appearance of a Lot or the Property. This process of prior approval is designed with the goals of keeping the community attractive for the enjoyment of the residents, providing harmony in relation to surrounding structures and topography, and for protection of property values.

I. Application Procedures

A. Each owner shall submit in writing their proposal for exterior addition, alteration, or improvement to the Architectural Review Committee (ARC) using the **Architectural Improvement Application and Review Form**. The proposal will include a description of the project including the nature, kind, shape, height, color, materials, and location of the proposed improvement. Diagrams, photographs, brochures, swatch colors and/or drawings of similar projects will aid in the consideration and speed the review. If the project affects existing drainage, the proposed drainage pattern must be included. Owners will have two neighbors who may be visually impacted by the project sign the application.

B. Oral requests will not be considered.

C. Each improvement must be specifically approved, even when the intended alteration or improvement conforms to the CC&Rs and even if similar alterations have been approved in the past.

D. Exceptions to this process include regular exterior maintenance that does not substantially change the exterior appearance of the Lot, structure or property and pre-approved projects specifically outlined herein.

1. Maintenance means repairs of existing structures and landscaping using the same type and color of materials and may include touch-up painting, repair/replacement of mailboxes, existing landscape maintenance/repair, existing roof, stucco, and window repair, etc.

2. Pre-approved projects include:

a. Repainting the house/shed/walls/gates in the same colored paint (including body and trim colors) that has already been approved by the ARC.

b. Repainting the house/shed/wall/gates in a pre-approved color scheme: Sherwin Williams 'Sunset Acres II HOA' and Dunn Edwards 'Sunset Acres II HOA'.

c. Any and all plantings in the back yard.

d. Non-permitted changes/additions to the backyard that stand less than six-feet in height from ground level.

e. Metal security doors matching the existing or proposed color schemes.

f. Solar energy devices as defined by ARS 44-1761 mounted on *existing* structures.

g. Antennas/satellite dishes with the largest dimension of one-meter or less and in compliance with all Federal exemptions.

E. The applicant shall be informed in writing of the decision by return of the signed architectural improvement application and review form and additional written correspondence as necessary.

F. Applicants have forty-five (45) days from the date of approval of the application to complete their project. An extension of an additional forty-five (45) day period may be granted by the ARC when requested in writing by the applicant, and good cause is shown. Projects that, by the nature and scope of work, will take more than 45 days, will be designated extra time under the conditions section of approval.

G. In the event a request is denied, the applicant may request a reconsideration, providing new or additional information to clarify the request or demonstrate its acceptability.

H. Any member may appeal the decision of the ARC provided that all parties involved comply with the decision of the ARC during the appeal process.

I. Approval of any project by the ARC does not waive the necessity of obtaining the required town and county permits and compliance with code. In turn, obtaining town and county permitting does not waive the need for approval by the ARC prior to construction.

J. Failure to obtain the necessary approval prior to construction constitutes a violation of the CC&Rs. Commencing construction prior to approval may result in the need for modification or removal of the unauthorized work at the expense of the homeowner including costs, expenses, and reasonable attorney's fees, if necessary.

POLICIES AND PROCEDURES FOR ARC APPLICATION REVIEW

The following policies and procedures have been established for the timely and consistent review of submissions by the ARC via the Architectural Improvement Application and Review Form.

I. Architectural Review Committee Composition

A. The Vice President will serve as the Architectural Review Committee Chairman. In the absence of the Vice President, members of the Board may serve as the ARC Chairman in the following order of succession: President, Secretary, Treasurer.

B. Approval or denial of any submission via the Architectural Improvement Application and Review Form must be the result of a majority vote including the ARC Chairman. The ARC may consult with all Directors on a submission, as desired, though only a majority is required for approval or denial. The ARC may also seek professional opinions from non-Board member parties, as necessary.

II. ARC Review Procedures

A. Upon receipt of the Architectural Improvement Application and Review Form, the Director receiving the form must document the date received by the Board, initial, and immediately (within 24-hours) inform/supply the ARC Chairman of/with the submission.

B. The ARC Chairman will confirm receipt of the submission with homeowner.

C. The ARC Chairman will review the submittal in consultation with other Board of Director members to constitute a majority. Any missing documentation will be requested and documented on the back of the form with names and dates for notation record.

D. Complete applications will be approved or disapproved via a majority vote. The names of the voting Board of Directors will be handwritten on the back of the form with the resultant vote and identifying any dissent votes by name. These details will form a record of approval/disapproval that will be reported on each submittal at the subsequent open Board of Directors meeting.

E. If the submission is approved, the ARC Chairman will list any conditions of approval including any extension of the 45-day timeframe to complete the project, as necessary.

F. If the submission is denied, the ARC Chairman will list the reasons for denial in detail. An attached memorandum may be drafted, if warranted or more explanation is needed/desired.

G. The ARC Chairman will file a copy of the completed Architectural Improvement Application and Review Form with any attachments provided to the ARC and any correspondence sent to the homeowner.

H. The ARC Chairman will present the submissions to the Board of Directors at the next Board of Directors meeting to establish record in the minutes.

I. If a submission is denied, the homeowner may reapply by filling out a new form and provide changes/revisions/clarity to the project for consideration.

J. The appeals process is accomplished by calling a meeting of the Board of Directors and allowing the homeowner to address the Board as a whole directly with a final vote on the submission.

K. This process will be executed as quickly as possible, not to exceed 30 days, for the convenience of the homeowner. Consistency is very important for a fair and well-functioning process.

**Sunset Acres II Homeowners Association
Architectural Improvement Application and Review Form**

Please print information:

Owner Name:	Lot #:
Address:	
Best Phone Number to Reach You:	Email:
Nature of Improvement:	
Color: (please attach color swatch cards)	Dimensions:
Roof Type: (if applicable)	
Contractor:	

A CLEAR AND CONCISE SKETCH OF ALL IMPROVEMENTS MUST BE ATTACHED TO THIS APPLICATION. THIS INFORMATION MUST SHOW THE LOCATION, DIMENSIONS, AND PROVIDE A PHOTO AND/OR A DRAWING OF ANY ORNAMENTATION. SWATCH CARDS OF PAINT/STAIN COLORS MUST ALSO BE ATTACHED, AS APPLICABLE. INCOMPLETE APPLICATIONS WILL BE RETURNED TO THE HOMEOWNER FOR REVISION. RESPONSE TO THIS APPLICATION MAY TAKE UP TO 30 DAYS. PLEASE SUBMIT THE APPLICATION AND REVIEW FORM TO:

**SUNSET ACRES II HOMEOWNERS ASSOCIATION
PO BOX 85725
TUCSON, AZ 85754**

Owner Signature:	Date:
Neighbor Signature:	Date:
Neighbor Signature:	Date:

Architectural Review Committee Use:

Date Received:	Initials:	Confirmed receipt with owner?	
		Filed copy in ARC file?	
Approval:		Date:	
Conditions of Approval (as applicable):			
Denial:		Date:	
Reason(s) for Denial:			

ARC Notes of Conversations: (please annotate who you spoke with, date, and basic discussion topics).

Circle One		
Date of Vote:	Approved	Denied

Names of Board of Directors Voting:

--	--	--

Names of Dissenting Votes: (if any)

--	--	--