

Purpose

Certain alterations (termed an improvement or modification) to the exterior of a house or unit in the Nepenthe Homeowners Association require an application to and approval by the Association. This process and the role of the Architectural Committee are governed by Article VI (architectural control) in the CC&Rs of Nepenthe Homeowners Association adopted in 2002.

Article VI Section 6.06 in the CC&Rs call for "Improvements that [are] in harmony with the external design of other structures and/or landscaping." Furthermore, it states that "proposed improvement(s) ... will ... be consistent with the architectural and aesthetic standards prevailing within" the Nepenthe Community. While the CC&Rs direct the Architectural Review Committee to consider the quality or workmanship and materials proposed, it also mandates that consideration of the harmony of the proposed improvements within existing structures.

In recent years, the ARC has sought to strike a balance between adhering to the original design and maintaining a harmonious aesthetic and recognizing that since our homes were constructed in the 1970s, building materials have changes and new building products are now available. The ARC encourages homeowners to bring forward new and efficient products such as energy efficient heating and cooling systems, double-glazed windows and doors, and different wood-like products for trellis.

The ARC is committed to recommending such new products or methodologies to the Homeowner Board for approval.

This booklet outlines the current standards for improvements within Nepenthe. This will be maintained in the office and online at www.nepenthehoa.com

The application forms are found at the end of the document. If you have any questions on the submission or approval process, please contact the office.

Note: In addition to these Nepenthe criteria, all homeowners must comply with applicable City and County requirements for building permits.

The Process

If you wish to make any exterior changes to your unit that are visible to the community or interior changes that impact the roof, you must receive approval from the Architectural Review Committee (ARC) and the Board of Directors.

Procedure:

If you are going to follow the criteria exactly:

1. Review the criteria for the improvement you are requesting.
2. Complete the application form and attach any necessary information.
3. Submit the application form to the Nepenthe Office.

If you want to do something outside the current criteria or if your improvement is not address in the criteria:

1. Review the criteria for the improvement you are requesting.
2. Submit detailed information with the application form
3. Attend an ARC meeting to present your plans.

Approval:

1. For certain basic changes (such as a replacement garage door according to criteria), the office may be able to approve your application.
2. ARC may approve your project.
3. ARC approvals must be approved by the Board of Directors.

The Board of Directors has allowed certain improvements to begin based on the ARC approval prior to the formal board consent. The Nepenthe Office is aware of these exceptions.

4. You may not begin work until you receive approval in writing from the Nepenthe office.

Denial:

Should the ARC deny your application, you may request a direct review of your application by the Board of Directors. Contact the Nepenthe office to request a board review.

If the homeowner disregards the ARC directions without board approval, the board may levy a Special Individual Assessment against the owner and require the work to be corrected.

After Completion:

After you have completed the approved work, you must notify the Nepenthe office. In certain cases, you must have a completion inspection. These cases are identified on the application form.

Time Frame:

Article VI of the Nepenthe HOA CC&Rs describes in detail the procedures and timeframes for architectural improvements or modifications requested by the owner. In general, once a complete application has been filed with the ARC, the ARC should make a recommendation of approval or denial that should be included on the next Board meeting agenda.

When an approval has been granted, the owner has one year in which to start the improvement or mediation. The work should be completed within one year from when work commenced.

