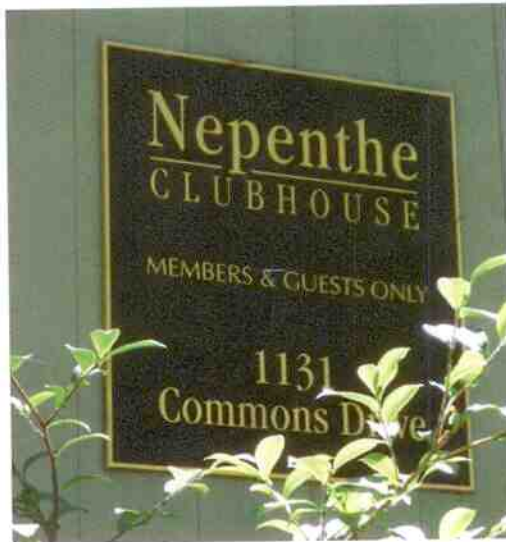


Nepenthe Association

# Architectural Review Committee Guidelines & Application



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## 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](http://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.

## **The Architectural Criteria**

## 1. Air Conditioner & Heating Pump

New air conditioner compressor unit or new heat pump compressor unit shall be located in the same area as the existing compressor unit which it is replacing. All refrigerant piping and electrical conduit shall be reused or replaced by new lines Concealed in the same manner as the existing lines were concealed. No refrigerant piping and electrical conduit shall be exposed. New blowers and evaporative coils shall be concealed within the residence in the same manner as the existing blower. "Through-the-roof vents and caps" shall be painted to match the roof or other vents.

Note: Subject to Committee and Board approval, the fence area surrounding the new air conditioner compressor or new heat pump compressor unit may be enlarged to allow for adequate ventilation. Homeowner shall submit manufacturer's specifications if requesting fence relocation with a sketch showing the relocated fence.

A copy of the final approved building permit, if required, shall be submitted upon completion of the work.

## 2. Attic Fans

**Currently under review:** *Specifications include, but must not exceed the following: Blade diameter, 18 inches. Dome height, 9 inches. Dome width, 26 inches. Motor, 1200 RPM. See Solar fans.*

## 3. Burglar Alarm

Alarm boxes shall be placed in an unobtrusive location within the homeowners fenced patio area. *Exceptions to this rule will be allowed only in cases where it can be demonstrated that placement of the box in the general location stated above will significantly impeded the operation of the alarm system.*

Because of the variation in the house and patio layouts, location of the alarm box shall be approved on a case by case basis by the committee.

Alarm boxes shall be painted the same color as the house or garage on which they are placed, at homeowner's expense. *Exceptions this rule will be considered only in cases where the alarm box cannot be seen from the common area or from a neighbor's window or patio.*

Small decals or signs, size not to exceed 3" x 8" indicating that the home is protected by an alarm system, may be placed on the lower corner of the first-floor windows or location approved by the Association.

## 4. Chimney Caps

Cap specifications for masonry chimneys will conform to the exterior shape of the chimney, normally a square or rectangular cap.

Caps should be a dark brown or black matte finish.

Chimneys with a wooden chase require a round cap for the round flue. The round cap and the chase must be painted the color of the structure.

## 5. Exterior Security Lighting

Security light fixtures must be a bullet-style with one or two bulbs that is adjustable so the light can be directed, with a shield over the bulbs.

The fixture should be bronze or an unobtrusive color tone that is compatible with the color of the dwelling.

The homeowner must specify the make and model of the fixture and submit a drawing, picture or photocopy of its appearance. All wiring and/or conduit must be concealed within the structure.

Security light fixtures must be placed inside the fence line. No fixtures shall be located on the front of the garage or outside the fence line.

The height of the fixture shall be no more than 6 inches above or 6 inches below the plat line. The angle of the light shall be adjusted to avoid shining on to other properties, alleys, streets, or into the eyes of motorists or pedestrians.

Patio light fixtures that are mounted below the fence line so they are not visible from outside. The unit patio may be installed by homeowners without prior committee approval provided the light does not have a negative impact on the common area or neighboring units.

## 6. Exterior Window-Sun Screens

No bamboo, awnings or material including any film-like material other than the following shall be allowed to shade windows from the outside:

Frame: One inch wide .025 Northstar frame for each window pane. Inner braces are only permitted on first floor windows inside fenced-in patio areas.

Frame Finish: Blomberg black walnut (not bronze). Material: Pifer residential (not commercial) screening material 20/20 per square inch, (blocks sun 65%).

Color: Charcoal only.

Mounting Hardware: Metal, black walnut finish or should be painted to match frame and be attached as flush as possible to the window surface.

Placement: All windows must be covered on any exposure where a sun screen is placed, except windows and sliding glass doors inside fenced patio areas.

Advertising: No advertising markings of any kind are allowed on the sun screens. The Associations does not certify the effectiveness of the material. Its only responsibility is to approve the outside visual acceptability of the material.

## 7. Exterior Window-Security including bars

Requires specific justification which must include complete design information.

## 8. Floral /Overhead Trellis

PAINT COLOR: All Trellis may be painted either the color of the house or Cocoa Brown.

Cost of Installation, Maintenance, Repairs and Replacement: All costs of acquisition, installation, maintenance, repair or replacement of roofing or other building components shall be borne by the owner when incurred. This includes removal and re-installation necessitated by Association repairs such as repair of siding, fences and painting.

**Installation Criteria:** No beams or trusses are to be removed or cut. Installer may not remove or alter existing venting systems. Visible parts of housing unit must be made of metal or another material to which paint will properly adhere without peeling or cracking. Paint must be the same color as other roof installations on the residence. No deviations from the Committee and Board approval are allowed. Proposed changes to the Nepenthe approval, including those which are suggested by the contractor shall be resubmitted for approval prior to any further work.

- 8.1. **Floral Trellis.** A floral trellis that supports a shrub may be visible if placed near the wall of the garage, but shall be removable and not permanently attached to allow for siding removal and painting of the structure. **Note:** *Committee and Board approval are not required.*
- 8.2. **Overhead Trellis:** The trellis shall be constructed of wood only and be smooth or rough grade. Redwood or cedar is recommended. The posts shall be 4 x 4 or 6 x 6 and approximately 8-1/2 feet in height after installation. Posts shall be set on a metal post base and set in a concrete pier. Pressure treated posts are recommended. Wood of the post shall be two inches or more above the dirt grade. There shall be a 2" x 6" ledger placed 6" above the trim of the sliding glass door and maintained with caulk across the top. The trellis shall not be covered with any plastic, bamboo, canvas, etc. However, 2" x 2"s spaced every 3-1/2" may be placed perpendicular to the cross beams.

A building permit shall be secured, if required. The homeowner shall contact the building department and include the response in the request.

- 8.3. **Large Trellis:** (See Exhibit A) There shall be two support beams, 4" x 6" or one support beam, 4" x 8". The support beam shall be parallel to the dwelling. The support beams shall be bolted to the outside of the posts with the bottom approximately 18" from the top of the post allowing about 6" of post to be visible once cross beams are placed on top. All cross beams, 4" x 6" shall be placed above the support beams and shall be perpendicular to the sliding door and attached to the ledger by metal brackets. Cross beams shall not be attached by an S wire and shall not be attached below the support beams. Cross beam ends shall extend approximately 15" beyond the support beam and be equidistant from each other with approximately 20" centers.
- 8.4. **Small Trellis:** (See Exhibit B) There shall be four support beams, 4" x 6". There shall be one support beam bolted to each side of each post. Support beams shall be perpendicular to the dwelling. These four support beams shall attach to the ledger above the sliding door by metal brackets. The bottom of the support beam shall be approximately 18" from the top of the post allowing about 6" of post to be visible once cross beams are placed on top. All cross beams; 4" x 6" shall be placed above the support beams and shall be parallel to the dwelling. Cross beams shall not be attached by an S wire and shall not be attached below the support beams. Cross beam ends shall extend approximately 10" beyond the support beam.

8.5. **Pre Manufactured Aluminum Trellis:** An Aluminum Trellis will be considered by the committee and the board provided they conform closely to the above specifications noted in sections 8.4, 8.5, and 8.6 for dimensions and configuration. Manufacturer's cut sheets and a color chart must be provided for committee consideration.

## 9. Front Door

The two standard doors are either a six panel colonial or flush, no windows. More information is available at the office.

Painting may be done by the homeowner or by the Association for a fee. Only the approved colors may be used. Information is available in the office. If painted by the owner, the door must be inspected by the Association for quality and the owner may be asked to have the door repainted by a professional at the owner's expense.

For a Front Door in a fenced patio area, use the criteria for Patio Doors.

## 10. Front Screen Door

See list of approved screen doors available at Home Depot in separate flyer available at the office.

Heavy-duty mesh in a diamond pattern with deadbolt and thumb turn cylinders not doubled keyed; bronze finish. *(See Exhibit A. These doors are no longer being manufactured, but may be available on the secondary market.)*

For a Front Door in a fenced patio area, use the criteria for Patio Doors.

## 11. Garage Door-Passage New

The new door must be in the prevailing style.

## 12. Garage Door-Passage Replacement

Replacement door must be same style as original door (flush, no windows).

## 13. Garage Door-Vehicle Sectional Roll-Up

Constructed with four individual horizontal sections and shall have exterior surface of hot-dipped galvanized steel with wooden grained texture; flush style with no raised panels, no windows and no grooves between sections. Available from several vendors.

Painting must be done by the Association. A check covering the cost of painting must be submitted with the application. Subsequent painting will be done during the normal paint cycle.

All other maintenance of the door shall be the owner's responsibility. Panels and wooden trim must be kept in good condition, and the door kept closed except when entering and exiting.

When closed, the four sectional panels must all be in the same vertical plane.

#### **14. Gas Line & Meter**

Gas line is to enter residence no less than 12" or more than 18" above ground line. Flues for gas appliances must meet City codes as approved by City inspectors and be in roof area originally designed for vents.

If City code will not permit above, flues will be allowed on other roof areas. Meter is to be painted the same color as the house, and flashing and flues to be painted the same color as existing roof vents.

Any roof penetrations after roof replacement may void a new roof warranty and shall be the responsibility of the homeowner.

#### **15. Gutters and Downspouts**

Gutters must be of the same galvanized, rectangular type and color as currently installed on surrounding Nepenthe units. Older installations have 5-1/2 inch deep gutters and newer Association installations in conjunction with re-roofing measure 7-1/2 inches. Rainwater discharge shall not adversely affect any neighboring property or common grounds.

No other style is acceptable.

#### **16. Hand Railing**

The handrail shall be made of tubular steel 1-3/4 inches. If there are steps, the top of the handrail shall extend 12 inches beyond the riser of the top step and 12 inches beyond the riser of the bottom step.

The vertical tubular post shall be welded into the rail at the ends. The handrail shall be at a 34-38" height from the steps or walkway. The posts shall be placed to the right of the steps or walkway by way of new concrete footings.

#### **17. Mail Box & Insert**

Curbside mailbox, with or without locking mechanism must be compatible with other mailboxes on the same pedestal in size, color and installation.

#### **18. Mail Slot Replacement**

The US Postal Service will not deliver mail into any mail drops where the rural type boxes are now being used.

Exterior mail drops may be installed on either side of the garage door and must be metal, black matte finish. The design must conform to those manufactured by MACKANDBURG-DUNCAN (called "M-D Drops") and may be 10: or 13" wide. The outside bottom of the drop must measure 39" from the bottom edge of the siding of that panel and centered between the vertical frames. If studs must be cut to install the mail drop, the opening should be reframed to maintain structural integrity.

No trim is to be altered or removed in order to accommodate the mail drop.

## **19. Patio Pool**

All pumps and other noise-producing equipment must be located inside the garage on the side opposite the closest neighboring house.

Pool equipment must be situated so that it does not prohibit the parking of two vehicles in the garage.

Pool and equipment, along with electrical wiring and conduit, must not be visible from the street or common area.

All of the common area that is affected by this construction will be restored to its original condition, including plants and fence. **Note:** Builder must keep area neat and clean during construction. No debris can be washed down drains.

## **20. Private Patio Door**

Same as windows description, except wider frames similar to original Blomberg sliding doors are to be used. Swing opening doors are permitted. Divided window panes are acceptable where not prominently visible from adjacent areas. Replacement screens should be similar to the original.

## **21. Security Cameras**

Criteria are under development. Check with the office.

## **22. Shed or Outbuilding**

The height of the shed is not to exceed the height of the patio yard fence. The structure shall not be attached to any wall, in order to provide access for siding replacement/repair or painting.

## **23. Skylights (see Solar tubes)**

Frames shall be the same color brown or dark brown. Only flat, rectangular skylights are permitted.

Highest point of the skylight from the roof surface shall be no greater than 12 inches.

Panes shall be safety glazing and translucent or tinted gray or bronze. No reflective glazing or any other color will be allowed.

Any roof penetrations after roof replacement may void a new roof warranty and shall be the responsibility of the homeowner.

## **24. Solar Energy Roof Panels**

Guidelines are in keeping with current SMUD criteria, and the panels must be installed by a registered contractor as determined by the California Solar Energy Industries Association and the California Energy Commission.

Please meet with the ARC before developing plans.

Solar collectors must be of dull black, non-reflective material, including all piping, brackets, fittings, clamps, etc. The piping into the roof shall be immediately adjacent to the manifold. The owner is to maintain the installation in a uniform black appearance. Specific justification for an area greater than 120 square feet shall be provided. A photo or drawing showing the roof panel size and proposed location must be submitted.

It shall be the responsibility of the homeowner to remove all Solar Collectors prior to re-roofing of the dwelling and it will be the homeowner's responsibility to reinstall the collectors after completion of the roof. Any roof penetrations after roof replacement may void a new roof warranty and shall be the responsibility of the homeowner.

## 25. Solar tubes (see Skylights)

Solartubes must be no larger than the 12 inch diameter size and may not contain a fan or a light. (see attic fans)

If more than one solar tube is to be installed on a single roof elevation, whenever possible they shall be installed the same distance from either the roof ridge or the bottom edge of the roof.

The brand Solatubes has been previously approved by the ARC.

Any roof penetrations after roof replacement may void a new roof warranty and shall be the responsibility of the homeowner.

## 26. Window Frame

The **outside appearance** must be the same as the original construction, that is, similar to original Blomberg frame in size, shape and appearance. The exposed window frame must be essentially the same width, and the exterior wood trim must be replaced in the same size and in the original location adjacent to the frame.

The **frame color** shall be dark-walnut and the wood trim shall be painted the same as the house color. All frames on any one exposure of a unit must be of the same style and appearance. Vertical frame divisions may be replaced in the same configuration as the original windows. Or, if you wish to change the vertical frame divisions from the existing configuration:

- 26.1. For windows with an overall width of 7' (84 inches) and greater, the **vertical frame** divisions may be configured at quarter/half/quarter.
- 26.2. For windows with an overall width of up to 6' (72 inches), the **vertical frame** divisions are to be configured at half/half.
- 26.3. If the windows on the upper and lower floors are a matched set with one above the other, the replacement windows must also **match in style and configuration**.

More information is available at the office regarding configuration. Nepenthe recommends that owners discuss windows with a member of the Architectural Committee prior to submitting an application.

## 27. Window Glass

- 27.1. **Clear or low-e.** Other than low-e, no coating, film, or tinting may be applied to any window surface.

- 27.2. **Replacement Window:** See frame and glass criteria above.
- 27.3. **New Window:** Proposed window must be rectangular, compatible with the exterior design of the unit, and match in detail, color and trim, the existing windows. The frame and glass must comply with the criteria above. It must not intrude on the outlook on the outlook or privacy of other units. It must not significantly alter the appearance of the unit as viewed from the street or other common area, or above the fence line. A detailed plan and elevation showing location and window dimensions must be submitted. Examples of previously approved stairway windows are available.
- 27.4. **Kitchen or Garden Window:** In addition to the above, the style and design shall be similar to Bloomberg Series HP 680 Greenhouse Window.

## **28. Wiring & Pipe Installations – Exterior or Exposed**

**Note:** Committee and Board approval are not required. However, it is the homeowner responsibility to see that contractors for telephone, cable, television, etc, follow these criteria.

All wiring and equipment must be concealed or placed in such a manner as to have minimal visibility where concealment is not possible. Wiring cannot be stretched across a roof.

Where possible, wires, pipes or conduit installations shall be placed next to trim or inserted into the grooves of the siding.

These installations shall be painted the exact color of the house.

All such installations shall be securely attached to the building without sags or loosely hanging portions and are to be maintained for its duration. These criteria include, but are not limited to cable, electric, gas, television, radio, telephone, electronic communication wires, fiber optics, etc.