

# Grand Haven HOA Architectural/Landscaping Information Form

## MOST FREQUENT MISTAKES:

1. Failure to gain approval prior to making any landscaping or architectural changes. This is a violation of the CC&R's and will result in a violation notice.

Please remember this is a "Deed Restricted" community. You are required to follow the covenants and restrictions as a homeowner in Grand Haven.

Submitting an architectural application for architectural/landscaping changes is one of the restrictions. Please see the following:

Unapproved Architectural Changes: Supplemental Declaration of Covenants, Conditions, and Restrictions for Westfield, Hammock Pointe, The Preserve, Heritage Lakes, Sandhill Trace, and Chastain Manor at Grand Haven Article I (Article II for Chastain Manor), Section 2, Construction Plan Review; sub-section (a) "No dwelling, building or structure of any kind shall be constructed, erected, or altered on any Lot within Westfield, Hammock Pointe, The Preserve, Heritage Lakes, Sandhill Trace, and Chastain Manor at Grand Haven, nor shall any exterior additions, changes or alterations therein be made until the plans and specifications showing the nature, kind, color, shape, height, materials, and location thereof shall have been first submitted to and approved by the Committee."

Unapproved Landscaping Changes: Supplemental Declaration of Covenants, Conditions, and Restrictions for Westfield, Sandhill Trace, Hammock Pointe, The Preserve, Heritage Lakes, and Chastain Manor at Grand Haven Article I (Article II for Chastain Manor), Section 2, Construction Plan Review; sub-section (b) "Two sets of construction plans and specifications shall be submitted to the Committee showing all intended construction and alterations on the subject Lot, including but not limited to site plan, tree survey, landscape plan, sidewalk construction, exterior elevations, paint colors, shingle samples, exterior materials samples, and other descriptions necessary to describe project. Plans and specifications in regards to topography and finished grade elevation must also be submitted for approval by the Committee prior to the commencement of any excavation work or activity which will alter the existing topography of the Lot. The Committee shall notify the Lot Owner, in writing, within thirty (30) days of receipt of all required evidence, of the Committee's approval or disapproval of any project. Said written notice may be signed by any one member of the Committee."

Potential Consequence for Failing to Gain Approval for Architectural/Landscaping Changes: Supplemental Declaration of Covenants, Conditions, and Restrictions for Westfield, Hammock Pointe, The Preserve, Sandhill Trace, Heritage Lakes, and Chastain Manor at Grand Haven Article I (Article II for Chastain Manor), Section 2, Construction Plan Review; sub-section (e) "In the event any required approvals are not obtained prior to commencement of improvements, or in the event improvements are made which vary from those approved, it shall be deemed that no approvals were given and that a violation and/or breach of this Supplemental Declaration has occurred, in which event, the Association may bring an action at law to require the demolition or removal of such unapproved improvements. In addition, fines for violation hereof may be assessed in the manner provided by Section 7.2 of the Master Declaration.

2. Signing a contract with a pool company, fence company, hurricane shutter vendor, landscaping company, or other type of contractor, trades person or home improvement service professional, before getting the necessary approval to start the project. The BOD reviews applications in order of receipt because of the "30 day" processing rule in the CC&R's. Applications cannot be bumped up to the top of the pile of applications to accommodate a contract deadline. Further, if a contract is signed that obligates a homeowner financially and/or otherwise to the terms, and then the application is subsequently denied, the homeowner may still be liable financially, or otherwise, to the terms of the contract for a project they will not be allowed to complete on their Lot. Please get approval first.

3. Failing to answer all of the questions on the application form prior to submitting the form. Blank spaces on applications create confusion. The Board cannot approve something that is vague or unclear. It must be spelled out on the application in great detail so the Board knows what it is approving or disapproving. To avoid making the mistake of approving something that should not be approved, the Board will deny applications that are not complete and extraordinarily specific. You will then have to request an appeal and provide the missing information. This will start the "30 day" review process all over again and will make your project take even longer if approved. We do this to avoid the mistake of setting a precedent that is unwanted in the community and to prevent us from making a mistake that will negatively impact property values or the quality of our community. Please answer all of the questions carefully and clearly.

4. Submitting proposed architectural/landscaping changes on the wrong form. Each separate application applies to a different type of alteration. Each different application is customized to obtain information that is specific to a certain type of architectural/landscaping alteration. Because of rules that apply to certain settings such as water lots, lots that back to preserve, corner lots, lots with access easements, etc., we need all of the specific information that is requested on each separate application. For example, if you submit a fence proposal on a landscaping application, we will not have the information we need to make an informed decision. Therefore, your application will be denied for lack of information. You will have to appeal and submit a new application on the proper form. This will start the "30 day" review process all over again and make your project take even longer if approved. Please use the appropriate application to match your proposed alteration plan.

5. Failing to fill out the contractor acknowledgment form for the Home Improvement Professional(s) working on the project. There must be a contractor acknowledgment form filled out for each separate contractor working on the project. Failure to complete the contractor acknowledgment form leaves the application incomplete and it will then be disapproved. We need this form signed by the contractor so we can limit liability, make certain the contractor is aware of Grand Haven rules, and that the contractor will cause as little disruption to the community as possible.

6. Failing to provide enough detail, material/color samples, pamphlets, surveys, pictures, or other media about the project for the Master Architectural Control Committee to make a proper review. A vague application cannot be reviewed. The MACC must know what they are approving before they approve it. Please submit paint or color samples, material samples, or pamphlets, schematics, blueprints, etc). Make sure you also submit a color picture of your house so that the change, paint color, concrete landscaping border, or any other alteration can be looked at in relation to how it will coordinate with house style or color. All applications should include a color picture of the house to determine coordination with proposed project.

PLEASE SEE REVERSE SIDE FOR MOST FREQUENTLY ASKED QUESTIONS

**MOST FREQUENTLY ASKED QUESTIONS:**

1. Why do I have to submit an architectural application for changing things on my own house/property?

Answer Because this is a deed restricted community that has a set of Master Declarations of Covenants, Conditions, and Restrictions in addition to Supplemental Declarations for each separate subdivision. When you bought a home in Grand Haven you became obligated to abide by the restrictions outlined in the CC&R's. There are benefits to living in a deed-restricted community in addition to responsibilities.

2. What types of changes require me to submit an architectural application?

Answer Basically any changes you want to make that will alter the appearance of your home or Lot, that changes the topography of your lot, or that creates a situation that may impact your neighbors (ie. moving an A/C unit, Landscaping on a lake lot, fence, invasive or destructive plants), or impacts the quota for natural plantings/hardwood trees on each Lot. Bottom line, almost every change to the exterior of your home or alterations to your yard requires an architectural application. Please look at the Covenants quoted under Number 1 on the reverse side of this form in the "Most Frequent Mistakes" section.

3. NO APPLICATION REQUIRED...

4. Why do I have to supply a picture/pamphlet, samples and/or a full color picture of my house?

Answer The Board of Directors is responsible for making sure that any changes that take place fall within approved guidelines. Many times it is difficult to determine how a certain project will look just from a description or drawing. We need to see a picture or sample so we can visualize the change. We also need the full picture of the house to determine how the change will coordinate with the house color and style.

5. What types of things will cause my application to be denied?

Answer Some possible things that can cause your application to be denied are as follows: failing to include your \$25.00 application fee; failing to provide all of the necessary items/information for a proper review; submitting your proposal on the wrong application; submitting a proposal that is counter to what is allowed in the CC&R's, board policy, or set precedent; or if the Master Architectural Control Committee finds your proposal will diminish the aesthetics of the property, deter from the uniformity and harmoniousness of the community, or will become an annoyance or nuisance to your neighbors or to the community as a whole. This is not intended to be an all inclusive list of reasons why an application may be denied.

6. Why do I have to supply a survey for certain alterations?

Answer The survey is used to determine where on your property the alteration is going to be placed in relation to property lines, easements, setbacks, common grounds, and the county right of way. It is also used to determine what type of Lot you have (ie. lake lot, corner lot, preserve lot, etc.)

7. How long does it take to get my application reviewed?

Answer The Master Architectural Control Committee has 30 days from receipt of a COMPLETED application or COMPLETED appeal to render a decision in writing to the homeowner.

8. I want to hand deliver it to one of the BOD members. Why do I have to mail it?

Answer The architectural applications must be mailed so that the Board has a date of receipt that can be verified by the postmark on the envelope.

9. Who made these rules?

Answer The developer created the CC&R's. The Homeowner's Association BOD created additional policies, within the confines of the CC&R's and set precedents, as situations warranted. These included situations that required clarification, situations that required a consistent protocol, or situations necessitated by uncooperative homeowners who are unhappy with the limitations imposed on them living in a Deed Restricted Community.

10. How do I appeal the decision of the Master Architectural Control Committee?

Answer You resubmit your proposal with any information or changes outlined on the original denial. If your proposal was denied because it was counter to the CC&R's, policy, or set precedents, you can request a place on the agenda. This request must be made in writing

11. How come you denied my application to make a change that I see on someone else's Lot?

Answer Just because you see it on someone else's Lot, does not mean they have approval. In addition, the developer approved some things that the Homeowner's Association, now that it has been turned over from the developer, is no longer going to approve. The CC&R's allow any new Board to come in and enforce the CC&R's more strictly than previous Boards (within the confines of the CC&R's). If previous Boards approved items that are contrary to the CC&R's or vague and subjective, subsequent Boards can disallow those items (in accordance with the CC&R's).

12. Are the rules different for different subdivisions?

Answer Every subdivision has it's own set of supplements and amendments. Most of them are very similar but there are some differences. Please read the Master Declaration of Covenants, Conditions, and Restrictions in addition to the supplements and amendments that are specific to your subdivision.