

Boxwood Green Homeowners Association
Architectural Review Committee

Committee Operating Practices

To All Boxwood Green property owners, friends, and neighbors:

The Architectural Review Committee (ARC) is a Covenant specified committee appointed by the HOA Board of Directors (Board) to act on all applications submitted by owners for the construction of dwellings, docks, swimming pools, fencing, landscaping, etc., authorized by Covenant Articles 2 THE LOTS, 3 DWELLING, and 4 BOAT DOCKS.

The ARC assists the HOA to ensure the Boxwood Green community remains among the preeminent locations around Smith Mountain Lake in which living is enjoyable and a privilege for all its residents.

To that end, the Committee will continue to focus its efforts on fair and consistent applications of the Boxwood Green Covenants, which all residents have in their possession and with which they are obliged to conform.

While the Committee has ARC Application approval and disapproval responsibility, its intent is not to become or assume an enforcement role.

To the contrary, in order to assure fair and consistent application of the Covenants, the following Operating Practices have been established for the ARC:

1. All Committee decisions and/or recommendations to the Board of Directors will be based on policy, precedence, and the collective judgement of the Committee.
2. Applications for exterior modifications or new construction, as indicated in the Covenants, must reach the Committee in such time for them to be able to reasonably decide whether the request is in conformance, **before** changes are made. Any plans and permits for construction activities must be included together with the application.
3. Further, the Committee is establishing these procedures for the coordination of the application itself:

First, the HOA requests that as a courtesy, the applicant contact his or her immediate neighbors (defined as those on either side of the applicant's property and directly across the intervening street, if any, as well as those directly behind the applicant's property in the case of off-water lots), to inform the neighbors of the applicant's intentions.

Second, when the homeowner's application together with pertinent plans, plot plan, and permits, if appropriate, is submitted to the Committee, any differences of opinion among the immediately adjacent neighbors and the

applicant must be mentioned. **Note:** This enables the Committee to have as much information as possible on which to base their ultimate decision.

Third, the Committee will review the foregoing and make their decision or recommendation based on the Covenants.

- All members of the Committee will be made aware of all applications and all members will have the opportunity to review all applications and plans and permits unless a prolonged absence on the member's part makes this requirement moot.
 - The name of each approving member will be recorded on the application. The original application or a scanned copy will be returned to the applicant.
 - The Chairman, or a designated alternate Chairman in the event of the primary not being available, will sign the approved application.
 - In the unlikely event of a split opinion among Committee members, the Committee's Advisor will render a tie-breaking judgment. (**Note:** the ARC Advisor is the Board President unless the Board of Directors appoints someone else)
 - A written email or letter from the Committee will accompany the return of the approved application.
 - If the Committee should determine that the proposed action referenced in the application is not in conformance with the Covenants, the Chairman normally will contact the applicant to explain the rationale for the non-approval. In this event, contact will be attempted first by email, secondly by regular or certified mail.
 - In the event the Committee reaches a non-approval decision, the applicant has every right to appeal the determination to the Board of Directors.
 - The Committee will normally act on ARC Applications in a two-week time frame assuming all members are available to participate in the application review. In the event of possible unavailability of member(s), three out of four members will constitute a quorum to approve or disapprove an application. Board member(s) may substitute for non-available Committee Member(s) if required.
 - If an issue of alleged non-conformance by an owner is reported to the Committee, the Board contact will be notified, and the matter will be reviewed. If the Committee determines that there is, in fact, an issue of non-conformity, and the Board contact agrees, the resident will be so notified by email or certified mail.
1. Depending on the issue, the owner will have a reasonable amount of time to remedy the situation as agreed upon with the ARC and Board Contact.

2. At the end of the agreed upon remediation period, if the owner is still non-compliant, the issue will be referred to the Board of Directors, along with copies of correspondence, for further action.

Lastly, in those unusual cases where the Committee determines that the issues associated with an application, or issues that are beyond the Committee's purview, rise to a level that commands the Home Owners Association Board of Directors' involvement, the matter will be accordingly referred for disposition.

4. When a home or lot in Boxwood Green is sold, the ARC is required to inspect the property to ensure that there are no obvious Covenant non-conformance issues. Upon notification a property is or about to be sold, a member(s) of the Committee shall visually check the exterior of the house to see that things are in conformance. A report shall promptly be made to the Treasurer so that the Committee's findings will be included in the packet of information the buyers receive from the HOA. In the event there is or are non-conformance issues, the seller shall also be promptly informed of the Committee's findings.

5. Assuming there is relevant activity that has occurred in a given month, the ARC shall furnish a report to the Board containing an overview on the matters with which the Committee has dealt.

The Architectural Review Committee members are here to serve the HOA. We appreciate everyone's willingness to keep Boxwood Green the lovely place to live that it has always been. We will continue to work cooperatively to see it does just that.

Please refer directly to the Covenants located on the HOA website, Boxwoodgreen.org, for more specific Covenant information especially regarding Common Areas, Home Owner Association, Signs, Enforcement, Miscellaneous Covenants, and Lot Maintenance. Should you have questions, please contact a member of the ARC.

(Revised 04/07/2022)