

Procedures for Property Improvements

The following outlines our approval process and the rationale. It is our intent that the review process be handled in an expeditious manner so that your project is completed in a timely fashion. Early on in the process, you will be assigned a Board member who will serve as your liaison to the Architecture Committee and the Cat 8 Board.

The purpose of the neighborhood architectural review process is to maintain the natural beauty of our neighborhood. It also serves to protect against any property modification that would adversely impact your property or the property of your neighbors. An application will not be accepted if the owner's dues and assessments are not paid or if the owner is in violation of any provision of the neighborhood's covenants. Before submission please review the protective covenants. Important facts you should know about outdoor renovation projects in Cat 8 include:

- For structures higher than 6 feet, plans need to include elevations;
- The maximum height for structures is 15 feet;
- The maximum allowable footprint for all structures (including garages and out buildings) is 6,000 square feet or 15% of the lot, whichever is greater;
- No buildings or other structure may be located closer than 30 feet from any property line; however, a wall or fence not exceeding 4 feet in height may be placed no closer than 20 feet from the side and rear property line.

The Declaration of Protective Covenants for Catalina Foothills Estates No. 8 provides that all modifications, additions and changes to the improvement on your lot must be submitted to the Board for its prior written approval. That Paragraph also provides that once plans have been approved, no deviations to those plans can be made without first submitting revised plans and having those revised plans approved.

There are two phases of the approval process: preliminary approval and final approval. To facilitate timely review please make sure and provide the lot owner's name, address, lot number, phone number and email address with the name, address, license and phone number of any contractor(s) to be used, which are known at the time of application.

Preliminary Board Approval

To obtain preliminary approval, please submit two complete sets of preliminary plans, including blueprints when appropriate, to the Cat 8 Board President or a member of the Architecture Committee. At the time the committee meets, a member will be assigned to your project. This member will be your contact person with the Architecture Committee and the Board and will help you with the approval process.

An application deposit will be required. It is deposited into a Cat 8 bank account by the Cat 8 Treasurer and will be refunded to you at completion of your project. The cost and the reason for the deposit are detailed in the Covenants. In brief, the purpose of the deposit is to pay for the cost of an architect consultant and to defray any legal costs that may be incurred if the review process, as outlined here, is not followed as agreed upon. The following schedule of fees has been established in conjunction with the application process. All fees are subject to periodic adjustment as determined by the Board.

- Minimum deposit for non-trivial improvement on non-living spaces (landscaping or exterior landscape walls): \$500
- Minimum deposit for above ground structures that do not increase living spaces (garages or porches): \$1,000

- Minimum deposit for additions that would increase living space by less than or equal to 500 sq feet or any outside structural change to your existing home: \$2,500
- Minimum deposit for additions that would increase living space greater than 500 sq feet: \$2,500 plus an additional \$2.00 per sq foot up to a maximum of \$5,000
- Minimum deposit for any building that is separate from your existing home: \$5,000

If your plans involve any structural change, structural addition to the outside footprint of your house or if you are adding a separate building from your existing structure, they may require a review by a consulting architect. If architectural consultation is required, you will be required to pay for these fees prior to approval of plans.

Your plans will be reviewed by the Architecture Committee which meets once per month. You will be contacted by your contact person who represents the Architecture Committee regarding your assessment. If any changes are suggested, they will need to be incorporated into your blueprint/plans prior to the final review process. When the plans have been approved, that approval will be noted on each page of the plans. One set of plans will be returned to the owners and one set will be retained by the Board.

Final Approval

The final review process requires much more detail which will include two sets of **County approved plans** that are identical to those that have received preliminary Architecture Committee/Board approval. If a consultant architect has been utilized, they will need to review a set of the County approved plans. **Obtaining governmental construction permits does not relieve an owner of the need to obtain Board approval of the construction plans prior to beginning construction. Likewise, Board approval does not and cannot relieve an owner of the requirements to obtain necessary governmental construction permits.** Please note that the County approved plans should include:

- Materials to be used, including the exterior color scheme (actual samples of the color/material may also be requested to be provided);
- Accurate scale drawings showing the dimensions and the exact location of the proposed change, addition or deletion on your house/property. For all structures higher than 6'0", elevations of the structure must be shown;
- Vegetation preservation plan showing areas of the lot that are to remain and post-construction re-vegetation as needed;
- If the alteration affects the existing drainage pattern on the lot, the proposed modification to the drainage pattern must also be included. The Architecture Committee/Board may request additional information if it believes, in its sole discretion, that modification to the drainage pattern may affect other lot owner(s);
- If the project involves additions, remodeling or other improvements that pose setback issues, a property survey may be required.
- No construction activity of any kind related to any proposed improvement can commence on your lot until the application has been approved by the Architecture Committee and/or Cat 8 Board.
- Any deviations from approved plan, however minor, must receive the written approval of the Architecture Committee before they are implemented or you may forfeit your deposit. Please contact your Architecture Committee representative to address any changes in your plans from the original Board approved plans.
- If construction of an approved project does not commence within six months after approval is given, the owner will be required to resubmit the application for approval and may be required to pay an additional plan review fee.

After final approval is provided by the Architecture Committee the following procedures will be in place:

- The Board may ask the consulting architect to monitor construction to verify that it is proceeding in compliance with the approved plans. The reviewing architect may notify the owner and the Architecture Committee and the Board of any non-compliance. Where questions outside the expertise of the reviewing architect arise, such as whether the improvement is in compliance with the height restriction in the Declaration, the consulting architect may contract with an appropriate expert to answer the questions and the cost of doing so will be charged to the owner. The ultimate responsibility for compliance with the approved plans lies with the owner and builder and it may not be inferred from the absence of inspection or notification that the construction is in compliance with the approved plans. The owner may be required to provide an as-built survey of the footings.
- At any time during construction, the Architecture Committee/Board may order the owner to cease construction pending a determination of whether the construction is being done in compliance with the approved plans. In the event of such an order, the owner will be given the opportunity to meet with the Board to discuss the question of non-compliance through the Appeal Process (see below). During the appeal process, the homeowner will not be allowed to proceed with any aspect of their construction project.
- The Appeal Process may be utilized if the homeowner is in disagreement with the Board's decision regarding their construction project. At this time, the owner will be given an opportunity to meet with the Board to discuss the project and agree upon a resolution to the problem. If the Board, in its sole discretion, determines that the construction does not comply with the approved application, it may order that the non-compliance be remedied or order that the property be returned to its original condition. If the owner fails to comply with the order to halt construction or to remedy any non-compliance or to restore the property to its original condition, the Board may impose a fine for each day that its orders are not being followed or seek judicial assistance in enforcing its orders.
- All approved construction must be completed within 12 months from the date construction commences unless the owner obtains an extension from the Architecture Committee/Board. A request for an extension of the twelve-month period must be made in writing and include an explanation for the delay. An extension will be given only if the Architecture Committee/Board determines that an extension is warranted. In the event an extension is not given, after providing the owner with the opportunity for a hearing, the Architecture Committee/Board may impose a fine that will be satisfied out of the deposit for each day of construction beyond the twelve-month period.

When the construction has been completed the owners must request that their contact person inspect the construction to determine whether the construction is in compliance with the approved plans. In making this determination, the committee member will confer with the reviewing architect. If the construction is deemed to be in compliance, the owner will be so notified and their construction deposit refunded, minus any costs incurred (copies of invoices for the architecture review or legal counsel will be provided).

We appreciate all the time you have taken in reviewing this document. Thank you for the time and attention to this process.