

Kent Woodlands Property Owners Association

PROCEDURE FOR APPEALING DECISIONS OF THE KWPOA ARCHITECTURAL COMMITTEE (As Adopted 2/28/02)

1. Appeals Board

The Appeals Board will include all Board Members who do not sit on the Architectural Committee. Members of the Architectural Committee who are Board Members shall be deemed to have recused themselves under these procedures.

2. Appeal Content Requirement

The Appeal must be in writing and must identify and discuss which of the decisions of the Architectural Committee or conditions of approval are being appealed and must contain additional specific information in support of a reversal, including the identification of any provision of the CC&Rs or Architectural rules which the appellant believes has been violated.

3. Timing

Appellant has 30 days from the date of the Notice of the Architectural Committee's decision to file a written request with the KWPOA Board of Directors for an appeal of an Architectural Committee decision. Failure to do so will result in the exhaustion of all rights of appeal.

4. Review

The Appeals Board may review all findings of fact, staff reports, minutes of Architectural Committee meetings, and materials submitted by any party regarding the application.

The Appeals Board, at its discretion, can seek further information through formal or informal discussions with the Architectural Committee, its advisors, the applicant or any other party.

The Appeals Board may consider any aspect of Appellant's project, not just issues raised in the appeal. In rendering its decision, the Appeals Board normally will do one of the following: 1) Uphold the decision of the Architectural Committee and require enforcement of the conditions of approval; or 2) Overturn the decision of the Architectural Committee and a) impose different conditions of approval; b) return the project to the architectural Committee for further consideration; or c) categorically deny the project as unacceptable in its present form.

5. Hearing(s)

At the Appeals Board's discretion, the Appellant or his/her representative may make a presentation of the Appellant's position, such presentation not to exceed 15 minutes.

6. Written Decision

The Appeals Board's decision shall be in writing and will be rendered within 30 days of the date of the meeting of the KWPOA Board of Directors at which appeal is received or the Appellant's presentation under Section 5 above.

(Note: Please refer to "Project Types and Fees" in the architectural application for the current fee for an appeal.)