

**Policy Resolution # 8 – Jonathan Association Board of Directors**

**DATE: July 12, 2011**

**RE: Architectural Review Project Approvals**

*While reaffirming that:*

1. The rules and guidelines of the Architectural Review Committee have been written in order to further interpret the covenants and assist homeowners in applying the standards; and
2. It is the dual responsibility of the Architectural Review Committee to both protect and maintain the architectural standards, and to oversee the common sense application of the appropriate rules and covenants... while always considering the well-being of all residents; and
3. Because the guidelines and policies for the Architectural Review Committee cannot possibly anticipate every single future item or issue into perpetuity, some flexibility may also be needed with Architectural Review Committee and Board discretion; and
4. The Association’s Board of Directors has always reserved the right to change stated policies so as to allow variances and flexibility if and as needed; and
5. All landscape improvements of a substantial nature must be consistent and in harmony with the existing and proposed surroundings, so as not to create or cause an adverse condition to occur on adjacent properties; and
6. Existing improvements which have been completed with previous approval of the Architectural Review Committee shall be deemed to comply with all applicable future guidelines; and

*In addition to acknowledging that:*

7. Architectural Review Committee guidelines were never intended to be misused (i.e. too much or too little emphasis on applying the appropriate standards) with regard to homeowner property maintenance; and
8. Some homeowners may believe they have a good-faith reliance on a misleading representation (“estoppels”, “laches”, “intent”) via action, silence, or acquiescence of material facts by former Committee and Board members regarding Architectural Review guidelines in past years;

The Jonathan Association Board of Directors resolves, by way of this Policy Resolution, in going forward from this date (7-12-2011) that all existing improvements which have been completed with previous approval of the Architectural Review Committee (upon which lies all burden of proof in any dispute between a homeowner and the Association) shall be deemed to comply with all applicable guidelines.

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Kelly Cutler, Secretary – Board of Directors

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Date