

# **Pilot Point Architectural Application Procedures and Guidelines**

## **A. GENERAL**

1. Pursuant to Paragraph 13 of the Amended and Restated Declaration of Pilot Point, a unit owner shall not change the exterior appearance of the common elements adjacent to his unit or any part of the unit visible from outside of the unit (i.e. doors and windows) and other limited common elements, in any manner or fashion, adding additions, decks or fixtures thereto, or otherwise, without obtaining the prior written approval of the Board of Directors of the Association (the "Board"). The Board shall review proposed alterations for compliance with the "Standards for Additions", attached to the Declaration as Exhibit A. Any additions or modifications to the common elements made by unit owners pursuant to this section shall become limited common elements.

2. Nothing shall be altered or constructed in or on or removed from the common elements, except upon the written consent of the Board. Any alterations, construction or objects, vegetation or things placed in, on or affixed to the common element by a unit owner may be removed by the Association without notice or compensation to the unit owner.

3. All owners are responsible for assuring that changes and additions are made only in accordance with the provisions of the Standards for Additions.

## **B. APPLICATION PROCEDURES**

### **1. Requirements for All Applications**

a. Owners wishing to make any changes must submit the proper written application to the Board, using the provided application, with all appropriate sections completed, including required submissions. It is the Owner's responsibility to verify receipt of the application by the Board.

b. Oral requests will not be considered.

c. Each alteration or addition must be specifically approved even though the intended alteration or improvement conforms to the Declaration or Standards for Additions, and even when a similar or substantially identical alteration or addition has been previously approved.

d. Approval of any project by the Association does not waive the necessity of obtaining the required governmental permits.

e. Obtaining a governmental permit does not waive the need for Association approval.

f. The Association will not knowingly approve a project, which is in violation of the local building or zoning codes.

g. The burden rests with the applicant to demonstrate the acceptability of the proposal. Applicant must submit any submissions required by the Board for an alteration or improvement of the type proposed. Applicant may submit with the application any additional materials such as exhibits, petitions, photographs and experts' statements that applicant deems appropriate. Applicant

may request an opportunity to appear before the Board, along with any witnesses applicant desires to have testify.

## 2. Administrative Requirements

The Board shall act on the application and give notice to the applicant of the approval or denial of the application within sixty (60) days from receipt of a complete application, including all submissions required. Upon its receipt of a complete application the Board or Community Manager shall notify an applicant, in writing of the date on which the Board received a complete application. In the event the Board receives an incomplete application, the Board or Community Manager shall notify the applicant in writing, or by telephone, of any deficiencies in the application, which preclude consideration of the application and the commencement of the sixty (60) day review period. Owners are responsible for ensuring that the Board has received their complete application.

a. The Board may delegate to the Association's Community Manager the responsibility for receiving applications and notifying applicants of the decisions of the Board. In such case, the review period shall commence upon the date of the receipt of a complete application by the Community Manager.

b. Applicant must inform the Board in writing of the date on which construction starts, if the Board so requests.

c. If applicant desires to make changes during construction a revised application must be submitted to the Board, which shall promptly act upon the revised application.

d. Applicant must provide the Board with notice of completion.

e. Upon completion, the Board or Community Manager shall inspect the Construction and, if satisfied that construction is in compliance with approved plans, issue a Certificate of Compliance.

## **C. RESULTS OF REVIEW**

1. The applicant shall be informed in writing or by email of the Board's decision.

2. If the Board fails to make a decision within sixty (60) days, the request shall be automatically denied.

3. If a proposal is rejected or approved with modifications, the reason(s) for disapproval or modifications shall be stated as part of the written decision. Notice of such decisions shall be sent to applicants by mail or email.

4. The applicant may request reconsideration if new or additional information which might clarify the request or demonstrate its acceptability can be provided. A request for reconsideration must be submitted in writing within ten (10) days following a decision by the Board. The Board shall respond to a request for reconsideration of a decision within thirty (30) days from the date of receipt of such request.

5. Copies of all requests for Review will be filed according to Unit number, along with the written decision and a statement of action taken, if any. There will be a cross-index, which categorizes cases into types, for future reference.

6. All approvals shall expire ninety (90) days after the date of approval if the item approved has not been started.

7. Any approved modification must be completed in accordance with the plans and specifications approved by the Board, within six (6) months after approval by the Board, except that the Board may grant extensions where completion is impossible or is the result of matters beyond the control of the unit owner or builder, such as strikes, casualty losses, national emergencies or acts of God.

## Pilot Point Architectural Application

Mail and email to:  
Pilot Point  
c/o Legum & Norman, Inc.  
12000 Old Vine Blvd.  
Suite 114  
Lewes, DE 19958  
JKresefsky@legumnorman.com  
Phone: 302-227-8448

Applicant: \_\_\_\_\_ Unit Number: \_\_\_\_\_  
Address: \_\_\_\_\_ Home phone: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ Work phone: \_\_\_\_\_  
(if different) \_\_\_\_\_  
Email Address: \_\_\_\_\_

### Directions:

In order to be considered by the Board of Directors your application must include detailed information describing the proposed change (typically, plans and specifications including sketches, photos, catalog illustrations, etc. showing the nature, kind, shape, color, dimensions, and materials). Make sure your application is complete. An application submitted without all required submissions will be considered incomplete. In such case, the Board of Director's review period will not commence until all required submissions have been provided. Other exhibits may be requested to permit adequate evaluation of the proposed change. If you have any questions regarding the required submissions or the application process, you are advised to seek guidance from Legum & Norman prior to submission of an application.

### Description of Proposed Change: (Please print or type)

Describe all proposed improvements, alterations, or changes to your Unit. Please provide required details by attaching sketches, drawings, clippings, pictures, catalog illustrations, etc. to fully describe the proposed change.

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Purpose of Improvement: \_\_\_\_\_

ESTIMATED STARTING DATE OF CONSTRUCTION: \_\_\_\_\_

ESTIMATED COMPLETION DATE: \_\_\_\_\_

PLEASE INITIAL THAT YOU HAVE READ AND UNDERSTAND THE FOLLOWING:

1. \_\_\_\_\_ that approval by the Board of Directors shall in no way be construed as to pass judgment on the correctness of the location, structural design, suitability of drainage, location of utilities or other qualities of the proposed changes being reviewed.
2. \_\_\_\_\_ that approval by the Board of Directors shall in no way be construed as to pass judgment on whether the proposed changes being reviewed are compliant with the applicable building and zoning codes for the City of Lewes or Sussex County.
3. \_\_\_\_\_ that approval of any particular plans and specifications or design shall not be construed as a waiver of the right of the Board of Directors to disapprove such plans and specifications, or any

elements or features thereof, in the event such plans are subsequently submitted for use in any other instance.

4. \_\_\_\_\_ that no work on the proposed change shall begin until written approval of the Board of Directors has been received by me; that, if work is begun prior to approval, I may be required to return the property to its former condition at my own expense if this application is disapproved wholly or in part; and I may be required to pay all legal expenses incurred.
5. \_\_\_\_\_ that there shall be no deviations from the plans, specifications, and location approved by the Board of Directors without prior written consent of the Board of Directors; any variation from the original application must be resubmitted for approval.
6. \_\_\_\_\_ that I authorize members of the Board of Directors or managing agent to enter upon my unit and any common elements to make one or more routine inspection(s).
7. \_\_\_\_\_ that I authorize the Board of Directors or managing agent to enter upon my unit or common elements to correct or remediate any deficiencies, inconsistencies or variations from the approved application and assess such costs and legal fees to me as the unit owner.
8. \_\_\_\_\_ that construction or alterations in accordance with the approved plans and specifications must commence within ninety (90) days of the approved date of this application and be completed within six (6) months of the approved date, otherwise the approval by the Board of Directors shall be deemed conclusively to have lapsed and to have been withdrawn.
9. \_\_\_\_\_ that it is my responsibility and obligation to comply with the Amended and Restated Declaration, the Amended and Restated Code of Regulations and the Standards for Additions.
10. \_\_\_\_\_ that I am responsible for any damage and all cost to repair common elements or community property that results from the proposed modification.

Owner/Applicant Signature \_\_\_\_\_ Date: \_\_\_\_\_

Co-Owner/Applicant Signature \_\_\_\_\_ Date: \_\_\_\_\_

**Required Attachments:**

Descriptive information (typically plans and specifications, including sketches, photos, catalog illustrations, etc. showing the nature, kind, shape, color, dimensions, materials.)

**For Office Use Only - Do not complete area below this line.**

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**DATE APPLICATION RECEIVED:** \_\_\_\_\_ **BY:** \_\_\_\_\_

**Board of Directors:** APPROVED \_\_\_\_\_ DISAPPROVED \_\_\_\_\_ DATE: \_\_\_\_\_

NEED MORE INFORMATION \_\_\_\_\_

SIGNATURE \_\_\_\_\_ TITLE \_\_\_\_\_

**PILOT POINT**  
**ARCHITECTURAL REVIEW APPLICATION CHECKLIST**

To be sure your application is complete and is not delayed, this checklist was created for your convenience. Be sure you have *all* the following information, pertaining to your project, included in your application before submitting to the Board. The Application Checklist is considered a part of the Application Review process and is required to be submitted with your application. **All applicants must be owners.**

**The applicant is ultimately responsible for the project and the work of their contractor(s).**

**REQUIRED FOR ALL APPLICATIONS. Initial all acknowledgements, answer all questions and sign the Application Checklist.**

Drawings:

1. Renderings, plans and drawings of the front, side or rear elevations of any additions, modifications or changes to the exterior surface of the buildings or to any screened porch/deck. All plans and specifications proposing additions or modifications of the kind and nature set forth in the Standards for Additions must be prepared by a professional architect or engineer. For example, but not intending to be an all-inclusive list, all decks, porch, deck/screen enclosures, must have plans prepared and signed by a professional architect or engineer. Please provide plans in paper copy and electronically as a pdf.

2. Indicate relationship of walking surface of deck to existing home and existing grade.

Color:

1. The submissions and applications must specify and describe all exterior surfaces, including decks, screened porches, railing, handrails and steps.

Materials:

1. The submission and applications must specify and describe the materials such as flooring, roof, shingles, siding, windows, doors and gutters/downspouts.

Details:

Indicate dimensions, style, spacing, location, and materials of the below items.

Door:

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Window:

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Stair(s):

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Posts:

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Flooring:

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Rails:

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The purpose of the architectural review is to enable the Association to maintain standards of design, integrity and aesthetic appearance for the community, including all buildings, thereby promoting the maintenance and enhancement of property value.

A complete application will assist to expedite the review and decision process.

We greatly appreciate your compliance, and if you have any further questions, please feel free to contact the Community Manager.

Signature of Applicant: \_\_\_\_\_

Date: \_\_\_\_\_

Signature of Applicant: \_\_\_\_\_

Date: \_\_\_\_\_

Please send the completed application and all required detailed attachments to the following by mail and email:

Pilot Point  
c/o Legum & Norman, Inc.  
12000 Old Vine Blvd.  
Suite 114  
Lewes, DE 19958  
JKresefsky@legumnorman.com