

Harbor Lights I Homeowners Association

REQUEST FOR ARCHITECTURAL / LANDSCAPE REVIEW

Homeowners are required to submit property improvement plans to the Association for review and comment prior to beginning the improvements. Each Harbor Lights I Homeowners Association homeowner is subject to these restrictions. City approval and permits may be required but do not constitute approval of The Harbor Lights I Homeowners Association.

NAME: _____ DATE: _____
(Please Print)

ADDRESS: _____ LOT NO. _____

PHONE: _____
(Home) _____ (Work) _____ Proposed Start Date: _____ Finish Date: _____

CHECK ALL THE FOLLOWING IMPROVEMENT TYPES THAT APPLY TO YOUR REQUEST

HOME IMPROVEMENTS:

- | | | | | |
|--|---|---|---|--|
| <input type="checkbox"/> Structural Addition | <input type="checkbox"/> Gazebo/Arbor | <input type="checkbox"/> Play structure | <input type="checkbox"/> Storage Shed | <input type="checkbox"/> Fence Addition |
| <input type="checkbox"/> Deck/Patio | <input type="checkbox"/> Greenhouse | <input type="checkbox"/> Pool/spa | <input type="checkbox"/> Dog run | <input type="checkbox"/> Retaining Walls |
| <input type="checkbox"/> Trellis | <input type="checkbox"/> Lighting additions | <input type="checkbox"/> Lighting Standards | <input type="checkbox"/> Skylights | <input type="checkbox"/> Solar panels |
| <input type="checkbox"/> Satellite Dish | <input type="checkbox"/> Antennae | <input type="checkbox"/> Windows/Doors | <input type="checkbox"/> Gates | <input type="checkbox"/> Painting |
| <input type="checkbox"/> Mail box enclosure | <input type="checkbox"/> Sculptures | <input type="checkbox"/> Garage doors | <input type="checkbox"/> Lot line adjustments | <input type="checkbox"/> Other (specify) |

LANDSCAPE IMPROVEMENTS:

- | | | | | |
|---|---|--|---------------------------------------|------------------------------------|
| <input type="checkbox"/> New Landscape | <input type="checkbox"/> Tree addition | <input type="checkbox"/> Tree removal | <input type="checkbox"/> Arbors/vines | <input type="checkbox"/> Hardscape |
| <input type="checkbox"/> Landscape lights | <input type="checkbox"/> Water features | <input type="checkbox"/> Other (specify) | | |

The Applicant is responsible for assuring that the improvements authorized by the Association are located within the Applicant's property.

IF YOU ARE ONLY SUBMITTING A REQUEST TO CHANGE THE COLOR OF YOUR HOME:

1. Enclose paint manufacturer color samples with this application.
2. Identify which paint samples apply to body of the house, trim/fascia and trim accent colors.

ALL IMPROVEMENTS:

1. Submit this completed application with any applicable scale drawings, plot plans, pictures, brochures color and material samples, etc. to: Common Interest Management Services, 315 Diablo Road, Suite 221, Danville, CA 94526. All must be submitted in DUPLICATE. Submissions not submitted in proper quantity may be duplicated by Association and charged to owner.
2. Plans which include pre-assembled structures or kits must include cut sheets or product specifications, colors, dimensions, materials and all other collateral material necessary for proper review.
3. The committee must be informed of **all** materials used in your improvements in sufficient detail for proper review. Where appropriate, submit samples or color photos of the material (brick, slate, wrought iron, lighting standards, etc.). In its sole discretion, the Association may ask for more information regarding your improvement during the review process. While waiting for a response from the owner the approval process will suspend and then resume with receipt of additional information.
4. Though neighbor approval is not required, the Association may solicit input from your neighbors regarding your submission and consider their input as part of the review process. It is prudent that you discuss proposed changes to your home with your surrounding neighbors and provide their signatures on page 2 of this form.
5. PLEASE NOTE: The City requires approval of certain types of improvements. You may be required to get city permits and other conditions may apply. The owner is solely responsible for fulfilling any municipal requirements.

Improvement work may not commence without written approval from The Harbor Lights I Homeowners Association Design Review Committee. Please submit plans anticipating ample time (at least 60 days) for review and comment from the Committee. Unauthorized improvements are subject to removal.

HARBOR LIGHTS HOMEOWNERS ASSOCIATION Architectural Review Standards and Guidelines

I. Purpose

The Board of Directors of Harbor Lights Homeowners Association has adopted these Standards and Guidelines for three primary purposes:

- A.** To establish and preserve a harmonious design for the community
- B.** To protect the value of property within the community
- C.** To assist homeowners with obtaining approvals for improvements

Simply stated, the Board's purpose in setting these Standards and Guidelines is to keep **Harbor Lights Homeowners Association** a pleasant community and to ensure that the value of the property increases in accordance with the market.

These standards are adopted with the intent of effecting the provisions of the Covenants, Conditions & Restrictions, the Bylaws and the Articles of Incorporation. The Covenants, Conditions & Restrictions obligate the Directors to lead by representing the interests of the Owners. When the Board adopts policy it should be the articulation of a policy that contains both values and perspectives. In the deliberation, before policies are adopted, the Board is obligated to focus on "what good is being performed for what people and at what cost."¹ The use of the Architectural Review Process is a necessary component contributing to the success of planned communities such as **Harbor Lights Homeowners Association**.

II. Architectural Review Objectives

Harbor Lights Homeowners Association Architectural Review Process considers all aspects of each design, concentrates on the following objectives:

A. Landscape and Environment

Prevention of unnecessary destruction of the natural landscape or of the neighborhood environment as achieved by the Developer

B. Relationship of Structures

Assure that the existing developed areas are maintained in an attractive and harmonious relationship with any new improvements proposed by homeowners

C. Protection of Neighbors

Protect neighboring homeowners by making sure that reasonable provisions have been made for:

1. Surface water drainage
2. Sight and sound buffers
3. Preservation of view
4. Light and air access
5. Improvement's affect on surrounding property values
6. Visibility with respect to existing structures

¹ John Carver on Board Governance - A Video Presentation 1993

III. The Application Process

Homeowners wishing to make any alteration or addition, which will affect the exterior of their residence or building, front, side or rear, must submit an official Architectural Application, including copies of detailed plans and specifications, **prior** to obtaining a building permit and **prior** to beginning the proposed work. It is important to note that should the application be denied approval, and the work is in progress or is completed, the Association may require or cause the improvement to be corrected at the Homeowner's expense.

A. General Information

In order to conform to the governing documents, each proposal/Architectural Application must be reviewed by the Association. Requests for Architectural review and approval must be submitted in writing as designated in part "B" below.

If a proposal is rejected, the applicant is free to request reconsideration. Owners are encouraged to present new or additional information, which, might clarify the request or demonstrate its acceptability.

Grounds for reconsideration can be:

1. The applicant believes that the policies of the Association have not been applied correctly; or
2. The applicant believes that the Association should amend the existing policies to allow approval of proposals such as his. It shall be the obligation of the Member requesting reconsideration to prepare and make such argument, as he believes to be in support of this decision. The requesting Member shall respond to the Association's Architectural Review Committee, the Board or Management with such other information as is necessary for review. It shall not be the duty of the Association to prepare the Member's request for review.

B. Procedure

Each proposal for improvement must be submitted to the Management office via an Architectural Application. The description of the project should include all information necessary to determine compliance with the established Standards and Guidelines.

Necessary data would include the height, width, length, size, shape, color, material and location of the proposed improvement, as outlined on the Architectural Application. Photographs or sketches of similar completed projects would aid in the review process. If the proposed modification would in anyway change the existing drainage pattern, it must be clarified in the Application. Solutions for maintaining the correct drainage pattern must be included with the application.

No work may commence prior to receiving written approval of the modification. Nothing may be installed which is not in compliance with building codes. It is the responsibility of the applicant to apply for all required building permits following approval of the Architectural Application and prior to commencement of work.

IV. The Review Process

Upon receipt of an Architectural Application, the management staff will compare it to the established Standards and Guidelines.

- A. If the requested modification complies with the published Standards and Guidelines, Management will approve the Application.
- B. If the Application is approximate or meets the intent of the Guidelines, Management will give a conditional approval subject to Board of Director's approval.
- C. If the Application is not within the Standards and Guidelines it will be denied.

If an application is denied because the Architectural Standards and Guidelines made no provision for the proposed modification, the following procedure is instituted:

- A. The applicant will be informed that the application was denied and will be given the reason for the denial; and
- B. The applicant will be informed of his right to request reconsideration. Requests for reconsideration must be in writing and must include the grounds for the request.

Upon receipt of the written request, by Management, the request will be forwarded to the Architectural Review Committee². The Committee will make recommendations to the Board of Directors as to whether or not the modification should be allowed, and what parameters should be established for approval and inclusion into the Standards and Guidelines. Upon review of the Committee recommendations, the Board will elect to approve or deny the request.

The decision of the Board becomes permanent policy and the Standards and Guidelines will be revised to reflect this policy decision.

V. Conformance

The failure of a completed modification or addition to conform to the plans, specifications and conditions approved by the Board of Directors, or failure to complete the approved project within the specified time limitations, shall be deemed a violation of the Architectural Standards and Guidelines.

Upon completion of any work by an Owner for which approval was required, the Owner must notify the Board of completion in writing. If an Owner fails to give this notice, the Board may take appropriate follow-up action. Nothing shall be installed which is not in compliance with building codes and regulations.

Important Note: Conformance with the following Architectural Standards does not relieve the homeowner from the application process. All exterior modifications must be approved prior to installation.

VI. Architectural Standards

A. Landscaping/Physical Improvements

No landscaping or other physical improvement or additions shall be made to any decks or patios which are visible from the street or from the common area by any Owner until plans and specifications showing the nature, kind, shape and location of the materials have been submitted and approved in writing.

² In case the Architectural Control Committee has not been appointed or is not operational, the Board will act in place of the Committee.

B. Maintenance

Alterations

No structure shall be placed, erected, or installed upon any Lot, and no construction (which term shall include within its definition staking, clearing, excavation, grading, and other site work), no exterior alteration or modification of existing improvements, and no plantings or removal of plants, trees, or shrubs (other than as may be permitted in Article XII, Section 15) shall take place except in strict compliance with Article XI of the Master Declaration, until the requirements have been fully met, and approval of the appropriate committee.

Antennas

Except in accordance with Civil Code §1376, no television or radio poles, antennae, microwave or satellite dish, aerial, cables or other device shall be constructed, used and operated by an Owner without the prior written consent of the Board.

Exterior Lighting

No Owner shall remove, damage or disable any exterior light, which is connected to the Association's electrical service.

VII. Improvements Requiring Approval

Any construction, installation, repair (including exterior painting), replacement, alteration or removal of any building, structure, wall, fence, sign, garage, storage area, berm, (gas, electricity, telephone, water, or otherwise).

All requests will be reviewed for adherence to the established Architectural Standards and Guidelines and compatibility with surrounding structures.

VIII. Prohibited Improvements

The following items are either prohibited by the CC&R's or are of such a nature that the improvements are detrimental to the life and appearance of the community and are therefore prohibited.

1. Appliances and exterior mechanical devices; i.e. window air conditioners
2. Synthetic grass and indoor/outdoor carpeting
3. Storage of any kind - visible from the common area or other units.

IX. Conclusion

Harbor Lights Homeowners Association provides these ARCHITECTURAL REVIEW STANDARDS AND GUIDELINES in an effort to eliminate questions concerning individual modifications to a Unit. Every effort has been made to allow as much individual discretion as possible within the constraints of acceptable community standards. The Board of Directors views this process as evolutionary and invites Homeowners to make comments and to provide constructive input. It is hoped that Homeowners, working together within a fairly administered structure of reasonable guidelines, will help create a greater sense of community at Harbor Lights Homeowners Association.

HARBOR LIGHTS HOMEOWNERS ASSOCIATION Architectural Review Procedure

The Board of Directors approves revisions to the Architectural Standards and Guidelines based upon the recommendations of the Architectural Review Committee.

1. Upon receipt of an Architectural Application by Management, the Application will be compared to the Architectural Standards and Guidelines.
 - A. If the requested modification complies with the Standards, the Application will be approved by Management.
 - B. If the application is approximate or meets the intent of the Guidelines; Management will give a conditional approval subject to the Board of Director's approval.
 - C. If the Application does not comply with the Standards it will be denied.
2. If an application is denied because the Architectural Standards and Guidelines made no provision for this proposed modification, the following procedure is instituted:
 - A. The Homeowner will be notified and given a reason for denial; and
 - B. The Homeowner will be informed that he can request reconsideration.

Grounds for reconsideration can be:

1. The applicant believes that the policies of the Association have not been applied correctly; or
2. The applicant believes that the Association should amend the existing policies to allow approval of proposals such as his. It shall be the obligation of the Member requesting reconsideration to prepare and make such argument, as they believe to be in support of their position. The requesting Member shall respond to the Association's Architectural Review Committee, the Board or Management with such information as is necessary for review. It shall not be the duty of the Association to prepare the Member's request for review.
3. The applicant shall send his written request for reconsideration to Management, who will forward this request to the Architectural Review Committee. The Committee will review the request, and if appropriate, will recommend to the Board of Directors to amend the Standards and Guidelines to make provisions for proposals such as his.
4. The Board will review the Committee's recommendations and elect to approve or deny the establishment of the amended Architectural Standards and Guidelines. They may also act to approve the application if there is a pending application that conforms to the new policy.
5. Once the Board has made a decision, the Member requesting the review of a denied application will be informed, in writing, of the decision. If the requested Modification is not approved after the review, the Member seeking the change has the right to request the Board to reconsider.

Owner Signature

Date

DESCRIBE YOUR IMPROVEMENT IN DETAIL:

WHO IS YOUR CONTRACTOR?

- I'm performing the work myself.
- My general contractor is: _____
- My landscape contractor is: _____
- I have/will familiarize(d) my contractor with the procedures required for access to Harbor Lights I Homeowners Association.
- The homeowner is the "person responsible" for damage to The Harbor Lights I Homeowners Association common areas caused by himself or by his contractor while completing these improvements. By submitting this application I acknowledge responsibility for damage to the common areas by contractors entering The Harbor Lights I Homeowners Association property at my invitation.

IMPORTANT! Your Surrounding Neighbors Must Read and Acknowledge
I (we) am aware of the landscaping and or architectural changes proposed by our neighbor
and have no objection to the plans as they are presented on this application
and any other drawings or materials presented.
APPLICATION WILL NOT BE SUBMITTED WITHOUT SIGNATURES FROM ALL SURROUNDING NEIGHBORS.

Name	Lot number/Address & Phone Number	Signature

For Association Use Only: ___Approved ___Denied ___Conditionally Approved ___Additional Info. Needed

Committee Notes:

Improvement work may not commence without written approval from The Harbor Lights I Homeowners Association Design Review Committee. Please submit plans anticipating ample time (at least 60 days) for review and comment from the Committee. Unauthorized improvements are subject to removal.