

BELVISTA COMMUNITY ASSOCIATION

DESIGN GUIDELINES

Adopted: November 15, 2012

**BELVISTA COMMUNITY ASSOCIATION
Design Guidelines
TABLE OF CONTENTS**

I. Purpose	3
II. Guidelines	3
III. Architectural Standards	5
IV. General Conditions	7
V. Neighbor Notification	7
BelVista Community Association Home Improvement Form	9
BelVista Community Association Impacted Neighborhood Statement	10
BelVista Community Association Improvement on Association Property Request Form	11
BelVista Community Association Notice of Completion	12

I. PURPOSE

As set forth in the Declaration of Restrictions, the Design Review Committee (hereinafter referred to as the "Committee") is vested with the power to review and approve all Improvements to all Residences in BelVista Community Association. Such Improvements include, without limitation, additions, modifications and alterations to Residences, signs, fences, walls, landscaping, screens, window treatments, and attic fans, and any other modifications to the exterior of a Residence or other Improvements or alterations to your home.

The Committee does not seek to restrict individual creativity or personal preference, but rather help assure continuity in design which will help preserve and improve the appearance of the Association and enhance the property values of all Owners in the Association.

The Committee shall be composed of three (3) members, until a committee is selected, the Declarant or board of directors shall serve as the committee. Members of the Committee shall receive no compensation for services rendered other than reimbursement by the Association for any expenses that might be incurred in performing their duties. The Committee has the right to retain architects or other construction specialists as may be necessary to perform its duties.

Prior to the commencement of any addition, alteration or construction work of any type on any Condominium within BelVista Community Association, you must first make application to the Committee for approval of such work. Failure to obtain approval of the Committee may constitute a violation of the Declaration of the Restrictions affecting your home, and may require modification or removal of unauthorized works of Improvement at your expense.

A building or other permit may be required by the City of Temecula Building Department or other governmental agencies prior to the commencement of any work. The Association does not assume any responsibility for failure to obtain such permits. Also, obtaining such permits does not waive the obligation to obtain Committee approval.

II. GUIDELINES

A. Submission Procedure Requirements.

1. All applications for the Design Review Committee approval are to be made on the standard BelVista Community Association Improvement Form (Exhibit A).
2. All Applications are to be mailed to:
BelVista Community Association
Design Review Committee
31608 Railroad Canyon Road
Canyon Lake, California 92587
3. The Board may set an Application fee for architectural review up to \$100.00 per submission for review of plans and specifications required pursuant to these standards.
4. Plans and specifications for works of Improvement must be prepared in accordance with the applicable building codes, and with sufficient clarity and completeness to enable the Design Review Committee to make an informed

decision on your request.

5. Please forward three (3) complete sets of all documents being submitted to the Design Review Committee. One of the sets must be the original documents. Please mail this information to the address noted above in item #2. One (1) set will be returned to you after completion of the review.
 - a. Plot plan drawn to scale (not less than $\frac{1}{4}'' = 1'$) showing the following:
 - i. All proposed Improvements and relevant elevations, together with the desired location of such Improvement to the Condominium.
 - ii. Complete dimensions of the proposed Improvements.
 - b. Description of materials to be used, including the proposed color scheme. Samples must be provided.
 - c. Drainage plans (if applicable) where the established drainage pattern might be altered by the proposed Improvement.
 - d. Floor plans (if applicable) showing overall dimensions and area of Improvements reflecting your preliminary design concept.
 - e. Description of proposed construction scheduled.
 - f. Landscape plan and working drawings (if applicable).
 - g. If proposed Improvements require access over the Association facilities for purposes of transporting labor or materials, written permission shall be required from the Association. Any such requests must be filed with the Board of Directors prior to the commencement of your Improvement.
 - h. Any other information or documentation deemed to be necessary by the Design Review Committee in evaluating your request.

B. Time frames for Decisions by the Design Review Committee.

Upon receipt of the submittal from the Owner, the Design Review Committee shall within a reasonable period not to exceed forty-five (45) days notify the Owner either that the submittal was incomplete (and list the items required for a complete submittal), or notify the Owner of the date, time and place for the meeting of the Design Review Committee on the Owner's submittal. Failure of the Design Review Committee to act within forty-five (45) days will be deemed an approval of the submittal.

In the event of a denial due to inaction by the Design Review Committee, within thirty (30) days of such denial of the submittal, the Owner may request by mail (with return receipt requested) notification of status of his/her submittal. Failure by the Design Review Committee to act within forty-five (45) days of receipt of the Owner's status request will be deemed an approval of the Owner's submittal. Disapproval of a submittal may be appealed to the Board if and to the extent provided in Section 5.10 of the CC&R's.

C. Submittal to City – Right of Design Review Committee to Review.

Upon obtaining final approval from the Design Review Committee, the Owner shall thereafter submit plans and specifications to the City. If all necessary approvals of the City for the issuance of a building permit or other permits required to begin the work contemplated in the plans and specifications are not obtained within one (1) year after the date of the Design Review Committee's approval, the Design Review Committee shall have the right, but not the obligation, to re-review all previously approved plans and specifications.

In addition, if the City requires modifications to the plans and specifications

previously approved by the Design Review Committee, the Owner shall submit to the Design Review Committee all modifications to the plans and specifications to the Design Review Committee to reflect the modifications required by the City, the Design Review Committee shall have the right to review and to impose further conditions on any such modifications which are not inconsistent with the requirements imposed by the City.

D. Enforcement.

Failure to obtain the necessary approval from the Design Review Committee, or failure to complete the Improvements in conformity with the plans and specifications approved by the Design Review Committee, may constitute a violation of the Community Declaration and may require modifications or removal of any work or Improvement at your expense.

E. Violations.

All Owners in BelVista Community Association shall have the right and responsibility to bring to the attention of the Design Review Committee, any violations of the standards set forth herein.

F. Inspection of Completed Improvements.

The Design Review Committee or its duly authorized representative may inspect any work for which approval of plans is required under Article V of the CC&R's. The right to inspect includes the right to require any Owner to take such action as may be necessary to remedy any noncompliance with the Design Review Committee approved plans for the work or with the requirements of the CC&R's.

The Design Review Committee's right to inspect the work and notify the responsible Owner of any Noncompliance shall terminate sixty (60) days after the work is completed and the Design Review Committee receives written notice from the Owner that the work is completed. If the Design Review Committee fails to send a notice of Noncompliance to an Owner before this time limit expires, the work shall be deemed to comply with the approved plans.

G. Notice of Completion.

Upon the completion of any construction or reconstruction or the alteration or refinishing of any Improvement, or upon the completion of any other work for which approved plans and specifications are required, the Owner shall complete and forward a written Notice of Completion (Exhibit C) to the Design Review Committee.

H. Variances.

The Design Review Committee may authorize variances from compliance with any of the architectural provisions in the CC&R's. Such variances must be evidenced in writing, must be signed by a majority of the Design Review Committee, and become effective on Recordation.

After Declarant's right to appoint a majority of the Design Review Committee's members expires, the Board must approve any variance recommended by the Design Review Committee before any such variance becomes effective. If variances are granted, no violation of the covenants, conditions and restrictions in the CC&R's shall be deemed to have occurred with respect to the matter for which the variance are granted.

The granting of a variance does not waive any of the terms and provisions of the CC&R's for any purpose except as to the particular property and particular provision of the CC&R's covered by the variance, or does it affect the Owner's obligation to comply with all laws affecting the use of the Owner's Residence.

III. ARCHITECTURAL STANDARDS

A. Structural or Material Additions or Alterations.

Residences shall conform to the material, colors, character and detailing as established on existing Condominiums within the community.

1. Structures in this section shall conform to the original structural character of the existing Unit.
2. Structures under this section will be stained or painted to match or be complimentary with colors used on the existing Unit.
3. In designing this addition, intrusion upon a neighbor's privacy, or the passage of light or air to a contiguous Unit, shall be kept to an absolute minimum.

B. Landscaping and Other Related Improvements.

No Owner of a Condominium shall make any alteration to the Association property, or Improvements installed by the Declarant, or remove, plant or replace any landscaping, planting, structure, furnishings, or other objects within the Association except with the written consent of the Board.

C. Drainage.

No one may interfere with or alter the established drainage pattern over the Community. Established drainage means, for any Condominium, the drainage which (a) exists at the time of the first Close of Escrow for such Condominium, or (b) is shown on any plans approved by the Board.

D. Installation Outside of Units.

Clotheslines, balcony covers, shades or fencing, wiring, air conditioning equipment, water softeners, other machines, Improvements protruding through walls or roofs of buildings, and all other additions or alterations outside of any Unit are prohibited unless either (a) installed by Declarant, (b) installed by the Association, or (c) authorized by the Design Review Committee. Furniture, plants, and other personal property may be kept outside of the Units in the Exclusive Use area balconies or other locations only if authorized in the Community Guidelines. **No fires are permitted, including fire pots, heaters and charcoal barbecue grills (gas barbecues only) due to smoke and fire hazard.** No clothing, fabrics or unsightly articles may be hung, dried or aired outside of any residence.

F. Installations Inside the Unit.

All window coverings that are visible outside the residence must be either installed by Declarant or authorized by the Committee. Nothing may be done in any Condominium or in, on or to the Common Property which may impair or alter the structural integrity of any building in the Community, alters the fire sprinklers or their source of water provided by the Association, alters plumbing or natural gas facilities serving other Units, without prior approval by the Committee. No alteration, repair or replacement of wall, ceiling or floor coverings or materials, or sound insulation around the electrical outlets in Condominiums which may

diminish the effectiveness of the sound control engineering in the buildings in the Community may be made.

F. Radio and Television Antennas.

No person may install on the exterior of any Residence (including any portion of the Exclusive Use Area therein) or on any rooftop, any antenna or over-the-air receiving device except for an "Authorized Antenna". An Authorized Antenna is (i) an antenna designed to receive direct broadcast satellite service, including direct-to-home satellite service, that is one meter or less in diameter, or (ii) an antenna designed to receive video programming service, including multichannel multipoint distribution service, and is one meter or less in diameter or diagonal measurement, (iii) an antenna designed to receive television broadcast signals, or (iv) an antenna used to receive and transmit fixed wireless signals. An Authorized Antenna may be mounted on a mast to reach the height needed to receive an acceptable quality signal, subject to local governmental agency permitting requirements for safety purposes.

G. Right to Adopt Additional Architectural Standards.

The Board of Directors may, from time to time, adopt and promulgate additional Design Guidelines to be administered through the Committee. Copies of such additional Design Guidelines, together with any Community Guidelines adopted and promulgated by the Board of Directors and/or the Design Review Committee, shall be on file at the office of Avalon Management Group.

IV. GENERAL CONDITIONS

- A. An oversight of a Covenant, Condition or Restriction, or a Committee policy does not constitute waiver of that rule and therefore, must be corrected upon notice.
- B. Streets may not be obstructed with objects and building materials that are hazardous to pedestrians, vehicles, etc. Items such as, but not limited to, dumpsters, sand and building materials may not be stored on streets, sidewalks, or Property.
- C. Any damage to BelVista Community Property will be replaced or repaired by an Association approved subcontractor. All applicable charges for restoration will be charged back to the responsible Owner and are due and payable within thirty (30) days from notification or assessment of penalties.
- D. Approval of plans is not authorization to proceed with Improvements on any Property other than the Unit owned by the Applicant.
- E. An Improvement may be repainted without Committee approval, so long as the Improvement is repainted the identical color with which it was last painted in compliance with all applicable restrictions.

V. NEIGHBOR NOTIFICATION

It is the intent of the Committee to consult neighbors on any Improvements which may impact their use and enjoyment of their property. Neighbor approval or disapproval of a particular Improvement shall only be advisory and shall not be binding in any way on the Committee's decision.

- A. Definitions: Facing Neighbor; Adjacent Neighbor; and Impacted Neighbor.
Facing Neighbor: Means the three (3) Units that are directly across the street.
Adjacent Neighbor: Means all Units with adjoining property lines to the Unit in question.
Impacted Neighbor: Means all Units immediately surrounding the area which would be affected

- by the construction of any Improvement.
- B. Improvements Requiring Notification: Any exterior Improvements that may impact the neighbors in the community.
 - C. Statement: The Impacted Neighbor Statement (Exhibit "B") must be provided to the Committee to verify the neighbors have been notified about the proposed Improvements.

**EXHIBIT A
HOME IMPROVEMENT FORM**

BELVISTA COMMUNITY ASSOCIATION
 43529 Ridge Park Drive
 Temecula, CA 92590
 (951) 244-0048 Ext. 104, Fax: (951) 244-0520
 Email: BelVista@AvalonWeb.com
 Website: www.BelVista.org

<u>OFFICE USE ONLY</u>	
DATE SUBMITTED:	_____
DATE APPROVED:	_____
APPLICATION #:	ACCOUNT #: _____

Owner Name: _____ Home Phone: _____

Property Address: _____ Cell/Work Phone: _____

Owner's Signature: _____ Email Address: _____

(Owner's signature above signifies acceptance and understanding of the guidelines, CC&R's and each Exhibit attached hereto.)

SUBMITTAL CHECK LIST: (Please include the following, failure to provide will result in application being returned to you prior to review)

- _____ Home Improvement Form (Exhibit A)
- _____ Impacted Neighbor Statement (Exhibit B)
- _____ Three (3) Sets of Drawings - Should include details of size, design, color and materials. Location of drains must be included on drawings. Names of plants should include the common name and not Latin names. Please fold plans to 8 1/2" x 11". If plans have been revised, three (3) new sets are required.
- _____ Picture of property "as is" exists before improvements

DESCRIBE THE PROPOSED IMPROVEMENT IN DETAIL:

DO NOT WRITE BELOW THIS LINE (For Committee Use Only)

Architectural Committee has determined that the above submittal is:

Approved

Approved w/Conditions:

Disapproved:

Committee Signature: _____ Date: _____

Committee Signature: _____ Date: _____

Committee Signature: _____ Date: _____

**EXHIBIT B
BELVISTA COMMUNITY ASSOCIATION
IMPACTED NEIGHBOR STATEMENT**

The attached plans were made available to the following neighbors for review.

Impacted Rear Neighbor	Impacted Rear Neighbor
Name _____	Name _____
Address _____	Address _____
Signature _____ Date _____	Signature _____ Date _____

Common Area or Back Yard - Rear of Home

Adjacent Neighbor		Adjacent Neighbor
Name _____		Name _____
Address _____		Address _____
Signature _____ Date _____		Signature _____ Date _____

Your Street - Front of Home

Facing Neighbor	Facing Neighbor	Facing Neighbor
Name _____	Name _____	Name _____
Address _____	Address _____	Address _____
Signature _____ Date _____	Signature _____ Date _____	Signature _____ Date _____

My neighbors have seen the plans I am submitting for the Committee's review (see above verification). I as the Owner certify that I have requested that my neighbors sign this statement confirming notification. I understand neighbor objections do not in themselves cause denial of the plans.

Submitted By:

Name: _____

Address: _____

Signature: _____ Date: _____

ASSOCIATION PROPERTY IMPROVEMENT REQUEST FORM

BELVISTA COMMUNITY ASSOCIATION

31608 Railroad Canyon Road
Canyon Lake, CA 92587
(951) 244-0048 Ext. 104, Fax: (951) 244-0520
Email: BelVista@AvalonWeb.com
Website: www.BelVista.org

<u>OFFICE USE ONLY</u>	
DATE SUBMITTED:	_____
DATE TO BE REVIEWED:	_____
DATE APPROVED:	_____
ACCOUNT #:	_____ APPLICATION #: _____

Owner Name: _____ Home Phone: _____

Property Address: _____ Cell/Work Phone: _____

Email Address: _____

Owner's Signature: _____

(Owner's signature above signifies acceptance and understanding of the guidelines, CC&R's.)

1.) Select the location where you are requesting approval for a proposed improvement:

- Association Property Gate
- Association Property Fence
- Association Property Fence and Gate
- Association Property Planter

2.) Attach a sample, photo, or plans of the material/items you are requesting to install on Association Property. The sample, photos, or plans must reflect how material/items will be installed in or to the Association Property.

***Please submit your request form and all additional information to Avalon Management. Once received, your request will be added to the next regularly scheduled Board of Directors Open Session Meeting agenda, the Board will at that time review your request. You will receive their decision in writing within 10 days of the meeting.**

DO NOT WRITE BELOW THIS LINE (For Board of Director's Use Only)

The Board of Directors has determined that the above request is:

() Approved

() Approved w/Conditions:

() Disapproved:

Board Member Signature: _____ Date: _____

BELVISTA COMMUNITY ASSOCIATION

43529 Ridge Park Drive, Temecula, CA 92592

Phone: (951) 244-0048 Ext. 104 Fax: (951) 244-0520

Email: BelVista@AvalonWeb.com Website: www.BelVista.org

NOTICE OF COMPLETION

This form must be completed and returned to the Association within 30 days after the approved improvements have been completed.

Owner Name: _____ **Date:** _____

Property Address: _____

Mailing Address (if different from above): _____

Email Address: _____

Home Phone: _____

Business Phone: _____

Mobile Phone: _____

Summary of Completed Improvements:

Attachments (check box to indicate they have been enclosed):

Copies of photographs of all improvements included. Please note that the Notice of Completion form is not complete if photographs of improvements are not enclosed.

Owner's Signature: _____ **Date:** _____

By signing this form, the homeowner is stating that improvements completed are in accordance to the scope and specification of the approved Home Improvement Form and in accordance with the community's architectural guidelines.