

Corniche Sur Mer Homeowners Association Architectural Application Submittal

Applicant: _____

Property Address: _____

Mailing Address: _____

Contact Phone: 1) _____ 2) _____

Email Address: _____

Description of proposed alterations, structural changes, additions, replacements, and/or remodels, including all landscape/hardscape changes:

Drawing Enclosed: _____ Yes _____ No

Please submit three copies of the Architectural Application Submittal (Application) and three sets of plans to: Corniche Sur Mer Architectural Review Committee, c/o Keystone Arch Desk, 16775 Von Karman, Suite 100, Irvine, CA 92606, Email: architectural@keystonepacific.com ~ Phone: (949) 833-2600 ~ Fax: (949) 377-3309.

No construction, development, alteration, grading, addition, excavation, modification, painting, decoration, redecoration or reconstruction (collectively referred to herein as “modifications”) of the visible exterior of any improvement, including the residence and all structures and improvements on any lot may be commenced or maintained until the plans and specifications therefor showing the nature, design, kind, shape, height, width, color materials and location of the proposed modifications have been submitted to and approved by the Association’s Architectural Review Committee (the “ARC”). This includes, but is not limited to, landscape and hardscape, accessory buildings, patio covers, roofs, balconies, decks, porches, terraces, exterior steps or stairways, walls, fences, spas, and swimming pools, ARC approval of any particular construction activity shall expire and the plans and specifications therefor shall be resubmitted for ARC approval if substantial work pursuant to the approved plans and specifications is not commenced within six months after approval, or if work is suspended for three months. . **Please Note: The Impacted Neighbors (see below) must sign and date the Architectural Plans.**

Final approval will be at the sole discretion of the ARC. These plans have been reviewed in accordance with the CC&Rs and the Association’s Approval Procedures and Design Guidelines (the “Guidelines”), for appearance and harmony within the community only and NOT for structural integrity or code compliance. Approval is granted on the condition that as-built improvements do not violate or breach any provisions of the Association’s CC&Rs, the Guidelines or applicable law.

***** Bottom of This Page for ARC ****

() Approved () Approved subject to modification () Denied

Comments: _____

Signed: _____ Title: _____ Date: _____

Neighbor Awareness Form

A property owner seeking to make alterations, structural changes, additions, replacements, and/or remodels to their property must include a completed Neighbor Awareness Form with the Architectural Application Submittal. The purpose of this form is to notify all impacted neighbors of the proposed modification(s).

You must include a completed, signed form from ALL neighboring homeowners potentially impacted (facing, side, rear, above, below, etc.) by the proposed modification(s). There may be other homeowners potentially impacted by the proposed modification(s), therefore additional signatures may be required. Make copies of this form, as needed, to obtain all required signatures. The determination regarding whether a neighbor is "impacted" by the proposed modification requiring a signed Neighbor Awareness Form, is at the sole discretion of the ARC. Failure to obtain completed forms from all impacted neighbors may delay the submission or may be deemed incomplete and returned to you.

Neighbors are invited to contact the ARC to discuss their concerns and comments. However, while neighbors' comments are welcome, the final disposition of all applications will be based on the application's conformance with the CC&Rs, the Approval Procedures and Design Guidelines and all applicable Association Rules and Regulations (the "Governing Documents") and shall be at the sole discretion of the ARC. Neighbor signatures only reflect awareness of the proposed architectural modification and do not indicate consent, approval, disapproval or a waiver of the rights of the neighbor and/or the Association related to the proposed architectural modification(s). The Applicant below is requesting architectural approval as described:

Applicant: _____

Property Address: _____

Proposed Modification(s): _____

PROPERTY OWNER: (Please date and initial each page of attached site plans, drawings, etc.)

Print Name: _____ Phone #: _____

Address: _____

Comments: _____

Signature: _____ Date: _____

PROPERTY OWNER: (Please date and initial each page of attached site plans, drawings, etc.)

Print Name: _____ Phone #: _____

Address: _____

Comments: _____

Signature: _____ Date: _____

Approval/Denial: The ARC has forty-five (45) days after receipt of a completed Application including all information and documentation required by the Committee, to review the Application and provide written approval, approval with modification(s) or denial. Upon approval by the ARC, owners may need to secure a building permit approval and/or engineering, as may be required by the City. Please note that any additions, changes or deletions to your plans required by the City of Dana Point will have to be submitted to and approved in writing by the ARC **prior** to starting your project.

Owner Agreement

Owner(s) hereby agree to all the terms, conditions, and policies in accordance with the Association's Governing Documents and as stated below:

Policy Compliance: Owner(s) agree to require all contractors employed to abide by all the policies established by the Association and the City of Dana Point including, but not limited to access, hours of work (7:00 a.m. to 5:00 p.m., Monday-Friday and 8:00 a.m. to 5:00 p.m. on Saturday, except for holidays), noise, cleanup, etc., and to prohibit contractors from working on Sundays; and to be responsible for the conduct of any contractor employed by them. The contractors shall not park vehicles or place dumpsters, portable toilets, construction materials or equipment in a manner that disrupts the flow of traffic, emergency vehicles or access by any other property occupant to its property.

Permit Requirement: Upon plan approval by the Committee and Board, owner(s) agree to secure a building permit approval, as may be required by the City of Dana Point and/or any other governmental agency. Any additions, changes or deletions to your plans required by the City of Dana Point will have to be submitted to and approved in writing by the ARC **prior** to starting your project.

Workmanship: Owner(s) warrants that all work performed shall be done in a professional, workman-like manner equal to or a "better than" the standards of workmanship applied to the original construction.

Building and Safety Regulations: This review does not provide approval of the proposed improvement for compliance with architectural, structural, mechanical, and/or engineering specifications. Approval of plans by the Association does not relieve you (the property owner) of complete adherence to all the codes and regulations of the City of Dana Point and/or other governing agencies (including but not limited to: Department of Building and Safety, Planning, Engineering, Fire Department, etc.) as well as appropriate utility companies. Please note that items which will require approval of one or more entities as described above include but are not limited to: room additions, patio covers, sprinkler systems, drainage alterations, alterations in plumbing, heating, air conditioning, and electrical. Owner(s) understand and agree that the Association's approval is limited to authority granted under the Association's Governing Documents of the Association and is in no way an endorsement of architectural integrity, engineering requirements, compatibility, standards or adherence to applicable ordinances or City or other governmental requirements.

Drainage: When completing architectural improvements, do not allow your contractor to alter or change grades or drainage without professional advice and applicable permits. Owner(s) must maintain proper drainage, prevent drainage onto common areas, prevent drainage onto neighbors' property; and comply with all governmental agency requirements. Owner(s) will be responsible for any drainage issues and/or costs that arise subsequent to any and all improvements.

Damage Due To Construction: If any existing public improvements, utilities, common area improvements or private property improvements are damaged or destroyed during any phase of construction or architectural modification, the Owner(s) shall, at his/her own expense, replace, and/or repair such damage, subject to the final approval of the appropriate governing agencies and/or utilities. Owner(s) agrees to pay or reimburse the public entity, the utility supplier, the Association or any private property owner for all costs incurred in moving sprinkler lines and heads, plants and trees, electrical lines or fixtures, replanting of plants or grass destroyed during the construction, or any other expense that is incurred to correct construction damage or architectural modification.

Encroachment: Approval of this Application does not authorize encroachment into the Association owned or maintained common areas and/or adjacent properties. By signing this Application, owner(s) warrant that he/she does not intend in any way to encroach onto Association's common areas and/or adjacent properties, and will at his/her own expense relieve, replace and/or repair any such damage in any event without limitation. The Application is not a substitute for a survey of property boundaries. The approval of an Architectural Submittal Application by the Association does not relieve the owner of the responsibility for obtaining a survey of property line boundaries.

Release From Liability: In accordance with Section 6.6 of the CC&Rs, neither the ARC, nor any members thereof, nor their duly authorized representatives, shall be liable to any Applicant or Lot Owner for any loss, damage, or injury arising out of or in any way connected with the performance of the ARC's duties, unless due to the willful misconduct of the ARC.

Terms and Conditions: Failure to comply with the terms, conditions, restrictions, and promises set forth in the Application, the Association's Governing Documents, and any conditions/modifications for approval of this Application by the Association, subject owner(s) to liability for any deviation. The Board of Directors shall make final decisions of what constitutes compliance and/or deviation from the Application as approved.

Please submit your written application well in advance of your anticipated construction date, allowing no less than forty-five (45) days for a written response. Written approval must be granted prior to commencement of any demolition or construction.

Signature of Owner(s)

I/We hereby acknowledge to having read, understand, and agree to the above, and further acknowledge that pursuant to Section 13.7 of the CC&Rs, in the event of litigation arising out of or in connection with the CC&Rs, the prevailing party will be entitled to reasonable attorney's fees and costs of suit:

Print Name: _____ **Date:** _____

Signature: _____

Print Name: _____ **Date:** _____

Signature: _____

Note: Please keep a copy of all documents submitted for your records.