



**Dover Shores Community Association
Architectural Control Procedures and Fee Schedule
Covering Exterior Alterations and Additions**

Amended March 2011

Architectural Committee – 2011/2012

Curt Fleming,
Bert Ohlig, Co-Chairman
Jean Ashby
Tony Khoury
Warren Parchan

Association Architect

Chairman Zachary Sham & Associates

The CC&R's of the Dover Shores Community Association establish architectural, landscape control and maintenance for all Homeowners in the Community. Some of the more important provisions of the CC&R's are as follows; for specific language, please refer to Articles VI and IX of the CC&R's:

- A. No building, fence, wall or other structure shall be commenced erected upon the properties, nor shall any exterior addition to, or change or alteration thereon, including patio covers, be made until the plans and specifications showing the nature, kind, shape, height, materials, colors and locations of same shall have been submitted to and approved in writing by the Architectural Committee.
- B. Four (4) sets of plans and completed Application (including a check payable to Dover Shores Community Association) and Neighbor Awareness form, to be submitted to Management. Management will send one (1) set of plans, application and neighbor awareness form to Zachary Sham; and one (1) set of plans, application and neighbor awareness form will be sent to the Architectural Committee. No work shall be done until the review and approval procedure is accomplished. This process is for the purpose of determining that changes requested comply with the Architectural requirements of the CC&R's.

Architectural Review Fee Schedule

Project Cost	Fee
Less than \$50,000 construction valuation	\$180.00
\$50,000-\$150,000 construction valuation	\$285.00
Over \$150,000 construction valuation	\$400.00

Construction valuation includes the total cost of the proposed project including planning, material and labor.

- C. Approval of the plans and specifications shall be based, among other things, on harmony of external design and location in relation to surrounding structures and topography. Any exterior changes which are made to the originally approved plans must be resubmitted to the Association's Architectural Committee for review and approval.

Professionally Managed by:

Keystone Pacific Property Management, Inc.

16845 Von Karman Avenue, Suite 200 · Irvine, CA 92606-4960 · Tel (949) 833-2600 · Fax (949) 833-0919

www.keystonepacific.com



- D. For maintenance of property that will not alter the appearance, such as paint color or roofing materials, a simple notification letter to the Property Management Company will be required prior to commencement of work.
- E. No above ground level building additions may be built on the Bay or view side patio areas which extend beyond the rear yard set-back line of the respective residence.
- F. With certain exceptions and restrictions, single story construction with a maximum roof height of fourteen (14) feet above the building pad is the standard for all lots within Dover Shores. Where two-story construction is permitted, twenty-five (25) feet is the maximum roof height. For specific information as to exceptions and restrictions, please refer to Article VI, Section 7 of the CC&R's.
- G. Where "VIEWS" may be altered or impacted as a subsequent result of new construction, or an addition to or modification of an existing structure, water feature, pool fence or guardrail, deck, etc. or a change in Building Code requirements, the Association's Architectural Committee may require that prior to approval by the Committee and prior to commencement of construction, that story poles be erected to identify the parameters of the proposed new construction or alteration. The story poles are to be installed for a minimum of period of twenty-one (21) days for the Association's Architectural Committee and impacted neighbors to review.
- H. Homeowners shall promptly commence construction following approval of working drawings. In the event work related to the approved submittal is not commenced within one (1) year following approval, the approval shall be deemed voided and resubmittal shall be required.
- I. Homeowners shall diligently pursue all approved work to completion. All approved work shall be completed within one (1) year after the date of approval, unless otherwise specified in writing by the Architectural Committee. In the event all approved work is not completed within one (1) year after the date of approval, the Association may, in addition to imposing monetary penalties, require the homeowner to resubmit plans and obtain approval before continuing with construction.
- J. The Homeowner agrees to maintain the street, sidewalk and parkway area in front of the property clear of any construction rubbish material. Demolition rubbish shall be placed immediately in a dumpster and not on the ground in front of the property. A dumpster may not remain parked on or in front of the property longer than (60) calendar days.
- K. Hours of work must comply with City of Newport Beach ordinances. Work will not be allowed prior to 7:00 a.m. nor later than 6:30 p.m. on weekdays. Work hours on Saturdays will be 8:00 a.m. to 6:00 p.m. No work will be allowed on Sundays and/or legal holidays. Violations will be reported to the City.
- L. Mechanical, heating, or air conditioning ducting or any other equipment shall not be installed on the roof.
- M. No change in the existing contour lines and topography of any lot shall be made without the approval of the Architectural Committee.

Professionally Managed by:

Keystone Pacific Property Management, Inc.

16845 Von Karman Avenue, Suite 200 · Irvine, CA 92606-4960 · Tel (949) 833-2600 · Fax (949) 833-0919

www.keystonepacific.com



Deck Construction

Certain lots include landscaped slopes that extend down below the pad level. On such lots deck construction is permissible on the upper portion of the slope, provided that the following requirements are followed:

1. The Architectural Committee must approve plans for the decking.
2. The deck must be an extension of the patio, and shall not be more than five feet lower than housing grade level. Deck depth must be held to a maximum of twelve feet (12') with a see-through handrail all around the deck. The deck width cannot exceed two-thirds of the width of the respective lot. To protect the privacy of the adjoining neighbors, this width restriction must be taken at the center of the lot width.
3. All deck understructure materials are to be painted or stained a dark green or brown so as to blend in with existing slope landscaping.
4. Association irrigation lines that are damaged or become ineffective as a result of construction shall be repaired and/or relocated at Homeowner expense.
5. If existing slope shrubbery does not screen the deck understructure, the Homeowner shall coordinate with the Landscape Committee in planting landscaping to screen or appropriately hide the deck understructure.
6. To reduce the visual impact to neighbors below, the finish color of the upper deck structures shall promote harmony between the house, deck and immediate surroundings.

Residential Exterior Color Changes, Repainting and Cosmetic Maintenance

In any situation where a new Dover Shores homeowner or existing homeowner proposes to change the exterior color of their residence, a sample of the new proposed color must be submitted to the Architectural Committee for approval. Colors must be consistent with the aesthetics and architectural qualities of the Community. The Committee will consider color hues, their placement and their contrast, relative to other colors.

Children's Play Equipment

Playhouses, Forts, Climbing structures as well as Swing Sets, Slides, etc., cannot be visible from the street.

The Architectural Committee is available to discuss any aspect of the Association's CC&R's relating to the architectural standards of the Dover Shores Community. In the event that the architectural committee denies an applicants submission, the applicant shall receive a written explanation of the reason or reasons of the denial. The letter advising the denial shall also advise the applicant of the applicant's right to appeal the decision to the Board of Directors.

NUISANCE CONDITIONS

Professionally Managed by:

Keystone Pacific Property Management, Inc.

16845 Von Karman Avenue, Suite 200 · Irvine, CA 92606-4960 · Tel (949) 833-2600 · Fax (949) 833-0919

www.keystonepacific.com



Permitting, causing or allowing to exist any of the following conditions on a lot during the demolition or construction phases of a project is a violation of Article VII, Section 2 of the Dover Shores CC&R's, and a violation of the "public nuisance" provision of the City of Newport Beach Municipal Code (Title 10, Section 10.50.020):

A. A fire hazard including, but not limited to, any cut or uncut shrub, tree, grass, weeds, vines or other vegetation; combustible refuse or waste; or other flammable material which by reason of its size, manner of growth or location constitutes a fire hazard to any structure, improvement or landscaping;

B. Any swimming pool, spa, pond, fountain or other body of water which is allowed to become stagnant, unsanitary or unsafe;

C. The accumulation of rubbish, trash, debris, rubble, broken-up asphalt, lumber, concrete, plaster, tile, rocks, bricks, building materials, crates, cartons, containers, boxes, scrap metal, trimmings from plants and trees, cans, bottles and barrels;

D. Vegetation, including, but not limited to trees, shrubbery, grass and plants, which is overgrown, dead, decayed or diseased such that it may:

1. Impede or present a danger to pedestrian or vehicular traffic;
2. Interfere with visibility on, or free use of, or access to, any portion of any public sidewalk, street, alley or right-of-way; or
3. Harbor rats, vermin, insects and other situations likely to cause a hazard to the public safety;

E. Buildings or structures which are partially destroyed, partially repaired, abandoned or which remain in the state of partial construction or disrepair for more than three months, unless the construction and repairs are being accomplished pursuant to an active, open building permit.

Obtaining necessary City building permits, although required, does not release the applicant Homeowner from meeting the requirements of the CC&R's and processing the plans through the Association's Architectural Committee for approval. Approval of plans by the City does not alter or circumvent the approval process required by the Association.

Professionally Managed by:

Keystone Pacific Property Management, Inc.

16845 Von Karman Avenue, Suite 200 · Irvine, CA 92606-4960 · Tel (949) 833-2600 · Fax (949) 833-0919

www.keystonepacific.com



Dover Shores Architectural Request Application

Homeowner's Name: _____

Address: _____

Phone: () _____ / Home () _____ / Office

Fax: () _____ / **Email:** _____

Estimated Project Starting Date: _____ **Estimated Time Required:** _____ (Months)

Contractor Name: _____ **Address:** _____

Phone: () _____ **Cell:** () _____

Description of Modification or Improvement:

Agreement & Certification:

I/we certify that I/we have read and understand all pertinent sections of the applicable CC&RS and the Architectural and Landscaping Rules. I/we believe that the information on this application, including the plans and any other attachment are accurate and complete. I/we understand that I/we are responsible for the actions of our contractors.

I/we agree that my/our home improvement, if approved will not result in any future maintenance costs whatsoever to the Dover Shores Community Association, and I/we understand that all construction, maintenance and insurance of the improvements shall be the sole responsibility of myself/ourselves.

I/we agree that any changes to the landscaping of the slopes during home improvement, shall be my/ours responsibility to replant and restore to its original look within a maximum period of one year from the date of approval of my application.

I/we understand that building permits for these improvements may be required and the cost of any permits and the responsibility for obtaining permits and subsequent City inspection will be the responsibility of the undersigned. I/we acknowledge that architectural approval is not intended to be, nor shall it be considered, a substitute for approval by the necessary and appropriate City agencies. I/we further agree that no construction will begin until the written approval of the association has been received pursuant to the Association's CC&RS.

I/we understand that the Association will inspect the improvement or modification during and after construction to verify conformance. I/we understand and agree that any failure to complete the improvement/modification in accordance with the approved application, plans, and schedule may result in reconstruction at my/our expense, forfeiture of fees, additional fines, and future action as deemed appropriate by the Association.

Legal Homeowner's Signature

Date



Dover Shores Community Association
Notice of Completion Form

Today's Date: _____ Property address: _____

Owner's Name: _____

Mailing Address (if different than property address): _____

Daytime Phone: _____ Evening Phone: _____

ATTACH PHOTOGRAPHS OF ALL ANGLES OF IMPROVEMENTS, INCLUDING BOTH FRONT, SIDE AND REAR YARD, IF APPLICABLE.

MAIL TO:

Dover Shores Community Association

c/o Keystone Pacific Property Management
16845 Von Karman Avenue, Suite 200
Irvine, California 92606-2600

E-MAIL TO:

architectural@keystonepacific.com

Do not write below this line – For Committee Use only

Disapproved as presented

Approved as presented

Approved as revised:

Committee Signature _____ Date _____

Committee Signature _____ Date _____

Committee Signature _____ Date _____

Committee Signature _____ Date _____

Committee Signature _____ Date _____



**Dover Shores Community Association
Variance Request Form**

Today's Date: _____ Property address: _____

Owner/Applicant's Name: _____

Mailing Address (if different than property address): _____

Daytime Phone: _____ Evening Phone: _____

Description of Request (Please include drawings, photographs and a description of your special circumstance for the Board's review):

Do not write below this line – For Committee Use only

- Disapproved as presented**
- Approved as presented**
- Approved as revised:**

Committee Signature _____ Date _____

Committee Signature _____ Date _____

Committee Signature _____ Date _____

Committee Signature _____ Date _____

Committee Signature _____ Date _____



Dover Shores Community Association

Application For Appeal Of Architectural Denial

The undersigned Owner, by completion of this form, hereby requests that the Association's Board of Directors reconsider the denial of certain Architectural improvements by the Committee, as described below.

1. **Owner's Name:** _____
2. **Property Address:** _____
3. **Summary of Prior Architectural Submittals:**
 - (a) Date of Original Submittal: _____
 - (b) Total Number of Submittals: _____
 - (c) Date of Submittal Being Appealed: _____
 - (d) Date of Denial by Committee: _____

4. **Copies of Application Information:**

I have included copies of all of the following for the denial that is being appealed:

- Copy of original Architectural application;
- Copy of Committee denial;
- Copy of most recent Architectural plans;
- Letter explaining in detail the portion of the Committee denial that you are appealing and explaining the reasons for reversal of the decision. (Please understand that the Board of Directors needs to understand specifically those improvements that the requesting member wishes the Board to reconsider and approve.)

Dated: _____
SIGNATURE OF OWNER(S)

Do not write below this line – For Committee Use only

- ___ Disapproved as presented
- ___ Approved as presented
- ___ Approved as revised:

Committee Signature _____ Date _____

Committee Signature _____ Date _____

Committee Signature _____ Date _____

Keystone Pacific's Architectural Desk Architectural Processes Q&A

Definitions

“Architectural Guidelines” – Otherwise referred to as Architectural Standards, Design Review Guidelines, Design Guidelines, Design Standards or any other document containing the parameters in which a homeowner is to follow when submitting an application.

“Reviewer” – Otherwise known as the person or persons responsible for reviewing the plans, such as a homeowner committee, Board of Directors or a qualified third party consultant hired to perform the review on behalf of the committee.

Facts

The staff members working the architectural desk for Keystone Pacific **process** anywhere from 50 to 100+ plan submittals a day.

Keystone Pacific staff members **do not** review plans.

The staff members working the architectural desk for Keystone Pacific only make sure the application has been completed and submitted with your plans, a review fee/deposit check has been submitted (if applicable) and the correct number of plans have been submitted. This information is then forwarded to the party responsible for reviewing plans on behalf of the association.

Plan Review

Who is responsible to review your plans?

Your association CC&R's contain a section devoted to architectural review, which indicates how many members need to be appointed to a committee and/or whether or not this task can be delegated to a third party consultant. Some CC&R's give the committee the right to delegate this task to a qualified third party consultant.

Who makes the final decision on approval or denial?

The designated party responsible for reviewing plans.

How do I find out how much time the committee has to review my plans?

Your CC&R's will provide this information and/or the architectural guidelines. Review periods vary from 30 to 90+ days. This means the committee and/or third party consultant can take up to that many days to review your plans. Sometimes it doesn't take that long, but nothing can be guaranteed. Keystone Pacific has no jurisdiction over the committee members or the third party consultant. The committee is appointed by the Board of Directors and works at the pleasure of the Board and the third party consultant is retained by the Board of Directors on behalf of the association.

What if my plans are denied – do I have to wait another 30-90+ days for review?

Yes, each time a plan is resubmitted the time frame allowed for the review process starts over.

Why can't you “rush” the review upon request?

Keystone Pacific has no jurisdiction over the time constraints of the committee and/or third party consultant. As a courtesy, we can include a note requesting the appropriate party to “rush” the plan review, but we cannot guarantee this will occur.

Can't I pay for a “rush” review?

This policy would need to be adopted by the Board of Directors and could only realistically be implemented if a third party consultant were being employed. This concept would not be feasible with a volunteer homeowner committee.

What do I do if the plans are not back yet and the time period for review is past?

Place a call to Keystone Pacific's architectural desk at (949) 838-3239 or e-mail architectural@keystonepacific.com to request information. Some CC&R's require the request be made in writing and then allows the committee 15 or more days to respond before your plans are deemed approved.

Why can't I contact the reviewer directly with my questions?

The third party consultant would be inundated with calls, thus taking away from their limited time to actually perform reviews in a timely manner. Homeowner committee members are volunteers and therefore their personal information cannot be provided. All questions can be submitted in writing and will be forwarded to the appropriate party and a response will be provided in writing.

Who pays for the qualified consultant to review the plans?

The association pays for this service. If a third party consultant is contracted to review plans on behalf of the association, the fees are paid via your submittal fee. The CC&R's typically give the association the right to collect fees in order to offset the costs related to plan review costs when a third party consultant is utilized.

Why can't Keystone Pacific give me approval?

Keystone Pacific is an independent third party managing agent and has no authority to review, approve or deny plans on behalf of any association. The only responsibility of Keystone Pacific is to make sure the application has been completed and submitted with your plans, a review fee/deposit check has been submitted (if applicable) and the correct number of plans have been submitted. This information is then forwarded to the party responsible for reviewing plans on behalf of the association. Keystone Pacific also takes receipt of the plans from either the committee and/or third party consultant and then notifies the homeowner of the decision.

Why can't KPPM give me the decision over the phone?

A plan review usually results in many comments from the reviewing party. In order to avoid any miscommunication, Keystone Pacific has a policy that all decisions made by either the committee and/or third party consultant must be communicated in writing.

Can I pick my plans up?

If you would like to pick your plans up, you need to notify the staff members at the architectural desk and every effort will be made to accommodate this request.

Why can't my contractor call and get the information or pick up my plans for me?

Unless the homeowner provides written authorization for a specific person to receive information on their behalf, Keystone Pacific can only communicate with the homeowner. All decisions must be mailed to the homeowner's mailing address on file.

Why can't KPPM give me interpretation of the guidelines or at least give me a general idea of whether my idea will be approved?

The details on any given set of architectural guidelines cannot possibly be known by the one person answering the phone at the architectural desk. Keystone Pacific would be guessing if they tried to assist someone in answering questions about the guidelines. As a homeowner, you need to consult with the professional assisting you with your plans regarding any questions you have pertaining to the guidelines.

If I want to make changes to my approved plan, do I have to re-submit?

Yes, any plan changes need to be submitted for approval.

If I am just painting my house the same colors, do I have to submit for review?

The safest bet is to submit. Many association documents require submittal regardless of whether or not the existing paint color is being used. Some documents do not require an architectural application to be submitted to repaint the existing color, however, you should refer to your architectural guidelines for the answer to this question or contact your community association manager.

Why are site photos sometimes required?

Depending on the complexity of the improvements, the committee and/or third party consultant needs a point of reference when visualizing the project you are proposing.

Neighbor Awareness

What does a Neighbor Awareness form do for you?

A Neighbor Awareness form is merely a means of notifying your neighbors that you plan to make exterior modifications to your home. Your neighbor does not have the right to approve or deny proposed modifications to your home, but they do have the right to be aware and make comments for the reviewing party to consider. The committee and/or third party consultant is required to approve your plans if they meet the architectural guidelines.

Why use a Neighbor Awareness form if it doesn't influence the review?

Some associations utilize this form, as it is believed it keeps people informed. Some think it allows the owner the opportunity to modify proposed changes if their neighbor has a concern. There are several associations that do not require a Neighbor Awareness form. You need to check your architectural guidelines and/or architectural application to determine whether or not your association requires this form.

How many signatures are required on the Neighbor Awareness Form?

If you are on a single loaded street, meaning you have no neighbors across the street from you, then you only need your neighbors to the left, right and behind you. If you are on a double loaded street, meaning you have neighbors across the street, you need your neighbors to the left, right, behind you and across from you. Any property that touches your property should be signing your form. NOTE: Some associations also require signatures on the actual plans.

What would happen if I just leave a signature off the form or have a neighbor sign a few doors down, versus my immediate neighbors?

Leaving a signature off the form could also delay your submittal process, because if you don't provide the required signatures, your submittal may be deemed incomplete and will be returned to you. Additionally, leaving a signature off the form or getting a distant neighbor to sign may void your plan approval if later challenged.

What if my neighbor is a renter?

You may indicate this on the form and you should also mail a letter via certified mail to the address anyway notifying the owner of the property of your intentions to submit for exterior modifications. Provide a copy of the letter and returned receipt with your application.

After You Are Done With Improvements

What do I need to do after my improvements are finished?

When complete, fill out the notice of completion form and attach photos of the improvements from all angles. You can e-mail these photos to architectural@keystonepacific.com or mail a hard copy. Keep in mind that the photos should show set back requirements met (use a tape measure in your photo) and needs to show the overview of the improvements. The committee and/or third party consultant will take these photos and compare them to your plans to make sure all was installed per plan.

Where do I get the notice of completion form?

If your Association has a website, it will be under the architectural section or forms section. If not, e-mail architectural@keystonepacific.com and request one be e-mailed to you. If no e-mail, call (949) 838-3239 and ask that one be mailed to you, or provide a fax number in which it can be sent.

How difficult is it to get my notice of completion signed off?

If you installed per plan and provide pictures of all improvements it is very easy. If you didn't install a tree that was on your plan, expect to be told to install it – in the size and species you put on your plans. Anything that wasn't installed per plan will hold up your notice of completion approval.

Can a site visit be performed in place of a notice of completion?

Site visits could be performed in place of a photo notice of completion review only if you are willing to pay, in advance, the cost for the third party consultant to perform the review. If your review is performed by a homeowner committee, you could request this; however it would be up to the committee/board to do this and most likely this would not happen due to the time involved.

What if my notice of completion keeps getting denied, what do I do?

The best thing to do is to do everything on the list of issues pointed out to you. If you feel you have completed those items, then you should address your concerns with the Board. If you have no plans to complete all of the items on the list, then you should resubmit your plans showing only what you actually installed. The Board of Directors does have the right to call you to a hearing and assess fines if you choose to ignore the notification to correct items. Most CC&R's give homeowners 30 days to correct issues. After this, the Board can move forward with hearings and fines.

How soon can I get my deposit back once my notice of completion is approved?

Associations cut checks once a month. If you happened to obtain approval for your notice of completion right after a check run was issued, you would have to wait until the following month, which could take up to 45 days.

Variations/Appeals

What if I do not agree with the reviewer's decision?

You may fill out a variance/appeal form that will go to your Board of Directors for review and consideration, if the governing documents of the association allow for this. Some documents do not and the final authority lies with the committee. There is sometimes a fee required for these requests when a third party consultant is being utilized, which must be paid to the Association prior to the work being performed.