



EZ-DISH Architectural Application

Q & A Regarding Satellite Dishes at Pinecrest

Q: Can the Association ban satellite dishes?

A: No. FCC regulations require that satellites dishes may not be banned.

Q: Why do I have to apply to keep or install a dish at my home?

A: California statute allows reasonable architectural rules to be applied to such installations, and that such applications must be reviewed using the normal architectural review process by the Association.

Q: I've had my dish for a long time and never got it approved. Will I be fined?

A: For the next few months, the Association will simply be making sure that your homeowner file is complete and has all of the necessary approvals. As long as you make a serious effort to comply with notices sent regarding your dish, if you have one, you will not be subjected to any fines. Remember, your Board has a duty to enforce the CC&Rs, including the architectural rules.

Q: Can the Association make me remove my dish?

While no unapproved dish is absolutely "grandfathered in", it is extremely unlikely that any existing dish, currently in use, will be ordered removed for architectural reasons. (Although the Association may ask that it be relocated or otherwise masked from plain site in the common areas where that is possible.)

Q: Where can I get a form to apply for a dish approval?

A: You can email the management company at:

pca@hoa-oc.com

Q: Anything else I need to know?

A: Yes, any dish that is no longer in active use must be promptly removed.

Filling Out the Application

Pre-2014 dish owners need to fill out only pages 3 and 4 of this application. All other dish installations must fill out pages 3, 4, 5 and 10. Please read the instructions regarding other required information to submit on page 3 carefully.

PINECREST COMMUNITY ASSOCIATION

Pinecrest EZ-DISH Application

ARCHITECTURAL APPLICATION

Please deliver this form along with drawings and other material, when required, to Pinecrest Architectural Committee, c/o Orange County HOA Management, 100 Spectrum Center Drive STE 900, Irvine CA 92618.

NAME _____ DATE _____

SIGNATURE _____

ADDRESS _____ HOME PH. _____

LOT _____ TRACT _____ WORK PH. _____

PROPOSED STARTING DATE _____ COMPLETION DATE _____

The Architectural Committee approves changes and improvements according to standards established by the CC&Rs to assure continuity of quality and design while maintaining the aesthetics of the Community Association.

PLEASE INCLUDE THE FOLLOWING INFORMATION WITH THIS APPLICATION

1. A description of the change/improvement
2. Complete dimensions on the proposed plan
3. Measurement of location in relationship to home and lot lines
4. Description of color specifications, color and materials

For Dish Applications Only

1. A photo of the installation or area the dish is to be installed.
2. Efforts made to keep the dish from view in the common areas.
3. Original date of installation if already installed.
4. Certification that this dish is being or will be actively used.

WORKMANSHIP

It is the obligation of the property owner to assure that all work performed on the subject improvements shall be done in a good workmanlike manner equal to or better than the standards of workmanship applied to original construction within the subject tract. If, in the opinion of the Architectural Committee the workmanship performed on the subject improvements has not been done in a good workmanlike manner, the property owner shall be notified by the Architectural Committee in writing and shall be responsible to make the necessary corrections within thirty (30) days from the date of notice. If these corrections are not made within thirty (30) days from the date of notice, then the improvements shall be held in non-compliance with the Declaration of Covenants, Conditions and Restrictions.

DRAINAGE

During and subsequent to construction of any improvements, the drainage pattern of your lot (although it may be revised), must not divert waters in any manner to adjacent property, nor shall any attempt be made to block or divert waters from adjacent slopes.

BUILDING AND SAFETY REGULATIONS

Approval of plans by the Architectural Committee does not relieve you (the property owner) of a complete adherence to all codes and regulations of the City of Mission Viejo or other governing agencies (i.e. Mission Viejo Department of Building and Safety, as well as appropriate utility companies). Please note that items which will require approval of the Building Department are as follows not limited to:

Room additions, patio covers (footing for supports should be inspected prior to pouring a slab), retaining walls with grade differential of 10 inches or more, swimming pools and equipment, sprinkler systems, alterations in plumbing, heating and electrical, and air conditioners.

DAMAGE DUE TO CONSTRUCTION

If any existing public improvements or utilities are damaged or destroyed during any phase of construction to which these approved plans apply, the property owner shall at his own expense replace and/or repair such damage, subject to the final approval of the appropriate governing agencies and/or utilities.

PINECREST COMMUNITY ASSOCIATION

ARCHITECTURAL REVIEW COMMITTEE (ARC)

APPLICATION FOR ARCHITECTURAL APPROVAL OF EXTERIOR CHANGES

A plan and/or rendering with the location of the project in relation to the house and lot line must be submitted along with this form. Scale dimensions must be noted. Materials and color specifications must be noted. Please deliver this form along with drawings and other supporting material to:

Pinecrest Architectural Committee
c/o OC HOA Management, 100 Spectrum Center Drive STE 900, Irvine CA 92618
(949) 216-3985 Telephone / (949) 216-3987 Facsimile / pca@hoa-oc.com email

The ARC approves changes and improvements according to the standards established by the CC&Rs and the conditions outlined in the attached "Architectural Conditions and Restrictions" (AC&Rs) to assure continuity of quality and design while maintaining the aesthetics of the Pinecrest community. Only those improvement items indicated below will be reviewed. Any alteration to the improvement items detailed on this notice must be resubmitted to the ARC for review. Any additional improvement items must be submitted for separate approval.

You will receive a response from the ARC within 30 days of ARC's receipt of this completed application.

Please print


Property Owner Name _____ Daytime Ph. () _____

Street Address _____ Mission Viejo, CA

Proposed Dates: Starting _____ Completion: _____

Brief description of project: Installation of _____ Retain Existing _____ Satellite Dish.

Please check all areas that apply:

<u>Improvement Area</u>	<u>Reference AC&Rs</u>	<u>Approved</u>	<u>Denied</u>
_____ Block / Brick Wall	<u>C, D, E, F, G, H, I</u>	_____	_____
_____ Driveway	<u>C, D, F, G, H, I</u>	_____	_____
_____ Fence and/or Gate – Wood	<u>C, D, E, F, G, H, I</u>	_____	_____
_____ Fence and/or Gate – Wrought Iron	<u>A, C, D, E, F, G, H, I</u>	_____	_____
_____ Front Door(s)	<u>G, H, I</u>	_____	_____
_____ Garage Door	<u>G, H, I</u>	_____	_____
_____ Irrigation / Drainage System	<u>C, D, F, G, H, I</u>	_____	_____
_____ Landscaping / Plant Material	<u>C, D, F, G, H, I</u>	_____	_____
_____ Painting Exterior	<u>G, H, I</u>	_____	_____
_____ Patio / Planters (hardscape)	<u>B, C, D, F, G, H, I</u>	_____	_____
_____ Patio Cover	<u>G, H, I</u>	_____	_____
_____ Pool	<u>G, H, I</u>	_____	_____
_____ Re-roofing	<u>G, H, I</u>	_____	_____
_____ Room Addition	<u>C, D, E, G, H, I</u>	_____	_____
_____ Spa	<u>G, H, I</u>	_____	_____
_____ Walkway(s)	<u>F, G, H, I</u>	_____	_____
_____ Windows	<u>G, H, I</u>	_____	_____
_____ Other (List item and check):	_____	_____	_____
 _____ <u>Satellite Dish</u>	<u>G, H, I</u>	_____	_____
	<u>G, H, I</u>	_____	_____

For ARC use only:

Conditions of Approval, if any _____

Explanation for items denied _____

ARC Member _____

Date _____

**FORM MUST BE FILLED
OUT COMPLETELY FOR
PERMIT APPROVAL**

NEIGHBOR AWARENESS FORM

Community Development Department

City of Mission Viejo

200 Civic Center

Mission Viejo, CA 92691

Questions regarding this form: 949/470-3074

Chapter 9.43, of the City of Mission Viejo Municipal Code pertaining to architectural and design review provides that no person shall construct any dwelling, accessory building, or structures, improvements, patio covers, roofs, balconies, decks, porches, terraces, exterior steps or stairways, walls, fences, **antennas**, spas, swimming pools, or make any additions to, or modify any structure, or install a new roof on any structure, on any property in a residential zone in the City unless the resulting construction is found to be compatible with the neighborhood within which it is located. Excerpts from the Municipal code pertaining to this matter are found on the backside of this form.

Tract/Lot: _____

I, _____ am requesting a permit to modify my real property at
(Homeowners' Name)

_____ in the following manner:
(Number and Street Name)

(Building Permit Reason)

The following shall be completed and signed by the **PROPERTY OWNERS** on either side (2), and a front or back neighbor depending upon the improvement(s) (1), prior to submittal for a City of Mission Viejo building permit:

I,

PROPERTY OWNER

Print Name

Signature

Address

Daytime Phone No.

Home Phone No.

Date

Tract/Lot:

PROPERTY OWNER

Print Name

Signature

Address

Daytime Phone No.

Home Phone No.

Date

Tract/Lot:

PROPERTY OWNER

Print Name

Signature

Address

Daytime Phone No.

Home Phone No.

Date

Tract/Lot:

am aware of and consent to the above-described residential property improvement(s) at my neighbor's property.

CHAPTER 9.43 of the Mission Viejo Municipal Code
ARCHITECTURAL AND DESIGN REVIEW

9.43.005 PURPOSE AND INTENT

The regulations of this Chapter only apply to matters requiring a City Building Permit with the exception of amateur radio station antennas. The purpose of this Chapter is to preserve the natural scenic character of the City. Minimum standards are established relating to the siting and massing of either a new structure or a remodeled structure in an existing neighborhood to ensure, to the greatest extent practicable, that the resulting structures are compatible with the neighborhoods within which they are located. The intent of this Chapter is to regulate the development or redevelopment of each building site with respect to adjacent land, public or private, and existing structures so as to maximize visually pleasant relationships, ensure a bright, open neighborhood with a maximum of light and air, and avoid the unpleasant appearance of crowding one structure against another, or of one structure towering over another, insofar as is reasonable and practical. It is not the intent to restrict or regulate the right of an individual property owner to determine the type of structure or addition he or she may wish to place or modify on the parcel. It is the intent, however, to ensure that the new or modified structure does not impact adjacent property owners or the compatibility of structures in the neighborhood. The regulations in this Chapter are in addition to the other regulations/ordinances of the City, and, where in conflict, the more restrictive regulations shall apply.

9.43.010 COMPATIBILITY IN RESIDENTIAL ZONES

No person shall construct any dwelling, accessory building, or structures, improvements, patio covers, roofs, balconies, decks, porches, terraces, exterior steps or stairways, walls, fences, antennas, spas, swimming pools, or make any additions to, or modify, any structure, or install a new roof on any structure, on any parcel in a residential zone in the City for which a building permit is required unless the resulting construction is found to be compatible with the neighborhood within which it is located. The design criteria and review processes contained in this Chapter are provided to protect and maintain the established character of all residential neighborhoods within the City.

9.43.015 OBJECTIVES

In order to maintain neighborhood compatibility, any proposal for construction within a residential zone shall comply with the following objectives:

- (a) Natural Amenities
Improvements to residential property shall respect and preserve, to the greatest extent practicable, the natural features of the land, including the existing topography and landscaping.
- (b) Neighborhood Character
Proposals shall be reasonably compatible with the existing neighborhood character in terms of the scale of development of surrounding residences, particularly those within 300 feet of the proposed development parcel boundaries. While many elements can contribute to the scale of a residential structure, designs should minimize the appearance of over or excessive building substantially in excess of existing structures in the neighborhood. The square footage of the structure and the total lot coverage should reflect the uncrowded character of the City and the respective neighborhood. The height of the structures shall maintain, to the extent reasonably practicable, consistency with the height of structures on neighboring parcels.
- (c) Privacy
Design proposals shall respect to the extent reasonably practicable the existing privacy of adjacent parcels by maintaining an adequate amount of separation between the proposed structure and adjacent parcels, and the design of balconies, decks, and windows should respect the existing privacy of adjacent parcels.
- (d) Views
Designs should consider, to the extent reasonably practicable, neighbor's existing views.

9.43.020 PROCESS

The following requirements shall apply to all proposals for construction of new, or modification of, or addition to existing structures, for all residential parcels.

- (a) Application
An application for Architectural Review shall be made to the Director on forms furnished by the Director and accompanied by plans showing the effect of the proposed work upon visual relationships with other parcels, existing structures, or land adjacent to or within 300 feet of the proposed work, and any other information the Director may require. The application shall be accompanied by the required fees pursuant to Chapter 9.55 (Applications and Fees).
- (b) Review by Homeowner Association
An application, involving a parcel regulated in part by a homeowner association referred to in the Conditions, Covenants and Restrictions (CC & R's) for said parcel, shall be submitted to the architectural review committee of the homeowner association for review. In the event the homeowner association does not have an active or established architectural review committee, the Director shall review the application.
- (c) Non-Homeowner Association Parcels
An application for Architectural Review for a parcel which is located in an area which does not have a homeowner association identified in the CC&R's for said parcel shall be submitted to the Director for review.
- (d) Submission to Adjoining Property Owners
If, in the opinion of the Director, a proposed improvement would directly impact a neighboring parcel, the applicant shall submit the application for Architectural Review to the owner of the adjoining parcel for review and comment.
- (e) Approvals
In the event that an architectural review committee or its designated representative, the Director, and all adjoining property owners, if any, approve of the proposed improvement and file written consent(s) thereto within 60 days of submission, the application shall be deemed approved and the proposed improvement can be submitted to plan check, if required. Failure to act on the proposed improvement within the 60 day period shall be deemed approved by the entity or person to whom the proposed improvement was submitted. The Director may grant an extension of time to an architectural review committee if good cause is shown and the request is made in writing. It shall be the responsibility of the applicant to submit to the Director written evidence showing the initial submittal date of plans to the architectural review committee and adjoining property owners.
- (f) Referral to Commission
In the event that a proposed improvement is disapproved by an architectural review committee, the Director, or any adjacent property owner, the architectural review application shall be submitted to the Commission for review and determination. The Director shall set the application for public hearing and shall give notice of the time and place of the hearing pursuant to the provisions of Chapter 9.56 (Hearings and Appeals). The Commission may approve, approve with conditions, or disapprove the application and shall render its decision within 30 days after the conclusion of its hearing. The decision of the Commission shall be final unless appealed to the Council.
- (g) Appeal of Decision to Council
Any interested party may, within 15 days after the decision of the Commission, appeal the decision to the Council. The appeal shall be filed with the City Clerk on a form prescribed by the Council, accompanied by payment of the fee pursuant to Chapter 9.55 (Applications and Fees), and shall include the reasons for the appeal. The City Clerk shall set the appeal for public hearing and give notice of the time and place of the hearing pursuant to the provisions of Chapter 9.56 (Hearings and Appeals). The Council may approve, approve with conditions, or disapprove the application and shall render its decision within 30 days of the conclusion of the hearing. The resolution shall contain the Council's findings. The City Clerk shall mail a copy of the resolution to the applicant and the decision of the Council shall be final.

**ARCHITECTURAL POLICY
FOR
PINECREST COMMUNITY ASSOCIATION**

In accordance with the CC&Rs of PINECREST COMMUNITY ASSOCIATION existing Architectural Conditions and Restrictions (the AACRs®), the following sets forth the Architectural Policy for the Association as required by California Civil Code Section 1378. This policy is in addition to the ACRs, the covenants, conditions and restrictions set forth in the CC&Rs and the CC&Rs of the Lake Mission Viejo Association.

1. Changes That Require Architectural Approval.

Any commencement or maintenance of construction, alteration, removal, relocation, repainting, demolition, addition, installation, modification, decoration, redecoration or reconstruction of an Improvement (as this term is defined by the CC&R=s and including landscaping), in or upon the Properties shall require architectural approval. However, any Improvement may be repainted without Architectural approval so long as the Improvement is repainted the identical color which it was last painted. Note: these requirements along with those set forth in the CC&Rs apply to the construction, installation, alteration and modification of solar energy equipment subject to California Civil Code ' 714, the Uniform Building Code of the County, applicable zoning district regulations and associated County Ordinances (Article VIII, Section 8.02 of the CC&Rs.)

2. Procedures For Review And Response.

2.1. The Application.

The Association=s existing form Application for architectural approval is attached herewith, along with the existing ACRs, all of which are incorporated. To be deemed a complete application, the form Application must be fully completed and submitted with all requested documents and information (herein after referred to as the Acomplete Application®). The complete Application shall be submitted by the homeowner to the Architectural Committee and is deemed received upon delivery and receipt by the management company on behalf of the Association, or by the Board of Directors at a regularly scheduled Board meeting, and a written receipt should be requested. (Article VIII, Section 8.02 of the CC&Rs.)

2.2. Fee For Application And Review.

Where the Architectural Committee determines that professional advice and/or services are warranted in its review process, the homeowner shall be requested to submit fees as a retainer to pay for such professional services, as a condition for a complete Application. Such fees may be \$250, but will not exceed \$1,200, and any unused portion of the submitted fees will be reimbursed to the homeowner. (Article VIII, Section 8.02.)

2.3. Standards For Decision.

The Architectural Committee will determine if the installation, construction, alterations or additions contemplated by the complete Application in the locations indicated would be in compliance with the CC&Rs and that they will not be detrimental to the appearance of the surrounding area of the

properties as a whole, that the appearance of the surrounding area of any structure affected thereby will be in harmony with the surrounding structures, and that the installation or construction thereof will not detract from the beauty, wholesomeness and attractiveness of the Common Area or the enjoyment thereof by the Members, and that the upkeep and maintenance thereof will not become a burden on the Association. (Article VIII, Section 8.02 of the CC&Rs.) Further, the Architectural Committee may condition its approval as set forth in the CC&Rs at Article VIII, Section 8.02 and exercise all those powers set forth in the CC&Rs. In exercising these standards, the Architectural Committee will take into consideration all the existing ACRs as more fully set forth in the attachment hereto. Further, the Architectural Committee shall take into consideration the aesthetic aspects of the architectural designs, placement of buildings, landscaping, color schemes, exterior finishes and material and similar features. (Article VIII, Section 8.07 of the CC&Rs.) Finally, no Approval of the Architectural Committee will be valid for any project that is in violation of any of the provisions of the CC&Rs. Therefore, it is important for the complete Application to clearly provide the information to show compliance with the ACRs and the CC&Rs.

2.4. Response To Complete Application.

2.4.1. Time For Response.

The Architectural Committee will review the complete Application and issue a written response to the homeowner within 45 days of receipt of the complete Application. Incomplete Applications should be returned within 45 days to the homeowner with notification that the Application was incomplete. However, failure to return the incomplete Application to the homeowner within the suggested 45 days, shall not cause the incomplete Application to be deemed Approved@ according to Article VIII, Section 8.02 of the CC&R=s, as an incomplete Application does not comply with the requirements of this Article of the CC&R=s for proper submission. (Amended by CA Civil Code to 30 days.)

2.4.2. Nature Of Response .

The written response to the complete Application shall be either an AApproval@ with or without conditions, or a ADisapproval@. In the event of a ADisapproval@ the response will set forth why it was not approved, what additional information or documentation is needed, if any, and the procedures for reconsideration by the Board according to this policy. (Civil Code ' 1378.) Note: Approval of the complete Application does not relieve the homeowner of adherence and compliance with all building codes and regulations of the City or other government agencies and utility companies, and the approval in no way represents that building codes, City or government regulations or requirements of utility companies were reviewed or taken into consideration or that the Architectural Committee has any knowledge or information in this regard.

3. Variances And Procedures For Reconsideration

3.1. Variances.

The Architectural Committee may recommend a variance when circumstances such as topography, natural obstructions, hardship (as this term is defined by the law relating to variances), aesthetic or

environmental consideration may require. Any such recommendation must be approved by the Board of Directors as more fully set forth in Article VIII, Section 8.08 of the CC&R=s.

3.2. Request For Reconsideration Of Denial.

All requests for reconsideration must be in writing. A written request to the Board of Directors to reconsider the complete Application at an open meeting of the Board, will be responded to with notice of the date upon which the matter will be reconsidered at an open meeting of the Board. (Civil Code ' 1378.) Notice of the open meeting shall be given at least 4 days prior to the open meeting. (Civil Code ' ' 1363.05 and 1378.) The open meeting will either be the next scheduled regular meeting of the Board, or if there would be insufficient time to give the 4 days notice, then at an open meeting set by the Board no later than 30 days from the date of the request. A written request to the Board for reconsideration, which does not include a request for a meeting, will be responded to in writing, by the Board within 30 days of receipt.

4. Completion Of Project And Compliance With Approval.

Homeowners must timely and properly complete their approved project as set forth in any approval, in the ACRs attached hereto, and the CC&R=s. The Architectural Committee may inspect the project and will address defects as set forth in Article VIII, Section 8.06 of the CC&R=s.

CONTRACTOR INFORMATION FORM

FORM MUST BE FILLED
OUT COMPLETELY FOR
EACH CONTRACTOR

HOMEOWNER _____ ASSOCIATION _____

ADDRESS _____

PHONE NUMBER _____ FAX NUMBER _____

NAME OF CONTRACTOR _____

ADDRESS OF CONTRACTOR _____

PHONE NUMBER _____ FAX NUMBER _____

CSLB LICENSE # _____ CONTACT PERSON _____

NAME OF CONTRACTOR _____

ADDRESS OF CONTRACTOR _____

PHONE NUMBER _____ FAX NUMBER _____

CSLB LICENSE # _____ CONTACT PERSON _____

NAME OF CONTRACTOR _____

ADDRESS OF CONTRACTOR _____

PHONE NUMBER _____ FAX NUMBER _____

CSLB LICENSE # _____ CONTACT PERSON _____

Use Additional Sheets If Necessary.