

- B. The AC will consider the potential effect of the proposed improvements on access, sunlight, ventilation, and privacy (including noise and light) of adjoining houses and the neighborhood.
- C. Each neighborhood has individual characteristics and the proposed alteration should be a complement to existing structures and improvements.
- D. The AC has the right to decide what is acceptable and what is not acceptable.

## PROCEDURAL STANDARDS

### A. Application Procedure and Requirements

Approval of any project by the AC does not waive the necessity of obtaining the required City permits, such as, pools, walls, fencing and building permits. Obtaining a City permit does not waive the need for AC approval.

1. All requests are to be made to the La Costa Oaks Community Association to the attention of the AC on the standard La Costa Oaks Community Association Home and Landscape Improvement application form which is included in these Design Standards. Additional copies may be obtained by contacting the management company.

If not paid through the close of escrow, the submittal packages should include a check for the plan review in the amount of \$250.00 made payable to La Costa Oaks Community Association. Additional fees will be charged to the homeowner if plans are altered or re-submitted, based on a professional consultant's fee of \$100.00 per resubmission. Secondary applications submitted after a final inspection is completed and approved will be reviewed by the Sub-Architectural Review Committee. The fee for secondary applications is \$75.00 per submission.

Depending upon the scope of improvements, the AC may require a security deposit or bond from the homeowner. The AC will refund unused deposits after completion of work and final acceptance. Payment will be refunded by US Mail within 30 days after the AC's final acceptance.

2. All AC submittal packages must include the items listed on the attached Application Procedures form included in these Design Standards. All plans must be drawn to scale, and the scale must be included on the plans. Homeowners must submit detailed cut sheets, showing the colors, height and elevation from all sides of structures and walls. All plants and structures must be called out on the plans. Any deviations from approved plans will result in a failure of the final inspection and a violation of the Community Design Standards and retention of bond proceeds.

Submittal packages will be returned if deemed incomplete. The AC reserves the right to request additional information.

3. Neighborhood Awareness: (Neighbor is acknowledging awareness, NOT approving or disapproving.)

The intent of this requirement is to advise your neighbors, who own property adjacent to your lot. Obtain signatures of neighbor(s) on the application form. The opinions of adjacent neighbors will be considered, however, are by no means dispositive on the ultimate decision.

If a neighboring property has not been sold, it will be necessary to obtain signatures from representatives at the sales office of the appropriate builder.

**NO APPLICATION WILL BE CONSIDERED COMPLETE UNTIL THE NEIGHBOR AWARENESS CONDITION HAS BEEN SATISFIED.**

4. Right of Entry:

Use of Common Area for construction purposes is strictly prohibited. However, in extraordinary situations, the AC may recommend that the Board of Directors approve temporary access. Upon approval from the Board of Directors, a security deposit or bond, as deemed necessary by the AC, will be required from the homeowner. AC will refund unused deposits after completion of work and final acceptance. The deposits may be used to pay for repairs and/or damages to the common area as a result of the improvements. Payment will be refunded by US Mail within 30 days after AC's final acceptance.

5. Submittal:

- a. Within 45 days of the AC's receipt of a complete application a decision will be rendered, either approving or disapproving the application. If the applicant has not been contacted within the 45-day period, it is his/her responsibility to contact the management company regarding the status of the plans.
- b. When the plans are approved by the AC, one set of the stamped approved plans will be returned to the homeowner and the other sets will be retained by the management company and the AC.
- c. Applicants are prohibited from commencing construction prior to obtaining a written response acknowledging approval of the application by the AC.

6. Disapproval:

In the event that the AC disapproves the architectural application, the owner has thirty (30) days to submit a written appeal to the Board of Directors. The appeal must be submitted by

US Mail, return receipt requested, to insure proof of delivery. Upon receipt, the Board of Directors will schedule the appeal to be heard at the next regularly scheduled or special Board of Directors Meeting. Any appeal will be deemed approved (pending proof of deliver) unless written disapproval, conditional approval, or a request for additional information or materials by the Board shall have been delivered to the applicant within forty-five (45) days after the receipt by the Board of all required materials.

B. Construction

1. Time Period:

Work shall be completed in the front yard within six months of the first close of escrow and rear yard within one year of the first close of escrow.

2. Final Review:

Upon completion of the work as indicated on "Approved" copy of the drawings and specifications, the applicant shall notify the AC in writing and request the final review and conformance report. The review and conformance report will be completed within sixty (60) days of receiving the written Notice of Completion.

GENERAL

A. Enforcement

Improvements that are installed without the necessary approval from the AC will constitute a violation of the CC&Rs and will require modifications or removal of all improvements at the expense of the homeowner. The homeowner will be responsible for all fines, legal action and administrative fees associated with enforcement of these Design Standards and the CC&Rs.

B. Violations

All homeowners have the right and responsibility to bring to the attention of the Board of Directors any violations of the La Costa Oaks Community Design Standards by contacting the Board of Directors through the management company.

C. Damage

Homeowners shall be responsible for any damage caused to the streetscape or open space areas as a result of construction improvements. This includes construction debris and other materials used in making said improvements. All refuse must be removed from the premises to a regulated disposal area.