

Quail Hill Community Association

**QUAIL HILL COMMUNITY ASSOCIATION
AMENDMENT TO THE ARCHITECTURAL GUIDELINES**

1. Only improvements depicted on the plans can be reviewed by the Committee. The Owner is responsible to ensure all improvements are depicted on the plans submitted. Any improvements not depicted on the plans are not approved. Any change(s) to approved plans shall be deemed unapproved until resubmitted and approved.
2. Approval of plans is subject to and does not constitute a waiver of the terms and provisions of the Association's Declaration, Supplemental Declaration, Architectural Guidelines, Rules and Regulations or other Operative/Governing Documents. Any violation of the Governing Documents must be corrected upon notice of violation.
3. Approval by the Committee does not relieve or satisfy an Owner's obligation to comply with all government laws and regulations affecting use of premises, subject to any approved plans. Approval by the Committee does not constitute approval by the city or county; and approval by the city or county does not constitute approval by the Committee.
4. Approval by the Committee does not warrant structural safety, conformance with building codes or other applicable governmental requirements. Owner is responsible for all technical and engineering specifications. The Committee reviews for aesthetic purposes only.
5. In the event that the City and/or County require modifications to the plans and specifications previously approved by the Committee, the Owner shall submit to the Committee all modifications to the plans. The Committee shall have the right to review and impose further conditions on such modifications which are not inconsistent with the requirements imposed by the City and/or County.
6. The Committee shall have the right to impose conditions of approval of proposed Improvements which are more restrictive than conditions as may be imposed by the City and/or County.
7. Building materials and construction equipment may not be stored on streets, sidewalks, or on property owned and/or maintained by Association. Streets may not be obstructed by construction equipment. All rubbish, debris and unsightly material or objects of any kind shall be regularly removed from the property and shall not be allowed to accumulate thereon.

The approval SHALL NOT be held to permit any violation of federal, state, or local regulation.

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8. Access or storage of equipment used during the course of construction must be through the homeowner's property only. Property owned and/or maintained by the Association shall not be used for construction access or storage, unless Owner obtains prior written authorization from Association, the Owner agrees in writing to indemnify Association for damage to property owned and/or maintained by Association which is damaged as a result of an Owner's project, and Owner posts a construction deposit for restoration of damage to property owned and/or maintained by Association.
9. Owner is financially responsible for any repairs and/or replacement to property owned and/or maintained by Association which is damaged as a result of an Owner's project.
10. Approval of plans and specifications shall apply only to the property for which approval is granted and is not authorization to proceed with Improvements on any property other than the property reviewed by the Committee and owned by the Applicant.
11. Approval of plans and specifications is not authorization to revise the original drainage system installed by the merchant Builder and approved by the City.
12. Failure to comply with and satisfy all procedural requirements for an application may void approval.

The approval SHALL NOT be held to permit any violation of federal, state, or local regulation.

Quail Hill Community Association

Exhibit A

Property Improvement Form

Today's Date: _____

Address: _____

Applicant's Name: _____ **Signature:** _____

Mailing Address: _____

Daytime Phone: _____ **Evening Phone:** _____

Type of Work:	Room addition	Front yard	Fence/Wall	Spa
(Please circle one or more)	Patio cover or gazebo	Rear yard	Lighting	BBQ
	Other _____			

Fee Structure:

Single Family Homes/Detached Condos

- *Minor Landscape changes – \$200.00 fee w/ \$250.00 deposit
- *Minor Exterior changes – \$175.00 fee w/ \$250.00 deposit
- *Major Landscape changes – \$300.00 fee w/ \$250.00 deposit
- *Major Architectural changes – \$325.00 fee w/ \$250.00 deposit
- *No fee/deposit for Satellite dishes.

Attached Homes

- *Minor Landscape changes – \$150.00 fee w/ \$250.00 deposit
- *Minor Exterior changes – \$175.00 fee w/ \$250.00 deposit
- *Major Landscape changes – \$250.00 fee w/ \$250.00 deposit
- *Major Architectural changes – \$325.00 fee w/ \$250.00 deposit
- *No fee/deposit for Satellite dishes.

***Resubmittal (Y/N) Please circle one. If yes, please indicate on the lines provided below what changes have been made to plans being resubmitted.**

Please attach the completed Neighbor Awareness Form and three (3) sets of plans and specifications, including elevations and cross-sections as needed to describe the project. Please refer to the Architectural Design Guidelines for appropriate fees/deposits.

Include the current date and the property address on each sheet. Please fold to 8 1/2 by 11 inches.

The approval SHALL NOT be held to permit any violation of federal, state, or local regulation.

Quail Hill Community Association

Please do not write below this line.

The proposed _____ project has been Approved Denied

Signed: _____ of the DRC Date: _____

General Conditions

1. DRC approval does not waive or constitute or reflect compliance with any federal, state, or local law, ordinance, or code.
2. DRC approval does not constitute acceptance of any technical or engineering specification; and the Master Association assumes no responsibility for such. The property owner is responsible for all technical and engineering specifications. The DRC reviews for aesthetic purposes only.
3. Landscaping for any residential Lot or dwelling unit shall be installed in all yard areas within one hundred eighty (180) days following the conveyance of the Lot to the first owner thereof.
4. Any oversight of a provision of the Master Declaration, or a provision in the Design Guidelines, does not waive the rule. Corrections may be required.
5. The use of a neighbor's yard for construction access is not permitted unless the neighbor has given written consent that includes a description of the access area. The use of property owned and/or maintained by the Master Association and/or Sub Association for construction access or storage is not permitted, unless authorized in writing by the Master Association and/or Sub Association and the Applicant signs an indemnification for damage and posts a construction deposit for repairs of damage to property owned and/or maintained by the Master Association.
6. Building materials may not be stored on streets, sidewalks, or on property owned and/or maintained by the Master Association and/or Sub Association. Streets may not be obstructed by construction equipment.
7. The property owner is financially responsible for any repairs to property owned and/or maintained by the Master Association and/or Sub Association damaged by a property owner's project.
8. Approval of plans and specifications is not authorization to proceed with Improvements on any property other than the property reviewed by the DRC and owned by the applicant.
9. Approval of plans and specifications is not authorization to revise the original drainage system installed by the Merchant Builder and approved by the City.
10. Applicant understands and agrees that Applicant must comply with all of the provisions of the Design Guidelines.
11. All of the provisions of the Design Guidelines (including, but not limited to, the Conditions of Approval) are the provisions of the Master Declaration regarding Design Review; and are incorporated herein by this reference. The applicant has read and understands all provisions and agrees to comply therewith.

The approval SHALL NOT be held to permit any violation of federal, state, or local regulation.

Exhibit B

FACING, ADJACENT AND IMPACTED NEIGHBOR STATEMENT

The attached plans were made available to the following neighbors. NOTE: By signing this form, impacted neighbor certifies they have reviewed the application and all pages of the proposed plans.

Three boxes for IMPACTED NEIGHBOR with fields for Name, Address, and Signature.

MASTER ASSOCIATION PROPERTY OR BACK YARD

Form with three boxes: two for ADJACENT NEIGHBOR and one central box for PROPERTY WHERE WORK WILL TAKE PLACE.

STREET

Three boxes for FACING NEIGHBOR with fields for Name, Address, and Signature.

The neighbors have seen the plans that I am submitting for Design Review Committee approval. (Please see above verification.)

I understand neighbor objections do not in themselves cause denial. However, the Design Review Committee will contact the neighbors to determine their objections and their appropriateness, if necessary.

SUBMITTED:

Form with fields for Name, Address, Signature, and Date.

Notice of Completion Form

Today's Date: _____

Address: _____

Property Owner's Name: _____ Signature: _____

Mailing Address: _____

Daytime Phone: _____ Evening Phone: _____

Type of Work (Please circle one or more.)

- | | | | |
|-----------------------|------------|------------|-----|
| Room addition | Front yard | Fence/Wall | Spa |
| Patio cover or gazebo | Rear yard | Lighting | BBQ |
| Other _____ | | | |

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

MAIL TO: QUAIL HILL COMMUNITY ASSOCIATION
C/O KEYSTONE PACIFIC PROPERTY MANAGEMENT, INC.
16845 VON KARMAN #200
IRVINE, CA 92606

Notice is hereby given that the undersigned is the owner of the property where the work took place, that photographs of the completed work are attached, and that the work was completed on the date specified below:

Date Work was Completed : _____

Property Owner's Signature: _____

Today's Date: _____

Quail Hill Community Association

FOR DESIGN REVIEW COMMITTEE USE ONLY:

Signed _____ Date _____

The following action is required for the Notice of Completion to be approved by the Design Review Committee:

Exhibit D



● LOTS REQUIRED TO HAVE REAR ON-LOT TREES
(IN ADDITION TO LANDSCAPE REQUIREMENTS IN DESIGN GUIDELINES)

Quail Hill
Rear On-Lot Tree Requirements



☐ ● LOTS WITH TREE HEIGHT RESTRICTIONS

Quail Hill
Lots With Tree Height Restrictions

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.