

Miramar Village Homeowners Association Architectural Review Standards and Guidelines

(extracted from Architectural Review Standards and Guidelines Issued February 28, 1990)

I. Purpose

The Board of Directors of the Miramar Village Homeowners Association has adopted these Standards and Guidelines for three primary purposes:

1. To establish and preserve a harmonious design for the community.
2. To protect the value of property within the community.
3. To help alleviate duplicate paperwork for certain home improvements that have previously been approved.

Simply stated, the Board's purpose in setting these Standards and Guidelines is to keep Miramar Village a pleasant community and to insure that the value of the property increases in accordance with the market.

These standards are adopted with the intent of effecting the provisions of the Declaration of Covenants, Conditions and Restrictions (CC&R's), Bylaws and Articles of Incorporation. The CC&R's both require and empower the Board of Directors to perform these functions. The use of the architectural review process is a necessary component contributing to the success of planned communities such as Miramar Village.

II. Architectural Review Objectives

The Miramar Village Architectural Review process considers all aspects of each design, concentrating on the following objectives:

A. Landscape and Environment

Prevention of the unnecessary destruction or blighting of the natural landscape or the neighborhood environment as achieved by the developer.

B. Relationship of Structures

Ascertain that the existing developed spaces maintain an attractive and harmonious visual relationship with the proposed improvements.

C. Protection of Neighbors

Protect neighboring homeowners by making sure that reasonable provisions have been made for such matters as:

1. Surface Water Drainage
2. Sight and Sound Buffers
3. Preservation of View
4. Light and Air access
5. Improvement's Affect on Surrounding Property Values
6. Visibility with Respect to Existing Structures

III. The Review Process

Homeowners wishing to make any alteration or addition which will affect the exterior of their residence or lot, either front, side or rear, must submit an official Architectural Application, with copies of detailed plans and specifications prior to beginning the proposed work. It is important to note that should the application be denied and the work is in progress or completed, the Board of Directors can and will require or cause the Improvement to be corrected at the Homeowner's expense.

After the Association has received an Architectural Application they have sixty (60) in which to process the request. The Board or their designated agent will approve, conditionally approve, deny or take some other appropriate action. Approved work must be completed within one year from the date of approval.

IV. Conformance

The failure of a completed modification or addition to conform to the plans, specifications and conditions approved by the Board of Directors, or a failure to complete the approved project within the specified time limitations, shall be deemed a violation of the Architectural Standards and Guidelines.

Upon completion of any work by an Owner for which approval was required, the Owner must notify the Board of completion in writing. If an Owner fails to give this notice, the Board may take appropriate follow-up action.

Nothing shall be installed which is not in compliance with building codes and regulations.

IMPORTANT NOTE: If there is a question as to whether or not approval is required, it is always safer to submit an Architectural Application.

V. Architectural Standards

Window Coverings:

Window coverings shall be defined as any covering of a window or glass sliding door which may be seen from the outside.

Window coverings may be made of either fabric, blinds or wooden shutters, of a type which is standard for window coverings. No sheets, paper or other materials will be allowed. No window covering material shall be of a reflective type. **WINDOWS MAY NOT BE REFLECTIVELY TINTED.** All window coverings must be installed within the Interior of the unit. No blind, curtain shutter or awning may be installed on the exterior. No stained glass installation of windows shall be permitted. All window coverings must be maintained in an attractive manner.

Awnings, Outdoor Window Coverings:

No awnings or outdoor window coverings shall be affixed to any window, door, sliding door or over or under any balcony, deck, fence or patio.

Patio Landscaping:

Owners may plant and landscape the private patio area appurtenant to their unit. All plant material must be maintained in a healthy condition. No dead or dying plants shall be allowed. All plants must be properly trimmed and will not be allowed to grow onto building or fences. The Owner will be responsible for removing all pots containers and landscaping upon due notice by the Association if necessary for the performance of periodic maintenance.

All costs for removing plants to be born by the Owner. Landscaping will not be allowed to encroach into the common area or neighboring property. No pots or planter boxes will be allowed on fences.

All landscaping within private patio areas are solely the responsibility of the owners of that unit. The Association has no responsibility for the maintenance of this landscape.

Planting on Balconies and Decks

No plant, pot or planter box shall be installed on any balcony or deck which would obstruct view or access to, or exit from unit or adjacent unit and adjacent unit's view. All containers for plants shall include a drip or overflow pan which will accommodate all overflow and leakage from the container. No water should be allowed to leak from the overflow pan or be allowed to flow from the pan to any area outside or below the balcony.

Hedges and plants shall not exceed fence height, nor will any item be allowed to encroach into the common area or neighboring property. No pots or planter boxes may be placed on fences or banisters.

All plants must be maintained in a healthy condition. No dead or dying plants will be allowed. All plants must be properly trimmed and may not be allowed to grow onto the building, deck or balcony fencing. The Owner will be responsible for removing all pots, containers and plants upon due notice by the Association if necessary for the performance of periodic maintenance. All costs for removing plants to be born by the Owner.

All plants within patios, decks and balconies are solely the responsibility of the owners of that unit. The Association has no responsibility for the maintenance of these plants.

Planting in the Common Area:

No individual owner shall plant in, or make any modification to the common area landscaping.

Exterior Entry Flooring:

No material except standard door mats may be installed or placed at entry ways. No Interior grade carpet will be allowed as door mats.

Exterior Lighting Fixtures:

No fixtures may be added to the exterior of any of the condominium units. Only standard clear or white bulbs may be used in exterior light fixtures.

Clothes Lines, Storm Doors, Windows or Screen Doors:

These may not be added to any unit.

Patio Furniture:

Only patio furniture designed for exterior use is allowed. Umbrellas must be free of printing. No furniture which is of interior grade shall be allowed. Patio furniture must be maintained in an attractive manner.

Barbecues or Hibachis:

Only barbecues or hibachis which are designed for use on patios shall be allowed. All barbecues and hibachis must be located, secured and used in a manner to insure fire safety. Barbecues and hibachis must be properly maintained.

VI. Prohibited Improvements

The following items are either prohibited by the CC&R's or are of such a nature that the improvements are detrimental to the life and appearance of the community and are therefore prohibited.

1. Covers or Trellises
2. Wind Barriers
3. Fence Enclosures
4. Hanging Plants
5. Appliances
6. Fixtures of Any Kind Attached to Exterior Walls
7. Storage of Any Kind
8. Clothes Lines
9. Exterior Antennas or Satellite Dishes
10. Fence Extensions
11. Sheds or Other Detached Buildings
12. Solar Panels
13. Swings, Gym Sets or Play Equipment
14. Synthetic Grass/Indoor-Outdoor Carpeting
15. Brightly Colored Lava Rock or Reflective Rock
16. Exterior Mechanical Devices; e.g., Window Air Conditioners

Non-conforming Activities:

No disposal of lint, dirt or other materials from units will be permitted in private patios or common area. No rugs, clothing or materials of a similar nature will be dried or draped over fences or outdoor furniture.

VII. Conclusion

These DESIGN REVIEW STANDARDS AND GUIDELINES are provided by the Miramar Village Homeowners Association in an effort to eliminate questions concerning individual modifications to your unit. Every effort has been made to allow as much individual discretion as possible within the constraints of acceptable community standards. The Board of Directors views this process as evolutionary and invites Homeowners to make comments and to provide constructive input. It is hoped that Homeowners working together within a structure of reasonable guidelines, fairly administered, will help create a greater sense of community at Miramar Village.

Miramar Village Homeowners Association

Architectural Review Procedure

The Board of Directors approves revisions to the Architectural Standards and Guidelines based upon the recommendations of the Architectural Review Committee. This becomes the policy of the Association in regards to all requested modifications.

1. Upon receipt of an Architectural Application by the Association Manager, it will be compared to the established Standards and Guidelines.
 - A. If the requested modification falls within the parameters outlined in the Standards, the Application will be approved
 - B. If the Application is not within the Standards it will be denied.
2. If an application is denied due to the request not being covered by the established Standards and Guidelines, the following procedure is instituted:
 - A. Upon denial of an Application the Homeowner will be informed that the application was denied due to it not following within the established Standards and Guidelines.
 - B. If the Homeowner whose application was denied wishes the Board of Directors to consider the requested modification be made a part of the Standards and Guidelines, the Homeowner must request that action in writing.
3. Upon the written request made by the Homeowners to have the Board review the proposed modification, the application will be forwarded to the Architectural Review Committee. The Committee will make recommendations to the Board of Directors as to whether or not this modification should be allowed, and what parameters be established for approval and inclusion in the Standards and Guidelines.
4. Upon review of the Committee recommendations, the Board will elect to approve or deny the request.
5. The decision of the Board becomes permanent policy, and the Standards and Guidelines will be revised to reflect this policy decision.
6. Upon the decision of the Board of Directors, the Owner requesting the review of a denied application will be informed in writing of the decision. If the requested modification is still not approved after the review process, the member seeking the change has the right to ask the Board to reconsider.

The most important thing to keep in mind is that the purpose of the Architectural Process is to set standards (or rules) which apply equally to everyone. The governing documents do not allow for approval or denial on a one by one basis. If a modification is approved for one homeowner, it is approved for all homeowners, if it is denied for one homeowner, it is denied for all.