

# **BRISA DEL MAR COMMUNITY ASSOCIATION**

October 30, 2016

Brisa Del Mar Homeowner Association - View Lot Back Yard Fence Standards Implementation

## **From the Ballot Measure:**

**1. Definition of “Eligible Lots”** The term Eligible Lots includes only the following addresses. Only the Eligible Lots would be able to make changes to Association maintained walls/fences:

### **Via Visalia**

1225

### **Avenida de Verdes**

1301, 1303, 1305, 1307, 1309, 1311, 1315 and 1317

### **Avenida de Nogales**

1501, 1503, 1505, 1507, 1509, 1511, 1513 and 1515

### **Avenida Crescenta**

1726, 1728, 1725, 1723, 1721, 1719 and 1717

These lots were selected because these lots all have ocean, canyon or mountain views. If the owners of these lots are allowed to modify the Association maintained wall/fence located on their lots, the expectation is that the sales prices of these lots will increase, which may in turn cause an increase in sales prices within the community generally.

No change may be made to the design or to the height of Association maintained walls or fences, or to the type of materials used in the construction of Association maintained walls or fences, unless the homeowners first approve architectural standards for wall/fence modifications generally. This requirement for homeowner approval of architectural standards was created by the CC&R amendments recorded in 2015.

The following procedural requirements will also apply:

1. An architectural application on the Association’s form must be submitted to, and approved in writing by the Association’s Architectural Committee prior to commencement of demolition/construction. The application must be accompanied by the applicant’s plan or drawing, and all other related documentation required by the Association’s governing documents for a complete submission.

## **BRISA DEL MAR COMMUNITY ASSOCIATION**

2. All work shall be done at the applicant's sole expense by a contractor who carries commercial general liability insurance with policy limits of no less than \$1 Million, and who holds the required California contractor's license for the work. It shall be the applicant's responsibility to obtain and pay for any permits or other governmental approvals required for the work, and to ensure that the proposed modification conforms to all local Codes, including requirements for pool fencing if applicable. Any damage to adjoining fencing resulting from the work must be corrected to the Association's satisfaction without cost to the Association.
3. Following completion of the work in compliance with the approved plan, the Association will assume responsibility for future maintenance, repair and replacement. Association approval does not waive or relinquish any of the Association's duties or responsibilities with respect to continuing architectural control over the fence/wall.

In conjunction with the Brisa Del Mar Homeowners Association by laws supporting the implementation of view lot **fencing modification** – the following is guidance from the BDM HOA Architecture Committee aligned to the new / recently published Architecture Standards supporting this implementation based on Approved home owners lots that desire to modify their back yard fence aligned to "HOA" approved standards and options.

Homeowners Implementation Guidance aligned to the requirements published in the BDM HOA Architecture Standards per update - 10/2016

1. Homeowners that have property so deemed to be allowed to modify their back yard fence – are only approved to make change to their existing "back yard" fence (fence that runs horizontal to yard – not any of the stucco or common walls). No other home owner can make modification to their back yard fence.
2. Homeowners interested in executing such approved (per BDM HOA Architecture Standards) must provide completed architecture approval "new" document. Document can be secured through BDM HOA Management Company Dana Pacific Management Company. Document upon completion must be sent to Dana Pacific Management Service – Pam Bell - C/O BDM
3. Homeowners implementing back yard view lot fence changes must adhere completely to the standards stated in the October 2016 updated Architecture Standards - **page 10 of the newly released Architecture Standards document point # 10; these standards include**

## **BRISA DEL MAR COMMUNITY ASSOCIATION**

- A. Homeowners interesting in modifying fencing based on approval through HOA cannot begin implementation of changes until they have received “approval” documentation from BDM HOA Architecture committee.
  - B. Homeowners implement approved fence modification must use a licensed and approved contractor
  - C. Homeowners implementing approved fence modification must provide detail architecture plans as part of the submission packet required – per new architecture approval form.
  - D. Homeowners interested in implementing approved fence modification will be required to cover 100% of cost – no implementation of fence modification shall be incurred by BDM HOA.
  - E. Homeowners implementing approved fence modification must have project completed within the 120 days from approval by BDM HOA Architecture committee – those not completed will be completed by the “association” cost will be added to homeowner HOA account.
4. Ongoing maintenance of view lot fence modification once and approved by BDM HOA will then fall under same treatment and care by BDM HOA as all existing back yard fencing.

This notification document must be released with each Brisa Del Mar Homeowner request for architecture committee application aligned to modification implementation of homes approved under the eligibility view lot homes.

Sincerely,

Brisa Del Mar Homeowner Architecture Committee – October 30, 2016