

Riviera West Property Owners' Association

Architectural Control and Planning Committee

8475 HARBOR VIEW DRIVE

KELSEYVILLE, CA 95451 707.279.8544

ARCHITECTURAL GUIDELINES TO BUILDING

1) INTRODUCTION: Welcome to Riviera West. Listed herein are the basic restrictions and guidelines that apply to building any structure in the Riviera West Subdivision. These restrictions and guidelines apply to: single family dwellings, duplexes, garages and any addition/remodel, deck, porch, patio, pool, spa, fence, retaining wall or accessory building.

2) COVENANTS, CONDITIONS, & RESTRICTIONS (CC&R's): Each owner of a lot or lots in the Riviera West Subdivision shall, by acceptance of a deed conveying title to the property, agree to abide by the Covenants, Conditions, and Restrictions. (Recorded and Notarized May 1st 1969).

3) PLAN REVIEW FEE: A five hundred dollar (\$500.00) plan review fee is charged each time a set of plans is submitted to the Architectural Control and Planning Committee (ACP). This fee applies to both major construction, such as single-family dwellings, and duplexes. The plan review fee for a garage or major addition will be two hundred fifty dollars (\$250.00). The fee is non-refundable, whether the plan is disapproved, approved and/or not used. Fees are not charged for a deck, porch, patio, pool, spa, fence, retaining wall or accessory building. Plans will be approved or disapproved within thirty (30) days. If the plan is not approved within 30 days it is automatically disapproved.

4) PERFORMANCE DEPOSIT: Non-interest bearing certified funds in the amount of ten thousand dollars (\$10,000.00), made payable to Riviera West Property Owners' Association, shall be tendered upon plan approval, as security for prompt completion. This ten thousand dollar deposit applies to major construction, such as single-family dwellings or duplexes. A two thousand dollar (\$2,000.000) performance deposit is required for garages or other major additions. A 1-time extension, not to exceed 90 days, may be granted upon written request. The deposit is forfeited if construction is not completed in the allotted time frame of twelve (12) months. Refund of this deposit is contingent on the following requirements:

(A) Owner or builder provides the ACP with a copy of County of Lake Final Inspection Sheet.

(B) The ACP has inspected the property and verified that all construction materials have been removed, that the property has been left clean and that all requirements, conditions, standards and guidelines have been satisfied. Please allow up to two weeks for performance deposit refund.

5) BUILDING PLAN REQUIREMENTS: Three (3) sets of complete building plans must be submitted. Plans must include: Scale plot plan with dimensions indicating the street(s), all structures and property lines, all four (4) building elevations, septic system, color samples of the exterior structure and roof. Plans must indicate overall height in relation to property control point. Signed and dated Riviera West building checklist must be completed.

4/17/2008

ACP Guidelines

6) COUNTY BUILDING CODE: After plan approval by the ACP, all plans must be submitted to the Lake County Building Dept. for their approval and the issuance of the appropriate permits. A septic system plan must be approved by the Environmental Health Dept. Open septic percolation test holes must be filled immediately after the test completion. (Health and Safety Code #24400).

7) LOT CLEARING/TREES: Lots are not to be cleared before plans are submitted. Property owners are required to maintain fire prevention standards to meet the Kelseyville Fire Code. Lot clearing does not mean clear cutting. Attempt to save native vegetation whenever possible. Permission in writing from the ACP is required before cutting live shrubs (such as; manzanita, toyon, red bud, etc.) with trunks larger than (three) 3 inches in diameter. Lot owners in violation of the shrub cutting restriction shall be subject to an assessment of \$250.00 per shrub. Permission in writing from the ACP is required before cutting live trees with trunks larger than six (6) inches in diameter. Lot owners in violation of the tree cutting restriction shall be subject to an assessment of \$500.00 per tree. Contact the ACP with any concerns/questions.

8) EXCAVATING/EROSION: Owner and contractor are responsible for any erosion caused by excavating. Every effort should be made to eliminate any water/soil problems to adjacent properties such as, seeding/planting of barren ground, broadcasting of straw, strategically placed straw bales, etc.

9) TYPE OF STRUCTURE: Single-family dwellings or duplexes (see: CC&R's) not to exceed one (1) story in height may be constructed, with garage facilities for at least two (2) vehicles. Some 2-level side hill structures can qualify within the building height formula of the established restrictions.

10) MINIMUM SIZE: Each single-family or duplex unit shall have not less than twelve hundred (1200) square feet of fully enclosed floor area (excluding interior walls) devoted to living space. This must be exclusive of roofed or unroofed porches, terraces, garages, or other non-living areas, in or adjacent to the structure.

11) STRUCTURE HEIGHT: The peak of improvement must not exceed a height of fifteen (15) feet above the control point for that lot:

(A) Down slope or level lots: Center of the road at the midpoint of street frontage.

(B) Up slope lots: Natural grade at the center of the property.

(See schematic on last page.)

12) SETBACKS: Minimum setbacks are twenty (20) feet at the front and rear, and ten percent (10%) of total lot frontage on the sides. Setbacks are to *anything* structural (decks, roof overhangs, etc.)

13) GARAGES: The County of Lake requires off-street parking for at least two (2) vehicles in a garage. The minimum size for a garage is twenty by twenty (20x20) feet and must be fully enclosed. Detached garages must be built of the same materials as the dwelling and color matched, including the roof. The roof pitch must also match that of the dwelling.

14) FOUNDATIONS AND SIDING: Buildings are required to have a permanent and continuous perimeter foundation and siding in conformance with the county building code. Siding consisting of flat non-textured surfaces such as plywood, metallic or reflective materials will not be allowed.

15) ROOFS/OVERHANGS/GUTTERS: Roofs must have a minimum pitch of four (4) inches, and a maximum pitch of eight (8) inches, per twelve (12) inches of horizontal distance. Roof overhang of no less than eighteen (18) inches is required on the entire structure. Roofing of decks, porches, patios and accessory buildings must be of the same color and material as the main roof. Gutters and downspouts must be provided so that water drains without damage to your own or your neighbor's property.

16) DESIGN AND COLOR: Both the design of the structure and its exterior color scheme must be in harmony with the general surroundings of adjacent properties and structures. Plans submitted to the ACP for approval must detail the design of the structure as well as its exterior color scheme. The ACP encourages variation and creativity in design.

17) TEMPORARY BUILDINGS: Temporary buildings or shelters of any kind (RV, trailer, tent or garage) for the purpose of residence during construction are not permitted. Temporary facilities for the storage of tool and materials may be erected, if first approved by the ACP. Such structures must present a neat appearance in keeping with the goals of Riviera West. Such structures must be dismantled and removed upon completion and before final inspection.

18) PORTABLE TOILETS: The owner or contractor is responsible to provide portable toilet facilities prior to the start of construction through completion.

19) EASEMENTS: For installation and maintenance of utilities and drainage, easements are reserved as shown on lots on the recorded Riviera West Subdivision maps. Within these areas, no structure shall be placed or permitted to remain which may damage or interfere with installation and maintenance of any utility; or which may change the direction of flow of drainage channels in the easement; or which may obstruct or retard the flow of water through drainage channels in the easement. The easement area of each lot and all improvements on it shall be maintained continuously by the owner of the lot, except for those improvements for which a public authority or utility company is responsible. The owner will take full responsibility for obtaining permission, whenever and wherever necessary, during the course of the work, from the appropriate authorities or agencies or owners with respect to performing any operations on adjoining properties in connection with the work described hereunder, or for operating on the property involved in this agreement from such neighboring premises.

20) VARIANCE: If the requested variance will necessitate deviation from, or modifications of a property use restriction that would otherwise apply under the CC&R's, the ACP must conduct a hearing on the proposed variance no less than fifteen (15) days after written notice of the hearing and proposed variance has been delivered personally or via first class mail to all owners of lots within one hundred (100) feet of the property for which the variance applies. The owners receiving notice of the proposed variance may submit to the ACP written comments or objections with respect to the variance. No decision shall be made with respect to the proposed variance until the Architectural

Committee has made a good faith determination that notice has been given as required by this provision, and:

- (A) The requested variance does not constitute a material deviation from the overall plan and scheme of development within Riviera West Subdivision or from any restriction contained in the CC&R's or that the proposal allows the objectives of the violated requirement(s) to be substantially achieved despite non-compliance; or
- (B) The variance relates to a requirement under the CC&R's or the Architectural Guidelines that it is unnecessary or burdensome under the circumstances; or
- (C) The variance, if granted, will not result in a material detriment or create an unreasonable nuisance with respect to any other Lot or Common Area within Riviera West Subdivision.
- (D) A non-refundable fee of five hundred dollars (\$500.00) will be charged to process any requested variance.

21) COMPLETION: Every building, dwelling, or improvement must be completed within twelve (12) months after the beginning of construction. The ACP may extend this time limit, if requested in writing. The owner shall ensure all construction is consistent with the approved plans and will keep the lot clean from all trash, clutter and refuse accumulated from daily operations.

22) ACP LIMITED RIGHT OF ENTRY: The ACP and/or its agents shall have the right, when necessary, to enter any lot to perform its obligations under the CC&R's and these guidelines.

23) ENFORCEMENT: In the event that it comes to the knowledge and attention of the ACP, or the agents or employees thereof, that an improvement, or any modification thereof, is proceeding, or has been completed without proper approval, the Association shall be entitled to exercise enforcement remedies, including, without limitation, ordering an immediate cessation and abatement of all aspects of work on the improvement until such time as proper ACP review and approval is obtained. The Board of Directors may impose assessments against an owner, in the event that the Association incurs any costs or expenses to bring the owner and/or his or her lot into compliance with any provision of the CC&R's. The amount incurred by the Association (including reasonable fines and penalties, duly imposed hereunder, title company fees, accounting fees, court costs and reasonable attorney's fees) shall be assessed and charged solely to and against such owner.

24) WATER SERVICE CONNECTION: Water meters must be connected at the start of construction. Contact the Riviera West Office at 279-8544 for further information.

25) SATELLITE DISH ANTENNAS/SOLOR PANELS/ PROPANE TANKS: Satellite dish antennas and solar panels should be aesthetically placed to minimize visual impact. Propane tanks must be concealed on three (3) sides with vegetation, landscaping or approved fencing.

26) HEAT/AIR EQUIPMENT: Heating and air-conditioning equipment must not be installed on roofs.

27) SIGNS: One (1) For Sale Sign of reasonable dimensions (twenty four by twenty four (24x24) inches maximum) may be displayed on any lot. All other signs, billboards or advertising structures of any kind are prohibited.

28) DRIVEWAYS: All driveways must be paved. Please refer to Lake County Regulations for concrete brick or other materials.

**FENCES/RETAINING WALLS/ACCESSORY BUILDINGS
PLEASE SUBMIT TWO (2) SETS OF PLANS
(ACP APPROVAL REQUIRED / NO FEES OR DEPOSITS)**

FENCES: Fencing must be of approved wood fencing, wood framed wire, green or black chain link fencing. Fences must not exceed four (4) feet in height along street frontage(s) and six (6) feet in height on the rest of the lot. A scale plot plan showing location, height, any existing fences and materials to be used must be submitted for ACP approval prior to construction. All fencing must be maintained in a good sound manor, so as not to have an un-kept appearance. Fencing must be designed to face the most attractive side toward the street or toward any neighboring property or common area.

RETAINING WALLS: Walls must meet height restrictions as stated above for fences. A scale plot plan also needs to be submitted with a materials list for approval prior to construction. Retaining walls over four (4) feet in height are required by the Lake County Building Dept. to be built to plan specifications drawn by a professional engineer.

ACCESSORY BUILDINGS: Accessory buildings (sheds) require scale plot plan and building plans submitted for approval prior to construction. Accessory buildings must be built of the same materials as the dwelling and color matched, including the roof. The roof pitch should match the dwelling. Accessory buildings must be constructed on the rear half of the lot and are not to exceed one hundred fifty (150) square feet in area. Minimum setbacks for accessory buildings are as follows: Five (5) feet from the rear and side property lines and five (5) feet from the dwelling.

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BUILDING APPLICATION & CHECKLIST
(PLEASE PRINT ON THIS FORM)

PROPERTY DATA:

Physical Address _____
APN _____

OWNER INFORMATION:

Name _____ Telephone _____
Mailing Address _____

CONTRACTOR INFORMATION:

Name _____ Telephone _____
Mailing Address _____

THE ITEMS BELOW MUST BE COMPLETED PRIOR TO SUBMITTING APPLICATION
(PLEASE INITIAL THE FOLLOWING WHEN COMPLETED)

- _____ * The address has been clearly posted at the proposed building site.
- _____ * The property corners have been clearly marked and visible.
- _____ * The building corners are also clearly marked and visible.
- _____ * Three (3) sets of building plans AND house colors and roof style/color submitted.
- _____ * No live trees/shrubs with trunks larger than three (3) inches in diameter have been cut down without written permission from the ACP.

I have read and understand Riviera West Property Owners Association CC&R's, By-Laws, and Architectural Guidelines to Building, and agree to abide by these documents.

Owners Printed Name: _____

Signature: _____ Date: _____

OFFICE /ACP: Application, Plans & \$500 Fee Received Date: _____

PLAN REVIEW FEE: Check # _____ Date: _____

PERFORMANCE DEPOSIT (\$10,000): Check # _____ Date: _____

PLANS DENIED: Date: _____ State Reason: _____

