

BROADMOOR HUNTINGTON HARBOUR COMMUNITY ASSOCIATION

HOME MODIFICATION APPLICATION

(A SEPARATE APPLICATION IS REQUIRED FOR EACH PROPOSED MODIFICATION)

SECTION 1 -- APPLICANT INFORMATION (Please Print Clearly)

Homeowner _____ Date _____

Address _____ E-mail Address _____

Daytime Telephone _____ Evening Telephone _____

Description of Modification _____

Estimated Start Date _____ Estimated Completion Date _____

I have read the Architectural Control guidelines in the Community Handbook and Articles VII and VIII of the CC&Rs. I agree to abide by the CC&Rs, association rules, ***and to satisfy all other requirements set forth in this application.*** I agree to hold Broadmoor Huntington Harbour Community Association harmless from any legal or construction problems or any litigation resulting from this modification.

I agree to submit any engineering or architectural drawings or plans required by the association and the City of Huntington Beach Planning and Building Department. If a permit is required by the City, a copy of both the initial building permit and the final approved permit after completion of the project must be provided to the association. I also agree to execute an Indemnity Agreement and pay the costs of preparation and recording thereof, when requested or required by the association.

I understand that I am responsible for the cost of the proposed modification; any permits; future modifications; repair, maintenance or replacement of the modification; damage to the common area resulting from the modification; cost to return common area to original condition, and any legal costs incurred by the association to enforce its rights hereunder.

I understand that any approval is valid only for six months. I understand that the Architectural Review Committee (ARC) has sixty (60) days to respond to my request. If the ARC does not approve or disapprove my application within 60 days of submission, my application is deemed “disapproved” per Section 8.4(d) of the CC&Rs.

Homeowner Signature _____

SECTION 2 -- ADDITIONAL DOCUMENTATION AND FEES

City Permit: Any building or planning permit required by the statutes and regulations of the City of Huntington Beach or requested by the association for the proposed modification of the common area by the applicant. The City requires association approval of the proposed modification before the City will issue a building permit. The homeowner is required to provide the association with a copy of the initial permit specifically issued by the City for the specific proposed modification and the final permit issued by the City. Failure to provide any required permit shall be deemed a violation of the terms of this Home Modification Application by the applicant and grounds for the association to revoke or cancel its approval of the proposed modification. In the event approval is revoked, the association can require the homeowner to remove the modification and restore the common area to its original condition.

Engineering Drawings: Detailed and scaled drawings (and pictures) which provide an accurate depiction of the proposed modification to the common area must be submitted with the application. For some modifications (such as window retrofits or front door replacements), product pictures or manufacturer's brochures will suffice. Some modifications (such as garage extensions) may require plans and drawings prepared by a certified engineer or architect.

Indemnity Agreement: An Indemnity Agreement will be required for any proposed modification of common area which presents or increases the risk of damage to common area. A deposit check for the required fees must be submitted with your application (see “**Fees and Deposits**” below). The Indemnity Agreement confirms the homeowner’s responsibility for the maintenance, repair and replacement of the modified common area element, and any current and future damage to the common area caused by the modification. If the board grants preliminary approval of such proposed modification, the association will prepare and submit to the applicant the Indemnity Agreement. The applicant must execute and return the notarized Indemnity Agreement before the board will grant final approval of the proposed modification. The Indemnity Agreement will be recorded on the unit's property record title with the Orange County Recorder. ***Work may NOT commence until a signed and notarized Indemnity Agreement has been returned by the applicant. If the applicant proceeds to make the common area modification without completing this process, the association will require that the modification be removed and the common area restored to its original condition.***

Fees and Deposits: Where applicable, a non-refundable deposit is required to cover association expenses, including the legal costs of preparation of the Indemnity Agreement and county recording fees. ***A check for the required deposit payable to "Broadmoor Huntington Harbour" must accompany this application.*** Any additional costs or expenses incurred by the association which exceed the deposit will be charged to the homeowner. If the application is denied by the board, the check will be returned to the applicant. The deposit funds will not be used unless the board grants preliminary or final approval of the proposed modification. Once preparation of the Indemnity Agreement commences, the homeowner will be charged for all legal fees and costs thereof, whether or not the applicant completes the modification.

The following chart lists several typical modifications to the common area which the board will consider. This list is not exhaustive. The table also indicates additional required documentation, fees and other conditions required by the association for approval. (Where indicated, the association requires a copy of the final approved City of Huntington Beach building permit. The absence of the association's requirement for a copy of the permit does not necessarily mean a building permit is not required by the City for the proposed modification. The association advises that all homeowners contact the City for further advice.)

Proposed Modification	REQUIRED DOCUMENTATION, FEES AND DEPOSITS				
	Plans, Drawings, Brochures	City Bldg Permit	Fee or Deposit	Maintenance Indemnity Agreement	Additional Requirements
Air Conditioner - condenser & pad	X	X	\$900 deposit	X	(i) Condenser unit must be located no further than 2' from building as approved by the board (ii) Condenser lines must enter building at closest point and no higher than 18" from ground level (iii) Legal deposit applied toward estimated cost of preparation and recording of Indemnity Agreement (iv) Homeowner must install lattice surround in 1" diagonal vinyl lattice in brown tone
Awning - retractable	X		\$900 deposit	X	(i) Fabric must be Sunbrella solid royal blue color (no decorations) (ii) Solid fringe (no scallop) (iii) Frame color must be approved
Awning – fixed	X		\$900 Deposit	X	(i) Fabric must be Sunbrella solid royal blue color (no decorations) (ii) Frame must match association standard profile dimensions (available upon request)
Balcony Enclosure	X	X	\$900 deposit	X	Only covered balconies may be enclosed
Balcony or Patio Deck – resurfacing or replacement	X				Details of surface materials and application process
Balcony or Patio partition	X				(i) Lattice material with 4" minimum opening (ii) Cannot exceed height of 24" above wall (iii) Allowed only on sides of patio or balcony (iv) Cannot obstruct neighbor's view See full <i>Partition Guidelines</i> in rules
Elevator	X	X	\$900 deposit	X	Engineering drawings
EV Charging Station	X	X			Licensed electrician drawings
Front Door	X				Color must be brown hue or tone; brochure and color swatch required

Proposed Modification	REQUIRED DOCUMENTATION, FEES AND DEPOSITS				
	Plans, Drawings, Brochures	City Bldg Permit	Fee or Deposit	Maintenance Indemnity Agreement	Additional Requirements
Garage Door	X				Must match existing door style and color
Modification of Interior Structural or Bearing walls	X	X	\$900 deposit	X	Engineering drawings
Natural Gas Piping	X	X			
Skylight - operating	X	X	\$900 deposit	X	Association roofer must install at homeowner expense
Satellite Dish			\$250 deposit		(i) Dish must be attached to chimney (ii) Cable must be secured to building where walls meet or adjacent to rain gutter (iii) Homeowner responsible for any damage to roof tiles or chimney (iv) Fee applied to association roofer's inspection for damage after installation
Screen Doors	X				(i) Retractable screen door in dark bronze or brown color; or (ii) fixed screen panel integrated into front door (see <i>Community Handbook</i>)
Solar Tube	X	X	\$900 deposit	X	Roof flashing must be installed by association's roofer at homeowner expense
Window Replacement – new construction w/casing and flashing	X	X			Exterior frame must be dark bronze in color
Window Replacement - retrofit	X				Exterior frame must be dark bronze in color

IMPORTANT DISCLOSURE: Pursuant to Civil Code, a proposed architectural change may not violate any governing provision of law, including, but not limited to, the Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3 of Title 2 of the Government Code), or a building code or other applicable law governing land use or public safety (collectively, “Laws and Codes”). Neither the Association’s agent(s), the Board, nor the Architectural Committee (“AC”) reviewing the Application for property improvement(s) is responsible for becoming knowledgeable of, or interpreting, or enforcing the Laws and Codes that may be applicable to the subject improvement(s), and, therefore, neither the AC nor the Board shall confirm compliance or noncompliance with any of the Laws and Codes as part of the review process. Accordingly, the Applicant is responsible for confirming compliance with the Laws and Codes, and any approval by the AC or the Board shall not be deemed a statement, representation, or warranty that the plans are in compliance with the Laws and Codes. Further, any approval is conditioned upon all the proposed Improvements complying with all applicable Laws and Codes, and to the extent any of the proposed Improvements violate any of the applicable Laws and Codes, any approval given shall be void and of no effect as to the improvement(s) that violate any of the Laws and Codes.

SECTION 3 -- NEIGHBOR NOTIFICATIONS (Please print)

The intent is to advise the owners/neighbors located across from, above, below and on both sides of your unit of the proposed modification. Failure to obtain a neighbor's approval does not necessarily mean your request will be denied, but will be seriously considered due to legal implications.

<u>Location</u>	<u>Name</u>	<u>Address</u>	<u>Phone #</u>	<u>Signature</u>	<u>Yes/No</u>	<u>Verified</u>
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____

SECTION 4 -- RETURN COMPLETED FORM TO GUARD GATE HOUSE

Date received by Guard _____ Receiving Guard _____ Fee Received _____

Date Received by Architectural Committee _____ Recommendation: Approval _____ Denial _____

ARCHITECTURAL COMMITTEE COMMENTS:

SECTION 5 -- APPROVAL/DENIAL (For Board Use Only)

_____ Preliminary approval subject to Indemnity Agreement and Fee payment (**project may not proceed until applicant submits a signed and notarized Indemnity Agreement and applicable fee deposit**)

_____ Approved as submitted (work must be completed within 6 months)

_____ Approved subject to condition(s) outlined below (work must be completed within 6 months)

_____ Denied for reasons listed below:

Date: _____ Board Member Signature _____

SECTION 6 -- FINAL INSPECTION (For Architectural Committee Use Only)

City of Huntington Beach Permit # _____

Inspected by Architectural Committee: _____ Date: _____

Work IS/IS NOT in compliance with the approved plan. The following discrepancies were noted:

Final Approval _____ Date _____ Signature _____