

## **General Information For Submittals**

Submittals for Association review of proposed projects are given to the Architectural Committee for review and recommendations. The Architectural Committee usually finds itself in the objective circumstance of reviewing project proposals for conformance to the requirements of the City code and the Association CC&Rs. The findings of the committee are reported to the Board with its recommendations. After discussion, and at times further review, the Board makes its decision.

### **Projects that need to have approval from the HCA:**

- We'd like to remind all our neighbors that we are a single family dwelling neighborhood – which means the addition of rental units within homes, “in-law suites”, or the addition of a second kitchen, are not allowed per our CC&R's, without exceptions.
- Any improvement that is visible from your backyard, side yard or front yard
- Any landscaping that is visible from your front, side or backyard. This is especially important to those neighbors on the down slope that may be affected by drainage issues with new irrigation, removal of roots from old plants etc.
- Any painting (fence, house or garage doors) regardless of color (even if it is the same paint)
- New fence, moving a fence or adding to a fence. All fences must be **20ft** from your front property line (which may or may not be the sidewalk.) Also the height **cannot exceed 6ft** (unless set back more than 20ft from property line).
- Retaining walls, hillside tree removal (remember to keep stumps in for soil retention)
- Building a shed or storage area in your backyard (please note the 5' setback to side property lines!)
- Any addition to your home (that affects the exterior)
- New decks (even if it is just replacing the same footprint or repairing old decking). We must ensure on hillsides that they are secure and will not affect the downhill slope.
- New windows (only if a different size than the windows being replaced)
- New roof
- Solar panels
- Hot tub or any new shed or structure in your backyard

### **Follow these steps for the submission of a great all-around package:**

STEP 1: Review the CC&R's – the “rules and regulations” of your HOA – regarding your proposed project components and designs. If you have specific questions, please call the Architecture Committee for directions.

STEP 2: Prepare the necessary Design plans and/or color samples (if applicable, see Submittal General Form for info),

STEP 3: Fill out ALL proper Forms (find these on the web page)

- Print the “Submittal General Form” with 1<sup>st</sup> page filled out.
- Print the “Neighbor Awareness Forms”. Speak with your neighbors about your proposed work and show them any color schemes and/or all DATED drawings you will be submitting to the Committee, so they fully understand what you are planning. ***You should get forms signed by all***

*neighbors affected, in some cases the Architectural committee will let you know neighbors that need to be given forms.*

*Please note: the Committee looks more favorably on a package with neighbor awareness forms completed!*

STEP 4: Submit the entire package of materials to the Architectural Committee chairperson (Crestmont neighborhood). Remember, the more complete the package, the quicker the process can proceed!

## **Review Process:**

-The Architectural committee will let you know if your submission package is complete. Neighbor forms and plans will be reviewed, and a home visit may be planned to better understand your proposed project. Once all this is in order, the Architectural committee will make a recommendation to the Board. Please note – this recommendation is NOT a final approval for you to go ahead with building!

-The Board meets monthly (last Monday of the Month) and will discuss your application

-Taking the entire package (including neighbor comments) into consideration, the Board will either approve, disapprove, or approve with stipulations to the design.

-For large projects that require a City of Oakland Building Permit: Once the Architecture Committee gives written approval of schematic design plans, the Committee will then review the official City-approved Architectural and structural plans, and perform site visits during construction as well as upon completion to ascertain if the project continues to comply with the Association's CC&Rs and adheres to the schematic plans originally submitted.

-The Board will return your paperwork with our signature.

## **Definitions:**

The following definitions apply to terms used by the Association:

- Back of sidewalk: The line of the sidewalk edge furthest from the curb line.
- Front yard: The area from the front of the house to the curb line.
- Side yard: The areas at each side of the house.
- Back yard: The area at the rear of the house.
- Curb line: Line of the vertical curb at the street.
- Right of Way: The legally described width of street, which is located from your front property line to the property line at the opposite side of the street.
- Plot Plan: A plot plan is a “to scale” drawing, showing the property lines of the property, the footprint of your house, with that of the proposed project added. A good base for such a plan may sometimes be found in appraisals, assessor's reports, and architectural plans. At times the City may have a microfilm of a plot plan for a previous project on your property. Check in person with the city Public Works Department, currently located at 250 Frank Ogawa Plaza, Dalziel Building, second floor.

The Homeowners of Crestmont setback per CC&Rs is the area from the front property line to a distance of six (6) feet into the property. The Association CC&Rs do not allow any constructed element unless such are less than 24 inches in height above the closest adjacent point of the back of sidewalk in this setback. Such elements may be constructed up to the back of sidewalk, but only if the submitting owner is fully aware that such may infringe upon the right of way, and is willing to remove them if so required by the City. (See following discussion on property lines.)

The Association CC&Rs allow no element such as a fence or wall to be over six (6) feet high above the closest adjacent point of the back of sidewalk, such elements must be more than six (6) feet from the front property line.

**Property Line:**

Please be advised: Your front property line is NOT at the curb line. It is NOT at the inner boundary of the sidewalk. Those areas belong to the City. Your property line begins some distance between the inner boundary of the sidewalk and the house. You need to check with the City of Oakland, or a surveyor to determine the exact location of your property line. Neither the Homeowners Association, in accordance with the CC&Rs, nor the City will give permission to build on those areas. Therefore, you may not build any walls, fences, or other structures on those areas owned by the City. You MUST first establish where your specific property line begins to understand how you may fit into the set back and height requirements for new structures, as detailed in the CC&Rs. Homeowners are, however, required to maintain not only their own property, but also the property from sidewalk to the property line in an aesthetically pleasing manner.

Please note that on the submittal form you are required to release the Homeowners Association from any liability for allowances it may make regarding permission to build structures on your property.

**Legal Survey:**

If exact incontestably accurate locations are needed, the only way to obtain such is through a survey certified by a State of California licensed surveyor.

**Zoning and City Regulations:**

Crestmont homes are in the City designated R-30 zone. The Association requires all homes to be in conformance with City regulations and codes.

In the R-30 zone of Crestmont, the side yard setback is five (5) feet, resulting in a minimum ten (10) feet separation between homes, for open space and fire safety. The front yard setback line is twenty (20) feet back of the front property line.

City regulations and the Association CC&Rs do not allow structures such as building additions, trellises, overheads, swim pools, carports, etc. in setback areas.

**In Conclusion:**

The association hopes its submittal procedures impose no unreasonable burden. The requirements of the submittal provide information that enables the Association to make informed, equitable, fair, intelligent, and most importantly, non arbitrary decisions.