

# MISSION VIEJO ENVIRONMENTAL ASSOCIATION ARCHITECTURAL APPLICATION

Owner(s) Name: \_\_\_\_\_

Property Address: \_\_\_\_\_

Date of Submittal: \_\_\_\_/\_\_\_\_/\_\_\_\_

Increment Number: \_\_\_\_\_

Estimated Duration of Construction Project (In Weeks): \_\_\_\_\_

## IMPROVEMENT DESCRIPTION SUMMARY

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## SUBMISSION REQUIREMENTS

1. **Application:** Complete architectural application form.
2. **Plans and Specifications:** Include two (2) sets of detailed plans and/or color chips/brochures for roofing and painting, including projects with no color change.
3. **Neighbor Awareness Form:** Include completed Neighborhood Awareness Form (NAF) with signatures of directly adjoining property owners (each side, front or rear). All plans shall be made available to the adjacent signing neighbors prior to their signing your NAF.
4. **Fee:** No fee is required upon submittal of an application when plans are submitted prior to the commencement of contemplated improvement. **However, a \$175.00 (non-refundable) fee is required for submittal of previously initiated or completed unauthorized improvements without prior MVEA ARC approval. Checks should be made payable to: Mission Viejo Environmental Association.**
5. **Submit Application:** Send to: Mission Viejo Environmental Association  
c/o Action Property Management  
2603 Main Street, Suite 500  
Irvine, CA 92614-4261  
949-450-0202 FAX 949-450-0303;  
  
Or send your application to the current MVEA Management Company of record (info at [www.mveahoa.com](http://www.mveahoa.com)).
6. **Approval:** The Architectural Committee's decision will be transmitted to the applicant within sixty (60) days of application receipt. Upon plan approval by the Committee, owners may need to secure a building permit approval, as may be required by the City of Mission Viejo.

## OWNER AGREEMENT

Owner(s) hereby agree to all the terms, conditions, and policies as stated below:

**Policy Compliance:** Owner(s) agree to require all contractors employed during the residence addition/improvement to abide by all the policies established by the Architectural Committee and the City including but not limited to access, hours of work (Mon-Sat, 7am-7pm), noise, cleanup, etc. It is also understood and agreed that contractors will not be allowed to work on Sundays or Federal Holidays.

**Permit Requirement:** Upon plan approval by the Committee, owner(s) agree to secure a building permit approval, as may be required by the City of Mission Viejo.

**Work Completion:** The improvements you have submitted to MVEA must be completed within (90) ninety days from the approval date. If additional time is needed to complete approved improvements, you are required to apply for an extension from the Association. The fee for an extension of time for major construction projects beyond the granted 180 calendar day limit is \$150.00. **Workmanship:** It is the obligation of the property owner to assure that all work performed shall be done in a good workmanship like manner equal to or better than the standards of workmanship applied to the original construction. If, in the opinion of the Architectural Committee, the workmanship performed has not been done in a good workmanship like manner, then the owner shall be responsible to make the necessary corrections within thirty (30) days from the date of notice. If these corrections are not made within thirty (30) days from the date of notice, then the improvements shall constitute an unapproved structure and the property owner shall be held in noncompliance with the Declarations of the Covenants, Conditions and Restrictions.

**Drainage:** Your home site was graded to drain in accordance with the County of Orange Building and Safety Department standards. When making home improvements or landscaping, do not allow your contractor to change grades or drainage without professional advice. Demand guaranteed drainage from the contractor. Property owners must maintain proper drainage from common areas, prevent drainage on to common areas, and prevent drainage on to neighbors' property.

**Building and Safety Regulations:** Approval of plans by the Architectural Committee does not relieve you (the property owner) of complete adherence to all the codes and regulations of the City of Mission Viejo or other governing agencies (i.e. Mission Viejo Department of Building and Safety) as well as appropriate utility companies. Please note that items which will require approval of the Building Department are as follows, but not limited to: Room additions; patio covers (footing for supports should be inspected prior to pouring slab); retaining walls with grade differential of 18 inches or more; re-roofing, swimming pools and equipment; sprinkler systems; alterations in plumbing, heating and electrical; and air conditioners.

**Damage Due to Construction:** If any existing public improvements or utilities are damaged or destroyed during any phase of construction to which these approved plans apply, the property owner shall, at his own expense, replace and/or repair such damage, subject to the final approval of the appropriate governing agencies and/or utilities.

**Encroachment:** Approval of this Architectural application in no way authorizes encroachment into the Association common areas and/or adjacent properties. It is the Owners sole responsibility to verify that proposed improvements do not expand beyond the Homeowners specific plot plan. The Association is not responsible for verifying that proposed improvements do or do not constitute an encroachment.

**SIGNATURE OF OWNER(S)**

I (we) hereby acknowledge that I (we) have read, understand, and agree to the above:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Phone: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Phone: \_\_\_\_\_

Do Not Write Below This Line

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**ARCHITECTURAL REVIEW COMMITTEE APPROVAL**

Approved

Approved with Conditions

Denied

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**ARCHITECTURAL REVIEW COMMITTEE COMMENTS /CONDITIONS**

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NEIGHBOR AWARENESS FORM

Community Development Department  
CITY OF MISSION VIEJO  
200 Civic Center  
Mission Viejo, CA 92691 -- (949) 470-3074

Chapter 9.43, of the City of Mission Viejo Municipal code pertaining to architectural and design review provides that no person shall construct any dwelling, accessory building, or structures, improvements, patio covers, roofs, balconies, decks, porches, terraces, exterior steps or stairways, walls, fences, antennas, spas, swimming pools, or make any additions to, or modify any structure, or install a new roof on any structure, on any property in a residential zone in the City unless the resulting construction is found to be compatible with neighborhood within which it is located.

I, \_\_\_\_\_, am requesting a permit to modify my real property at  
(Homeowner(s) name)

\_\_\_\_\_ M.V., CA. \_\_\_\_\_ in the following manner:  
(Number and Street Name) (Zip Code)

\_\_\_\_\_  
(Building permit reason)

The following shall be completed and signed by the PROPERTY OWNERS on either side (2), and a front or back neighbor depending upon the improvement(s) (1), prior to submittal for a City of Mission Viejo building permit:

**PROPERTY OWNER**

**PROPERTY OWNER**

**PROPERTY OWNER**

\_\_\_\_\_  
(Print name)

\_\_\_\_\_  
(Print name)

\_\_\_\_\_  
(Print name)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Home Phone)

\_\_\_\_\_  
(Home Phone)

\_\_\_\_\_  
(Home Phone)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Tract/Lot)

\_\_\_\_\_  
(Tract/Lot)

\_\_\_\_\_  
(Tract/Lot)

I am aware of and consent to the above-described residential property improvement(s) at my neighbor's property.

CHAPTER 9.43 of the Mission Viejo Municipal Code  
ARCHITECTURAL AND DESIGN REVIEW

9.43.005 PURPOSE AND INTENT

The regulations of this Chapter only apply to matters requiring a City Building Permit with the exception of amateur radio station antennas. The purpose of this Chapter is to preserve the natural scenic character of the City. Minimum standards are established relating to the siting and massing of either a new structure or a remodeled structure in an existing neighborhood to ensure, to the greatest extent practicable, that the resulting structures are compatible with the neighborhoods within which they are located. The intent of this Chapter is to regulate the development or redevelopment of each building site with respect to adjacent land, public or private, and existing structures so as to maximize visually pleasant relationships, ensure a bright, open neighborhood with a maximum of light and air, and avoid the unpleasant appearance of crowding one structure against another, or of one structure towering over another, insofar as is reasonable and practical. It is not the intent to restrict or regulate the right of an individual property owner to determine the type of structure or addition he or she may wish to place or modify on the parcel. It is the intent, however, to ensure that the new or modified structure does not impact adjacent property owners or the compatibility of structures in the neighborhood. The regulations in this Chapter are in addition to the other regulations/ordinances of the City, and, where in conflict, the more restrictive regulations shall apply.

9.43.010 COMPATIBILITY IN RESIDENTIAL ZONES

No person shall construct any dwelling, accessory building, or structures, improvements, patio covers, roofs, balconies, decks, porches, terraces, exterior steps or stairways, walls, fences, antennas, spas, swimming pools, or make any additions to, or modify, any structure, or install a new roof on any structure, on any parcel in a residential zone in the City for which a building permit is required unless the resulting construction is found to be compatible with the neighborhood within which it is located. The design criteria and review processes contained in this Chapter are provided to protect and maintain the established character of all residential neighborhoods within the City.

9.43.015 OBJECTIVES

In order to maintain neighborhood compatibility, any proposal for construction within a residential zone shall comply with the following objectives:

- (a) Natural Amenities  
Improvements to residential property shall respect and preserve, to the greatest extent practicable, the natural features of the land, including the existing topography and landscaping.
- (b) Neighborhood Character  
Proposals shall be reasonably compatible with the existing neighborhood character in terms of the scale of development of surrounding residences, particularly those within 300 feet of the proposed development parcel boundaries. While many elements can contribute to the scale of a residential structure, designs should minimize the appearance of over or excessive building substantially in excess of existing structures in the neighborhood. The square footage of the structure and the total lot coverage should reflect the uncrowded character of the City and the respective neighborhood. The height of the structures shall maintain, to the extent reasonably practicable, consistency with the height of structures on neighboring parcels.
- (c) Privacy  
Design proposals shall respect to the extent reasonably practicable the existing privacy of adjacent parcels by maintaining an adequate amount of separation between the proposed structure and adjacent parcels, and the design of balconies, decks, and windows should respect the existing privacy of adjacent parcels.
- (d) Views  
Designs should consider, to the extent reasonably practicable, neighbor's existing views.

9.43.020 PROCESS

The following requirements shall apply to all proposals for construction of new, or modification of, or addition to existing structures, for all residential parcels.

- (a) Application  
An application for Architectural review shall be made to the Director on forms furnished by the Director and accompanied by plans showing the effect of the proposed work upon visual relationships with other parcels, existing structures, or land adjacent to or within 300 feet of the proposed work, and any other information the Director may require. The application shall be accompanied by the required fees pursuant to Chapter 9.55 (Applications and Fees).
- (b) Review by Homeowner Association  
An application, involving a parcel regulated in part by a homeowner association referred to in the Conditions, Covenants and Restrictions (CC&R's) for said parcel, shall be submitted to the architectural review committee of the homeowner association for review. In the event the homeowner association does not have an active or established architectural review committee, the Director shall review the application.
- (c) Non-Homeowner Association Parcels  
An application for Architectural Review for a parcel which is located in an area which does not have a homeowner association identified in the CC&R's for said parcel shall be submitted to the Director for review.
- (d) Submission to Adjoining Property Owners  
If, in the opinion of the Director, a proposed improvement would directly impact a neighboring parcel, the applicant shall submit the application for Architectural Review to the owner of the adjoining parcel for review and comment.
- (e) Approvals  
In the event that an architectural review committee or its designated representative, the Director, and all adjoining property owners, in any, approve of the proposed improvement and file written consent(s) thereto within 60 days of submission, the application shall be deemed approved, and the proposed improvement can be submitted to plan check, if required. Failure to act on the proposed improvement within the 60 day period shall be deemed approved by the entity or person to whom the proposed improvement was submitted. The Director may grant an extension of time to an architectural review committee if good cause is shown and the request is made in writing. It shall be the responsibility of the applicant to submit to the Director written evidence showing the initial submittal date of plans to the architectural review committee and adjoining property owners.
- (f) Referral to Commission  
In the event that a proposed improvement is disapproved by an architectural review committee, the Director, or any adjacent property owner, the architectural review application shall be submitted to the Commission for review and determination. The Director shall set the application for public hearing and shall give notice of the time and place of the hearing pursuant to the provisions of Chapter 9.56 (Hearings and Appeals). The Commission may approve, approve with conditions, or disapprove the application and shall render its decision within 30 days after the conclusion of its hearing. The decision of the Commission shall be final unless appealed to the Council.
- (g) Appeal of Decision to Council  
Any interested party may, within 15 days after the decision of the Commission, appeal the decision to the Council. The appeal shall be filed with the City Clerk on a form prescribed by the Council, accompanied by payment of the fee pursuant to Chapter 9.55 (Applications and Fees), and shall include the reasons for the appeal. The City Clerk shall set the appeal for public hearing and give notice of the time and place of the hearing pursuant to the provisions of Chapter 9.56 (Hearings and Appeals). The Council may approve, approve with conditions, or disapprove the application and shall render its decision within 30 days of the conclusion of the hearing. The resolution shall contain the Council's findings. The City Clerk shall mail a copy of the resolution to the applicant and the decision of the Council shall be final.

# MVEA Exterior House Painting Application – Color Information Sheet

Site address: \_\_\_\_\_

Date: \_\_\_\_\_ Is this a color change? \_\_\_yes \_\_\_no

## Walls / stucco / siding – color      **SCHEME #** \_\_\_\_\_

Affix color chip here.

Brand of paint: \_\_\_\_\_

Color name: \_\_\_\_\_

Color number: \_\_\_\_\_

Is this on MVEA's pre-approved list? \_\_\_yes \_\_\_no

If NO, closest pre-approved color is: \_\_\_\_\_

\_\_\_\_\_

## Fascia / soffits / trim - color

Affix color chip here.

Brand of paint: \_\_\_\_\_

Color name: \_\_\_\_\_

Color number: \_\_\_\_\_

Is this on MVEA's pre-approved list? \_\_\_yes \_\_\_no

If NO, closest pre-approved color is: \_\_\_\_\_

\_\_\_\_\_

## Accent / door / patio cover - color

Affix color chip here.

Brand of paint: \_\_\_\_\_

Color name: \_\_\_\_\_

Color number: \_\_\_\_\_

Is this on MVEA's pre-approved list? \_\_\_yes \_\_\_no

If NO, closest pre-approved color is: \_\_\_\_\_

\_\_\_\_\_

\* \* \* \* \* Do not write below this line. \* \* \* \* \*

\_\_\_ Approved    \_\_\_ Approved with conditions    \_\_\_ Denied (please resubmit)

Conditions / Comments: \_\_\_\_\_