

THE RIVIERA ESTATES ASSOCIATION

Guidelines for Submittal and Review of Application for Architectural Approval of Construction Projects

I) Guideline Intent

- A. The intent of these guidelines is to provide a clear description of both the process that an applicant for architectural approval of a construction project goes through to obtain that approval as well as the guidelines used by the reviewing authority viewing the proposed project for approval or denial.
- B. These guidelines are provided to clarify and supplement the Amended Declaration of Conditions, Covenants and Charges Affecting the Real Property Known as The Riviera, dated October 18, 1994, and amended by vote of the members on December 4, 2000.
- C. Approval of plans by the REA is not a warranty or opinion as to the soundness or quality of the design of the project. REA takes no responsibility and accepts no liability regarding any construction risk or psychological distress that occurs to any party as a result of the project or the process of review by REA.

II) Submittal and Review Procedures

- A. The Applicant *shall make an appointment* to **submit two full size sets of drawings, two 8 1/2 x 11 and plans in electronic pdf format** depicting the project by contacting:
The Riviera Estates Association,
Attention: Jeaneen Fabbro, Administrative Coordinator
Phone: (310) 459-3346; Fax: (310) 454-2918; Email: reahoa@gmail.com
- B. **The submitted drawings shall contain the following information, clearly shown:**
 - 1. If demolition of an existing structure or change in grade is planned, a topographical map and survey showing the existing grade before demolition or grade changes must be submitted before any demolition or grading begins. This datum will be used to establish existing grade.
 - 2. Site plan dimensioned to show all existing and proposed construction locations, topography, and wall and fence heights.
 - 3. The grading plan and topographical map showing existing grade if not already submitted under II.B.1 above.
 - 4. Exterior Elevations dimensioned to show all heights above natural unmodified grades.
 - 5. Exterior Elevations shall show and have called out all finished materials, color, texture where appropriate) and all other descriptive finished appearance information pertinent to review the project
 - 6. Floor Plans showing all new construction differentiated from existing construction.

7. All Drawings and Specifications submitted for review shall have individual sheet numbers assigned to each separate sheet submitted. Each sheet shall have the date of the sheet clearly placed on it. Each subsequent revised submittal shall consist of a complete set of Drawings and Specifications with a new "Revision Date" placed on each sheet of the re-submitted set.
8. All submissions *must* include a valid phone number, fax number, address and email address for owner(s) *and* Architect on the plans.

C. An **application fee**, per schedule below, shall accompany the submittal.

Application Fee Schedule (subject to change)*

	Prior to Commencement	Commencement before submittal & approval
Projects adding or altering 1-1999 sq ft	\$750.00	\$1500.00
Projects adding or altering 2000-4999 sq ft	\$1000.00	\$2000.00
Projects adding or altering 5000-7999 sq ft	\$1500.00	\$3000.00
Projects adding or altering 8000 sq ft and up	\$2000.00	\$4000.00

Resubmittal Fee (per submittal)... one-half (1/2) of the original submittal fee*

*May be reduced or waived by REA Board in its sole discretion depending on specific circumstances

Separate pools, tennis courts, patios, walls or fences, solar panels...\$200.00 \$400.00

Resubmittal (per submittal).....\$200.00

***Note: Special Conditions and Fee Regarding Construction on or Adjacent to D'Este Drive:** In the interest of preserving and protecting the plantings and sprinkler systems in the D'Este Drive median strips, property owners on or adjacent to D'Este Drive involved in construction projects are required to make a **\$1000 refundable deposit** payable to The Riviera Estate Association as part of the plan approval process.

Upon completion of the construction project, the Association's Board of Directors and Building Committee, in its sole discretion, will determine whether or not construction resulted in any damage to the median strip. (In the past, damage has included broken sprinkler heads, broken pipes and destruction of plantings from construction vehicles driving across or parking on the median strips.)

If damage has occurred, the cost of repairs will be deducted from the deposit and the balance will be refunded to the property owner. If no damage has occurred, the full \$1000 deposit will be refunded to the property owner. (The monitoring fee will be the interest accrued on the deposit.)

- D. Submittal of the Application and Plans:** Submit to REA, as shown above. The Association's Administrative Assistant shall verify that the submittal is complete in accordance with the submittal requirements above, collect the fee, and forward the submittal to the Reviewing Architect appointed by the Association. The Reviewing Architect shall submit his or her findings, in writing, to the Association's Building Committee for a decision which shall then be rendered to the Applicant.
- E. If the project is disapproved** and the reason(s) for disapproval are not made clear in the letter to the applicant from the Building Committee, the applicant may contact the Building Committee Chairman to determine modifications to the project that would qualify it for approval. If the applicant cannot reach an agreement with the Building Committee Chairman, Applicant may appeal the decision of the Building Committee to the Association's Board of Directors by filing a written request of appeal, filed with the REA's Administrative Assistant.
- F. If the appeal of an applicant of** a disapproved project requires the Reviewing Architect to attend a meeting outside of his office with members of the Building Committee, Board of Directors, or Applicant, Applicant may be billed for the time of the Reviewing Architect at his hourly rate at the discretion of the Board.
- G. If the project is approved:** One set of plans marked "Approved by the REA" will be returned to the Applicant along with a letter of approval. The Approved Plans must be kept on the building site and be available to any member of the REA who wishes to see them. REA will keep the other set of plans. An Approval is valid for one year. If the Applicant has not begun work on the project within a year of approval, the Approval will expire, and Applicant will be required to repeat the submittal process and the project will be treated as a brand-new submittal. For a new house, the beginning of work means the first placement of permanent construction of a structure on a site, such as the pouring of the foundation or footings, the installation of piles, the construction of columns, or any similar work beyond the stage of excavation.
- H. Violation of Guidelines:** Members who are found in violation of these Guidelines and/or the Submittal and Review Process, including grading, building, remodeling and/or constructing walls or fences without approval of the REA, may be subject to a fine of up to \$500 per day or more, as well as the requirement to bring their property into compliance with the Guidelines. See the REA's Enforcement Policy and Schedule of Fines. Fines will be used to cover the costs of enforcement, legal fees, and future enforcement.

III) Architectural Guidelines

(All references shown in parentheses are from Amended Declaration of Conditions, Covenants and Charges Affecting the Real Property Known As The Riviera dated October 18 1994, and amended by votes of the members on December 4, 2000, and between August 3, 2001 and September 30, 2001.)

A. Setbacks

1. All **setback measurements** shall be taken from the appropriate boundary lines. (*see* 2.5, 2.6)
2. **Building Setbacks:** (*see* 6.5)
 - a. All Streets: 20'0"
 - b. Side Boundary line: 10'0"
 - c. Rear boundary line: 10'0"
3. These setbacks apply to all building lines including chimney structures, balcony overhangs or other architectural features that are deemed by the Building Committee to be massive enough to constitute a building line.
4. An uncovered porch or stoop may extend into the setback 10'-0" on any street boundary line and 5'-0" on any side boundary line, provided the sides or balustrades do not exceed more than three (3) feet above the level of the first floor of the building.
5. No building shall be built within 20 feet of any street boundary line.
6. The street boundary line is the legal property line of the particular lot, not the curb. The applicant must determine and include in the plans the property lines in relation to the buildings and physical edge of the streets.

B. Building Heights: (*see* 6.4.1)

1. Maximum building wall height at any building yard setback line: 22'-0".
2. An additional foot of wall height may be added for each 2'0" the wall structure is removed from the setback up to a maximum wall height for that wall of 26'0" for each side (i.e., 4'0" of additional height). However, additional setback footage may not be "traded" from one side of a structure to another to increase the latter's wall height.
3. Maximum building height: 34'-0" (measured from each point of the established grade per II.B.1 or II.B.3).
4. Chimneys, and all structures related to a chimney, may extend a maximum of 2'-0" above the highest point of the roof.
5. No structure shall be over two stories. Habitable attics above the second story are prohibited. Habitability shall be judged by stair access (versus pull-down or wall mounted ladder access), weather tight enclosure (versus ventilated to exterior) and any other physical characteristics that the Building Committee deems indicative of habitability.

C. Roofs: (*see* 6.4.1 and 6.4.2)

1. Maximum roof pitch of 6:12 (26.57 degrees) per 6.4.1 applies only to a roof that joins the front building wall of the structure if that front building wall is on the front yard setback line.
2. Allowed roof pitch will be based on the appropriateness of that slope to the architectural character of the structure.
3. In no event shall a roof be allowed to extend above 34'-0" per III.B.3 above.
4. Roofing material shall meet Class A fire retardant requirements.

5. Roofing material may be synthetic shake or shingle, concrete or clay tile, slate, 280 pound or greater fiberglass shingle, or other architecturally compatible material, as judged by the Building Committee. Light weight asphalt shingles shall not be permitted. Flat roofs shall be finished with gravel of a color compatible to the structure's architecture as judged by the Building Committee.
6. Roof overhangs shall not extend into any yard setbacks (front, side, rear) more than 3'-0".

D. Fence & Wall Heights and Setbacks: *(see Clause No. 5, "Conditions as to Fences")*

1. All heights shown below refer to maximum heights above lowest finished adjacent grade on either side of the fence or wall.
2. As to **front yards:**
 - a. 4'-0" maximum height at street boundary line.
 - b. 5'-0" maximum height at 4'-0" back from street boundary line.
 - c. 6'-0" maximum height at 8'-0" to 20'-0" back from street boundary line.
 - d. 8'-0" maximum height at 20'-0" or beyond, back from the street boundary line.
3. As to **side yards and rear yards:**
 - a. Tight walls or fences: 6'-0" maximum height at side or rear property line to 10'-0" back from side or rear property line. 8'-0" maximum height at 10'-0" or beyond from side or rear property line. (Note: a "tight wall or fence" is one in which there is no air or space, such as a solid brick wall, stucco wall or a solid wooden fence.
 - b. Open fences: 8'0" maximum height at any distance from side or rear property line. (Note: an "open fence" is one though which there is air, such as a cyclone fence or a spaced picket fence.)

E. Lot Coverage and Floor Area: *(see 2.2, 6.4.3 and 6.4.5)*

1. Maximum lot coverage by all structures combined shall not exceed 27% of the "Buildable Lot Area" (total lot area less all portions of the lot whose slope is equal to or greater than 2:1 or 26.57 degrees) for lots larger than 12,500 square feet. This includes all accessory buildings together with the residence.
2. Maximum lot coverage by the structures shall not exceed 30% of "Buildable Lot Area" for lots 12,500 square feet or smaller. This includes all accessory buildings together with the residence.
3. Maximum floor area shall be 42% of the "Buildable Lot Area" for lots larger than 12,500 square feet. This includes all accessory buildings.
4. Maximum floor area shall be 46% of the "Buildable Lot Area" for lots 12,500 square feet or smaller. This includes all accessory buildings.
5. **Floor area shall be determined by measuring to the outside building line on all floors.** Without limitation, floor area shall include all open areas, such as stairwells and any open space extending more than 15 feet above any floor.
6. Basements shall not be included in floor area calculation. An area is calculated as basement area when the elevation of the upper surface of the floor or roof above the **basement area** does not exceed three feet in height at any point above the finished or natural grade, whichever is lower. Thus, there can be portions of a single room

which include basement area and non-basement area. Non-basement area that extends beyond the 1st floor footprint will be counted as area for lot coverage and all non-basement area will be counted as part of the total area. If the city definition of a basement area is more restrictive than this, then the city definition will prevail.

7. Non-habitable attics shall not be included in floor area calculation. Should a second story attic be judged as habitable by the Building Committee, its floor area shall be included in the total floor area of the structure.
8. Covered porches shall be included in floor area calculation.

F. Accessory Buildings: *(see 6.4.5)*

1. Accessory buildings are for uses customarily incidental, appropriate and subordinate to the use of the residence.
2. These buildings shall comply, in all respects, to the requirements for the residence, including use, height and setbacks.
3. They shall be architecturally compatible with the main structure.
4. They shall contain no food preparation equipment.
5. No accessory building shall be constructed on a lot until construction of the main residence has begun, and no accessory building shall be used unless the residence on the lot is also being used.

G. General Architectural Character: *(see 6.2)*

The Building Committee shall take into consideration the compatibility of the proposed architectural design with the overall architectural character of the immediate neighborhood in which the design is proposed. Compatibility shall be determined by considering, among other things, architectural style, materials of construction, color, building mass, sensitivity to the lot's topography, sensitivity to the overall topography of the immediate neighborhood, and quality of design.

H. Construction Envelope Diagram:

All of the above Guidelines referring to dimensional limitations are supplemented by the drawings titled "Building Envelope Diagram" and "Fence & Wall Envelope Diagram," which graphically portray these limitations.

I. Satellite Dishes and/or Rooftop Appliances:

Except for standard size television antennae and mini-satellite dishes no more than 20-inches in diameter, no towers, antennae, aerials, or satellite dishes for the reception and/or transmission of radio, television broadcasting, telephone service, computer data or other means of communication shall be visible from any street or right-of-way, or shall be in any way obtrusive to neighbors.

J. Solar Panels:

1. Visibility and Location

- a. Solar Units must not be visible from the streets. Solar Units not on the roof must be in compliance with the established REA setbacks and be concealed

from the neighboring view; a fence, wall or hedge of sufficient height to accomplish that may be required.

- b. Solar Units on a roof must be within the wall line of the structure and must be in or below the plane of roofing material.
- c. All plumbing lines must be concealed and the method of installation shown and detailed.
- d. Photographs must be submitted showing the location of the proposed solar units and their visibility from neighboring structures, street or streets. A sample of the proposed solar unit should be submitted with application.
- e. Professionally drawn construction details that apply to specific installations must be provided. They must be drawn to scale and must clearly show all elevations, assembly, the attachment to the roof structure and proposed location on the lot or building, and the number and/or area of panels planned.

2. Materials

- a. Panel material must be dark in color.
- b. Cover plate must be transparent and glazing must be either transparent or white to reduce the reflectance of light.
- c. Cover material, if flammable, should be rated as self-extinguishing. Owner shall be responsible for compliance with this rule; the Association assumes no responsibility for the determination of the flammability of the materials or installation.
- d. Owner shall use all reasonable means available to reduce reflectance so as to minimize impact on neighbors.

3. Aesthetics

The Building Committee may require revisions for aesthetic considerations

4. General

These rules and their application are subject to any legal requirements

K. Devices mandated by the city or utilities in setbacks:

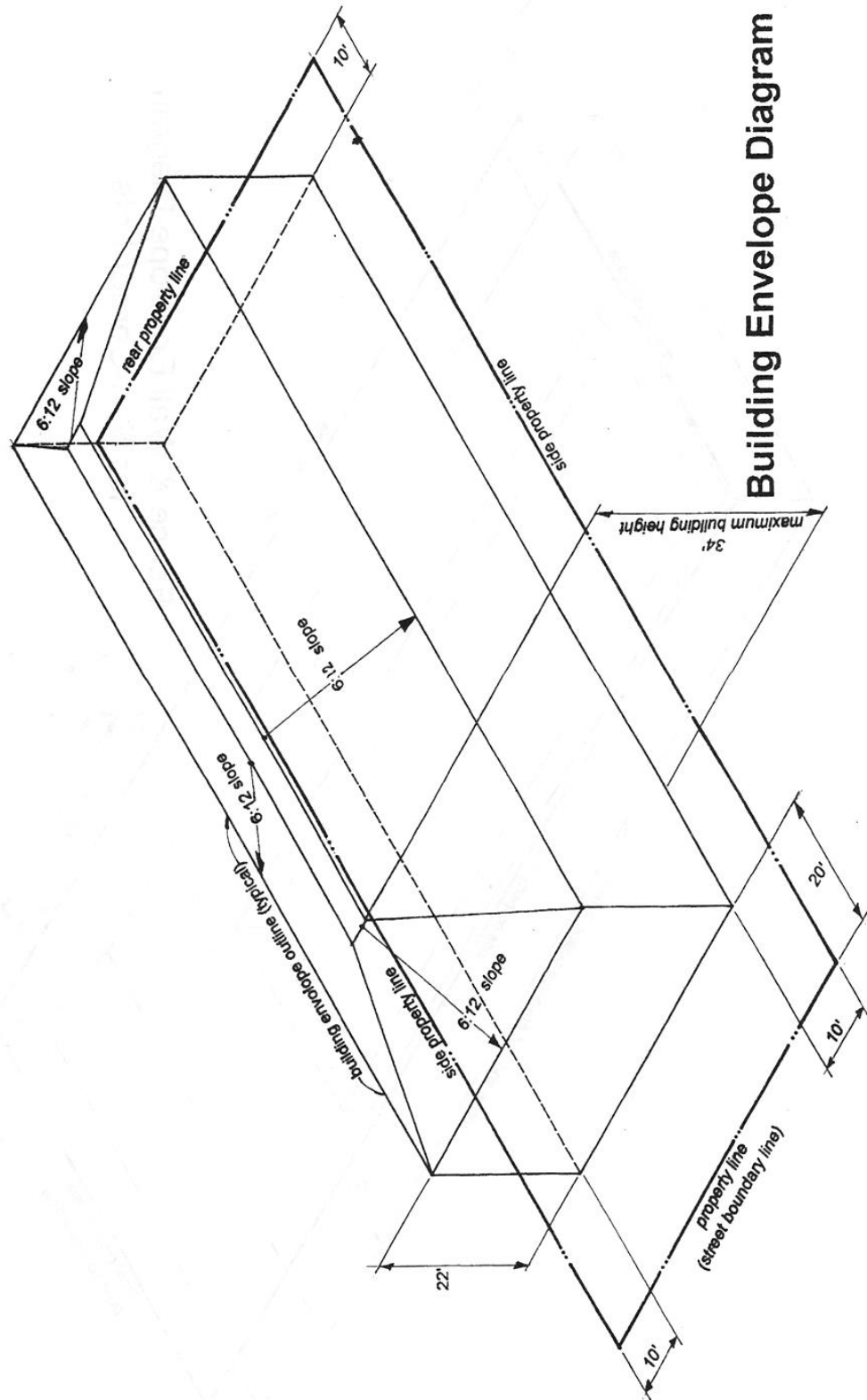
1. Transformers, Water Tanks, Septic Tanks and devices mandated by the city or utility companies

No transformers, water tanks, devices mandated by the city or utility companies, or the like, shall be located in the front of a house or in a setback unless they are in an underground vault. When above ground, such devices shall not be visible from the street.

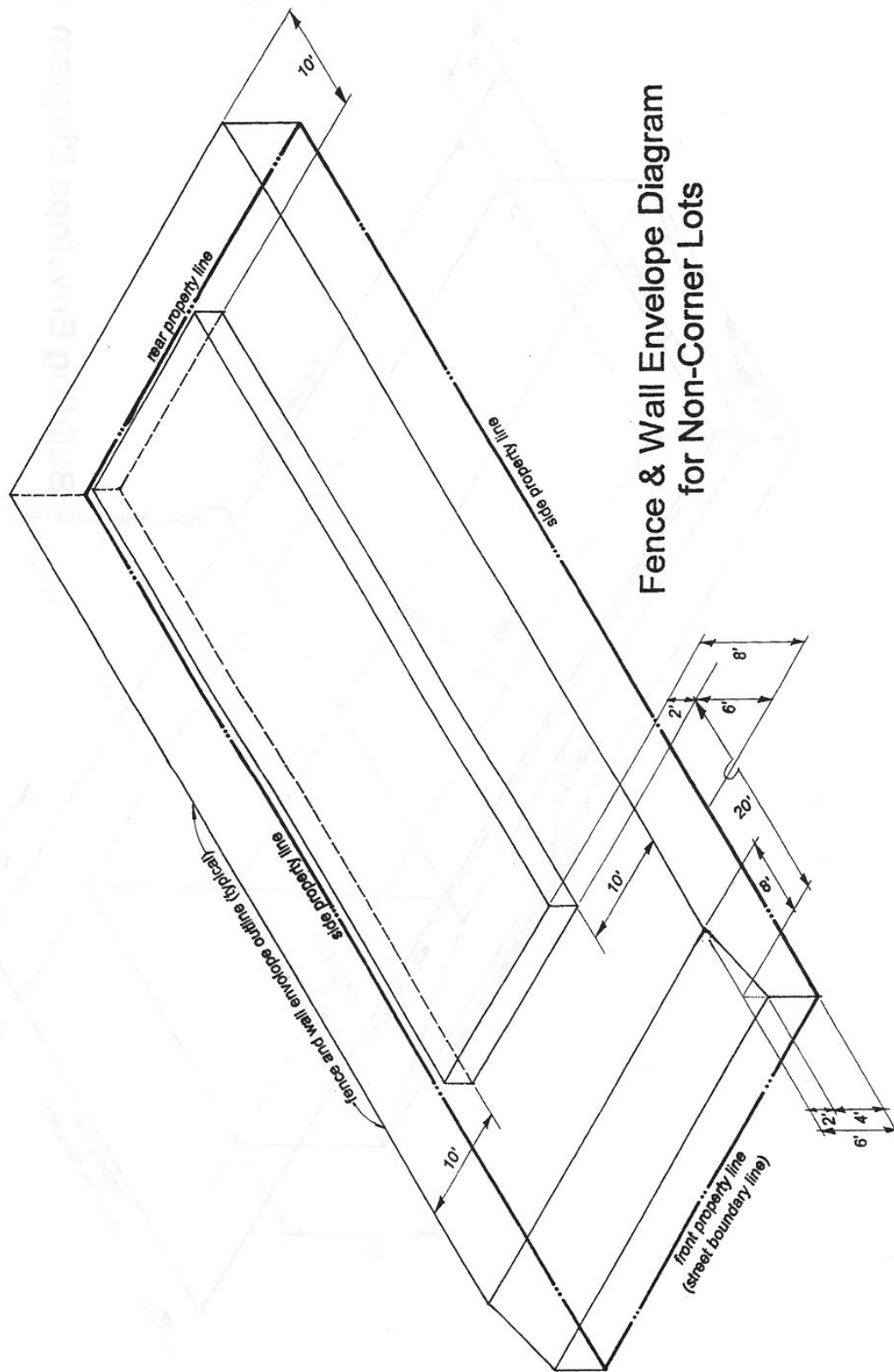
L. HVAC (heating and air conditioning) Units and Pool Equipment:

1. HVAC Units and Pool Equipment

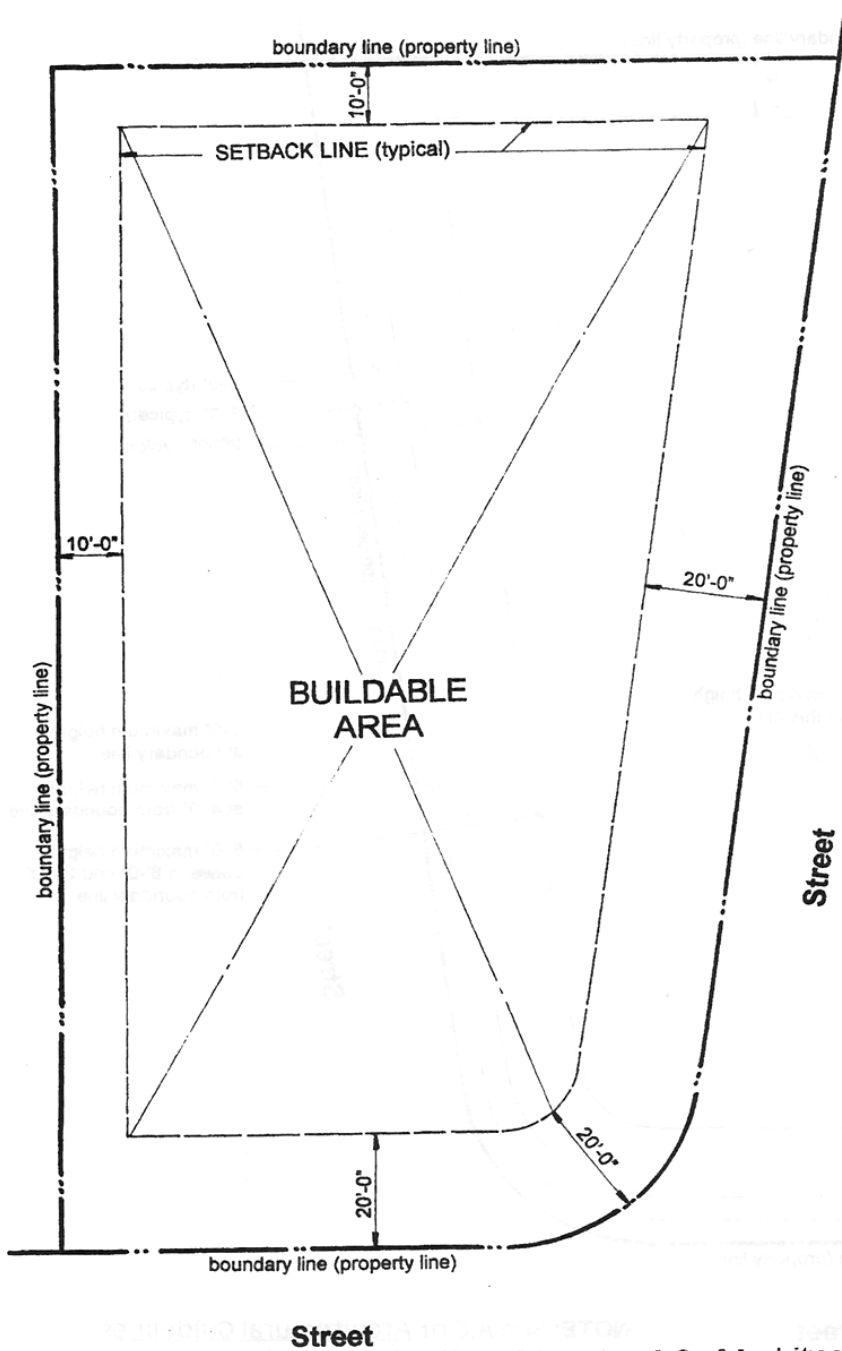
To minimize noise to neighbors, HVAC Units and Pool Equipment shall not be located in a setback. For pool equipment, an exception can be made at the discretion of the Architectural Committee if the equipment is located at the rear of the property and is at least 20 feet from any neighboring house, and the neighbor does not object. HVAC units and Pool Equipment shall not be visible from the street, and be screened from view. Rooftop HVAC Units must be screened or recessed, and screening must be in keeping with the style of the house.



Building Envelope Diagram



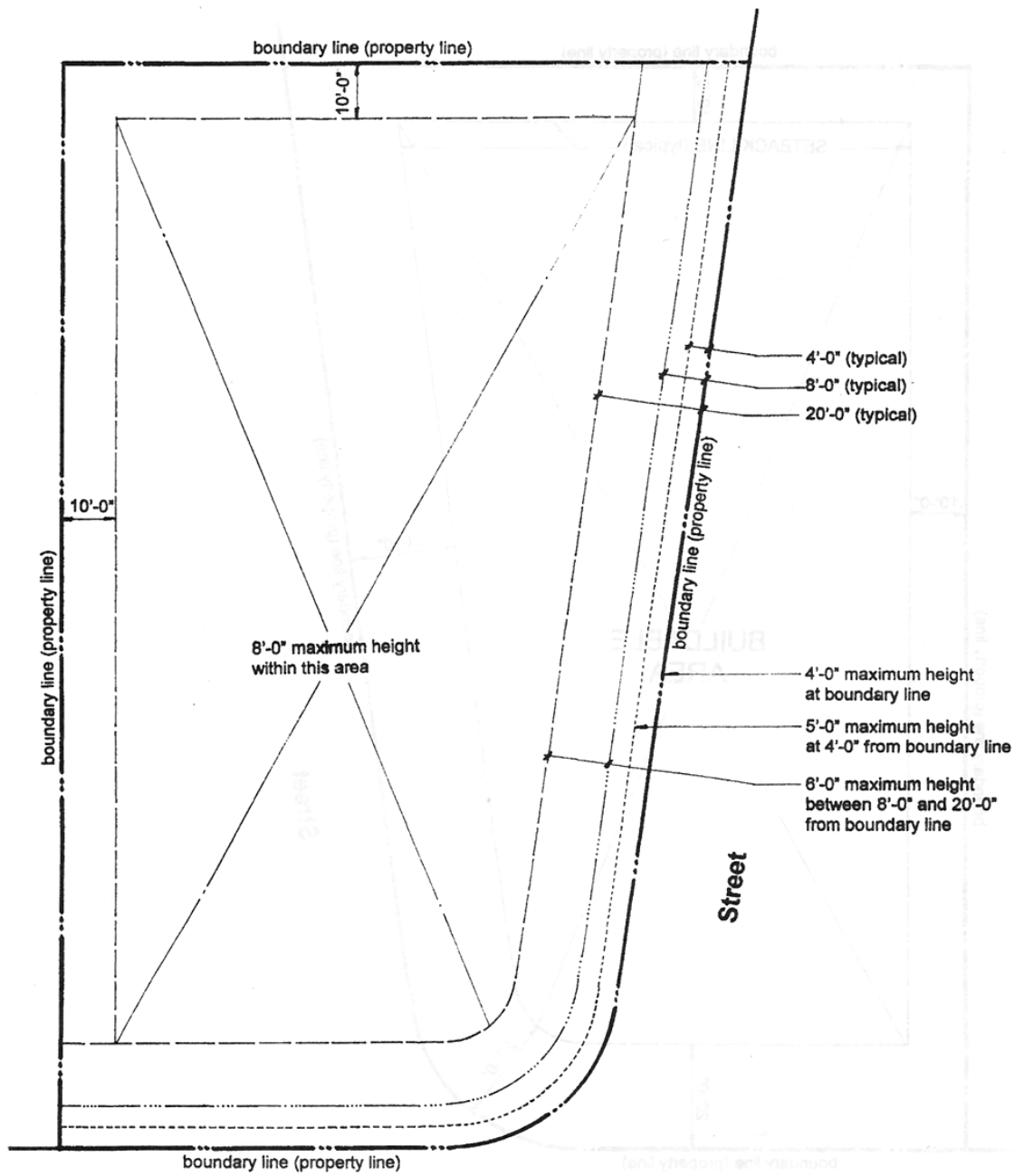
**Fence & Wall Envelope Diagram
for Non-Corner Lots**



NOTE: See A.6 of Architectural Guidelines

A.6 - "The street boundary line is a legal property line of the particular lot, not the curb. The applicant must determine and include in the plans the property lines in relation to the buildings and the physical edge of the streets."

Corner Lot Setbacks



Street

NOTE: See A.6 of Architectural Guidelines

A.6- "The street boundary line is a legal property line of the particular lot, not the curb. The applicant must determine and include in the plans the property lines in relation to the buildings and the physical edge of the streets."

Fence and Wall Heights - Corner Lots