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Application for Exterior Home Improvements

## Architectural Review Guidelines Manual



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BELLA NOTTE @ VIZCAYA HOMEOWNERS ASSOCIATION  
ARCHITECTURAL REVIEW BOARD (ARB) REQUIREMENTS  
ADOPTED BY THE BOARD ON JANUARY 8, 2018

A. **INTRODUCTION**

1. Why This Document?

This manual is intended to provide basic guidelines regarding the ARB process and common matters requiring ARB approval, and is not intended to supplant The Declaration of Covenants, Conditions and Restrictions (CCRs). Further, in the event that there is a conflict between this document and the CCRs, the CCRs shall prevail. Please refer to the CCRs for full details regarding the rules and restrictions that govern Bella Notte. These guidelines do not address the Restrictive Covenants such as rules, regulations regarding vehicles/parking, trash, signs, etc.

2. Why an Architectural Review Board (ARB)?

- a. This committee was created pursuant to The CCR's for Bella Notte @ Vizcaya and is responsible for upholding the architectural controls contained in the covenants.
- b. The objective of the architectural review process is to maintain the visual character of the Bella Notte community as established by the original developer. That character includes: preservation of natural features and a sense of open space, consistency in architectural style, scale, materials and details with the houses built in Bella Notte.
- c. The architectural style, quality of construction and natural surroundings are what attracted most of us to Bella Notte. That is why it is absolutely essential that all proposed new construction and modifications to existing structures be submitted to the ARB for review and approval.
- d. Adhering to ARB requirements helps maintain our property values and the harmonious aesthetic qualities of our subdivision. The consequences of deviating from our requirements might establish precedents.
- e. Maintaining the original architectural design requires the good will and commitment of each homeowner in following the requirements and abiding by the ARB review and approval procedures.
- f. The committee meets as needed.

3. ARB Authority.

- a. Our CCRs and bylaws include legal requirements that are binding on all who purchase property in the subdivision. When we signed the purchase documents for our houses, we agreed to abide by the covenants, including the architectural requirements.
- b. If a construction project is started without committee approval, the work will be required to be stopped until an application has been submitted, reviewed and approved. Homeowners are also responsible for obtaining Orange County Building Department permits for most types of construction projects.

B. **ARTICLE VIII – ARCHITECTURAL CONTROL**

The Homeowners Association for Bella Notte @ Vizcaya and the ARB shall have the right to enforce, by any proceeding at law or equity, all restrictions, conditions, reservations, liens and charges now or hereafter imposed by the provisions of the CCRS.

C. **HOW HOMEOWNERS CAN HELP**

1. It is the responsibility of the homeowner to be familiar with the ARB requirements as outlined in the CCRs and further explained in this document. Homeowners should receive a copy of the CCRs at settlement. You may also request a copy from the Property Manager at [GuildhouseMngt@AOL.com](mailto:GuildhouseMngt@AOL.com) or view/download from the website – [www.myvizcaya.com](http://www.myvizcaya.com).
2. Review the ARB Requirements as you plan any additions or changes to the exterior of your home (available at [www.myvizcaya.com](http://www.myvizcaya.com)).
3. Follow the review and approval requirements in the ARB application packet.
4. Do not apply for a building permit before obtaining ARB approval. Changes to your design could mean getting a new permit and paying additional county fees.
5. If you or your contractor start work and find you need to make exterior changes, contact the ARB immediately. Design changes that affect the exterior appearance of your project must be approved. The committee will respond promptly.
6. Feel free to alert a board member, ARB member, your neighbors, and the homeowner if you see anything that does not seem to conform to the ARB requirements. Stand up for your community values!

D. **WHAT REQUIRES ARB APPROVAL- Any change to the exterior, including but not limited to:**

1. Additions and Alterations

An application for review and approval by the ARB must be submitted by homeowners for any addition or alteration to an existing or proposed patio, and for any other addition to or alteration of the existing building structure or landscaping.

2. Doors/Windows/Skylights/Solar Panels

Replacement doors or windows with a style or color different from the original.

3. Driveways

Changes that alter the location or slope of the original driveway. All dwellings shall have a paved driveway of stable or permanent construction of at least 16 feet (16') in width at the entrance to the garage. Unless otherwise permitted by the ARB, all driveways must be constructed of concrete pavers. When curbs are required to be broken from the driveway entrances, the curb shall be repaired in a neat and orderly fashion and in such a way as to be acceptable to the ARB. To change pavers or expand the width, you must complete an ARB application and receive approval.

4. Exterior Changes

Any changes to the exterior of the dwelling that affect the elevation, windows, landscaping, driveway and walk, roof, outside structures, or color, shall require ARB review and approval. See also "Bella Notte Rules and Regulations" at [www.myvizcaya.com](http://www.myvizcaya.com) under "Pages and Links – Neighborhood Must Knows".

5. Outside Structures

Includes garages, mailboxes, patios.

6. Removal of Trees

No tree of six inches in diameter at one foot above natural grade can be cut or removed without the approval of the ARB, which approval may be given when such removal is necessary for the construction of the improvement or in conjunction with a detailed landscape plan for the site. Dead trees or

those trees that may be a danger to a home, property or people may be removed without ARB approval.

7. Window Tinting

Installation of window tinting on any exterior window must include a sample of the proposed tinting.

8. Patios

See Patio Guidelines at [ww.myvizcaya.com](http://ww.myvizcaya.com) under "Pages and Links - HOA Forms".

9. Landscaping

A landscaping plan for each lot must be submitted and approved by the ARB if such landscape change is 15% or more of the landscape of the area of the property deviating from the original landscape plan. The landscape plan must indicate existing and new landscape elements. Landscaping shall consist of any combination of ground cover, plants, shrubs and native plants and trees. Stone or gravel mulch or coverings with harsh, unnatural or high contrast colors are prohibited. All landscaping must be maintained in a neat and attractive condition. Minimum maintenance includes watering, mowing, edging, pruning, removal and replacement of dead or dying plants or trees and elimination of undesirable weeds and brush.

- a. Sodding must be approved Flora tam, St. Augustine grass, or better and will be required in all yards.
- b. Sodding on side yards will extend to the rear of the property line and the width will be the same as the side setback of the house.
- c. Each improvement must have shrubs on front and side yards.

E. **DESIGN AND OTHER INFORMATION**

1. Layout - Relative to property lines, set-backs and easements, homeowners must comply with Orange County zoning and building requirements and with the requirements of utilities, including the Orange County Service Authority.
2. Exterior Color Plan - The ARB shall have final approval of all exterior color selections. ARB pre-approved paint and trim colors can be found under [www.myvizcaya.com](http://www.myvizcaya.com). There are also reference books available from ARB

members and Guildhouse Management with approved color schemes to help with your selection.

3. The applicant shall submit to the ARB the color selection (included in an elevation drawing color plan showing the exterior walls, trim, doors and windows. Additions and new structures shall have the same siding and trim colors as the existing dwelling. No house may have the same siding color as adjoining houses on the same street. If there is any question as to the color selection, the ARB may ask the homeowner to paint a test sample on the exterior of the structure for ARB review. The garage door must be the same color as the house.
4. Mailboxes - Mailboxes and mailbox posts shall be of the design and color approved by the board of directors.
5. Roofs – The installation of solar panels and sky lights must be approved by the ARB.
6. Dwelling Quality - The ARB shall have final approval of all exterior building materials. Exposed concrete block shall not be permitted on the exterior of any house or detached structure. Use of imitation brick is prohibited. The use of materials such as brick, stone, wood and stucco, or a combination is encouraged.
7. Walls, Fences and Shelter - No wall or fence shall be constructed with a height of more than six feet (6') above the ground level of an adjoining Lot, and no hedge or shrubbery abutting the Lot boundary line shall be permitted with a height of more than six feet (6') without the prior written approval of the ARB. No wall or fence shall be constructed on any Lot until its height, location, design, type, composition and material shall have first been approved in writing by the ARB. Fences are not permitted on the front or sides of the property forward of the midpoint of the dwelling. The height of any wall or fence shall be measured from the existing property elevations. Wood and chain link fences are not permitted. Any dispute as to height length, type, design, composition or material shall be resolved by the ARB. Hurricane or storm shutters may be used on a temporary basis, but shall not be stored on the exterior of any improvement unless approved by the ARB.
8. Lighting - All exterior lighting of a lot shall be accomplished in accordance with a lighting plan approved by the ARB.
9. Temporary Structures - No structure of a temporary character, trailer, tent, or other out building shall be used on any Lot at any time as a residence either temporarily or permanently, except for a construction trailer on a Lot during the actual period of construction on the Lot.
10. Air Conditioning and Heating Equipment - All air conditioning and heating units shall be shielded and hidden so that they are not readily visible from any adjacent street or Lot. Wall air conditioning units may be

permitted only upon the prior approval of the ARB. No window air conditioning units are permitted.

F. **WORKING WITH YOUR CONTRACTOR**

1. For your protection, always use a licensed and bonded contractor and get references from the contractor for three recent jobs similar to yours. Call the references and ask them specific questions about their satisfaction with the contractor (e.g., completing the work on time and within budget, getting your concurrence on changes, cleaning up and minimizing inconvenience to the family, and leaving everything in working condition.)
2. Review the ARB Requirements with your contractor and make sure you have a mutual understanding about how these guidelines apply to your project.
3. Ask the contractor if any items will require a long lead time to order (e.g., windows) and make sure that item complies with the ARB requirements before ordering.
4. Include in the contract all elements and details that will affect the exterior appearance of your projects. For example, if you will be adding or replacing windows, specify the type (e.g., double-hung, slider, etc.) and color of the windows. Also, specify whether the windows will be single pane or divided lite and whether any trim is to be used. All of these details must be consistent with the style of your house.
5. In your contract, specify that the contractor is not to make any substitutions without your approval. **Do not allow your contractor to push you into making changes that might require the ARB approval without allowing time to get ARB approval.**
6. Be sure the contractor understands not to proceed with any construction until you have received the ARB's approval. Notify your contractor promptly when you get approval.
7. Sometimes the ARB adds comments and instructions when it approves an application. Be sure to inform your contractor about these instructions and include them in your contract.
8. Contractors are not permitted to put up signs on your property.
9. Construction work is not to begin before 7:30 a.m. (county ordinance) and should end by 7:30 p.m. No outside work is permitted on Sunday. Make it

clear to your contractor that he/she is to minimize disruptions to the community and to your site: park vehicles on shoulders, remove debris, cover stockpiled materials, avoid playing loud music, take measures to prevent damage to other properties in the event of high winds and heavy rains.

## **G. APPLICATION SUBMISSION AND RESPONSE PROCEDURES**

1. Requests for architectural review should be submitted to Guildhouse Management. You may obtain an application on-line at [www.myvizcaya.com](http://www.myvizcaya.com) or contact the property manager by email at [guildhousemngt@aol.com](mailto:guildhousemngt@aol.com). The committee will respond within 30 days of receipt of the application. If an approved project is not started within one year of approval, a new application must be submitted.
2. Applicants should allow 30 days for committee action. The committee will return to the applicant any application that is incomplete and/ or does not clearly describe the proposed construction or alteration. A new 30-day approval period begins when the committee receives the completed application.
3. The committee may ask to meet with the applicant to discuss the proposed project. Any comments made at such a meeting shall be recorded by the committee and a copy of the comments provided to the applicant. If the committee requests that the applicant revise the plans, a new 30-day approval period begins when the committee receives the revised application and plans.
4. Applicants are advised to NOT obtain a building permit before obtaining the ARB approval. A disapproval or modification of the application by the ARB will result in lost or additional county building permit fees.
5. If any county department or other regulatory agency requires the plans approved by the committee to be changed in a way that affects exterior appearance, the applicant must submit the changes for architectural review. In such cases, the committee will make every effort to expedite the review.
6. Any construction started before formal approval by the committee is subject to a stop-work order from the board of directors and to the imposition of fines.
7. Projects are to be completed in a timely manner.
8. The committee will notify the applicant of its decision or its questions by e-mail, letter, or phone.
9. A copy of a signed application form with appropriate comments will be provided to the homeowner after approval or disapproval.
10. Applicants may appeal the decision of the committee by a letter to the Board of Directors.