

Orange Tree Master Maintenance Association Information Package for Architectural Review

What needs to be approved?

The Master Covenants for Orange Tree provide for the review by committee of any and all phases of exterior modifications to lots and/or living units within the Orange Tree community. The Sub-Associations also require review. Exterior modifications include, but are not limited to, painting, roofing, paving, landscaping, fencing, screen enclosures, swimming pools or spas, additions to and deletions from the existing structure, and other such projects.

*Note: If you plan to install a satellite dish, you must fill out the enclosed **Notification Form** (page 7). If the antenna mast is to extend more than 12 feet above the roofline or to a height greater than the distance to the neighboring lot line, you must then request and complete the association **Approval Form** (page 8) before the antenna is installed.*

Why must things be approved?

One of the responsibilities of the Board of Directors of the Association is the enhancement of the property through preservation of the architectural integrity and the overall design of the community, which was established by the architects who originally designed it. Architectural Control Boards (ACBs) and an Architectural Control Committee (ACC) have been established by the Sub-Associations and Master Association, respectively, to maintain this standard. The design criteria are not intended to stifle the imaginative or creative desires of the residents of the community, but rather to assure that restrictions are in place which will help to maintain the aesthetic appearance of the overall community and thereby the value of their own property.

What is the approval procedure?

If you wish to perform any exterior modifications, you must first submit a request in writing to the Architectural Control Board of your particular Association; then, if approved, to the Architectural Control Committee. *See the **Architectural Review Request form** (page 4).* Your request will be reviewed by the ACBC of your Sub-Association, a group of volunteer homeowners who generally meet twice each month. As specified in the governing documents, requests are required to be reviewed and acted upon by the ACB within thirty (30) days of receipt. If no decision is made by the ACB within that thirty (30) days, your project is deemed approved by your ACB. If approved by your ACB, your application is then submitted (with conditions, if any) to the ACC of the Master Association, another group of volunteer homeowners who also meet once a month. As specified in the governing documents of the Master Association, requests are required to be reviewed and acted upon within thirty (30) days of receipt by the ACC from the ACB. Review of your project may take more or less time, depending on your particular circumstances. Again, if no decision is made by the ACC within thirty (30) days of transmittal from the ACB, then your project is deemed approved by the ACC. *See **Fig 1 - Architectural Request Procedure**.*

When must I submit an approval request?

Requests should be received in the Management Office no later than the day prior to the next ACB's meeting, in order to be considered. Check the meeting calendar in your Orange Tree newsletter for ACB meeting dates. Your request should describe in detail the work to be done, specify the types of materials to be used, include samples of colors when possible, plans if necessary, an estimated time of completion, and the required information from your contractor. A copy of your unit's lot survey must also accompany all fencing, construction, landscaping, or exterior alteration requests. Remember, the more information you can provide to the ACB and the ACC members, the easier it will be for them to review your request.

When can I begin work?

Work on your project cannot begin until you receive written approval from both the Architectural Control Committee (of the Master Association or ACC) AND the Architectural Control Board of you Sub-Association (ACB). THE APPROVAL PROCESS CAN TAKE UP TO SIXTY (60) DAYS, DEPENDENT ON SCHEDULED COMMITTEE MEETINGS; BUT GENERALLY TAKES ONLY A COUPLE OF WEEKS. You will be advised in written form, by mail or personal pick-up, as to the final approval or denial of your project. A copy of your approval or denial is also placed in your homeowner file in the Association's records. A construction damage deposit may be required for certain projects, prior to commencement.

Can a denial be appealed?

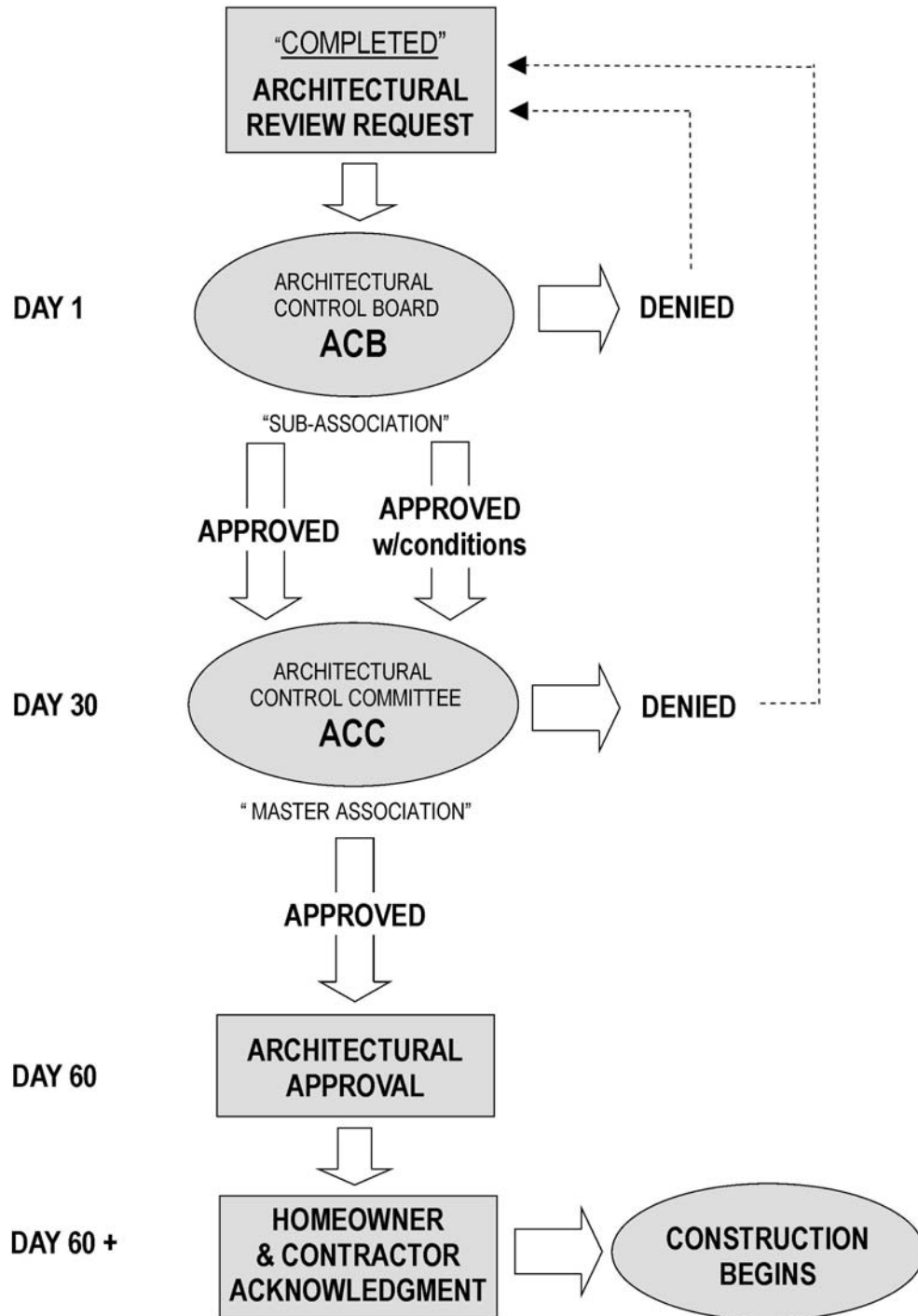
Yes. If your request was denied the ACB, or approved with conditions, you can appeal directly to the your Sub-Association Board of Directors at their next monthly meeting. If you request was denied by the ACC, you can appeal directly to the Master Association Board of Directors at their next monthly meeting.

How can I get more information?

Your compliance with these guidelines and procedures is not advise; but is REQUIRED. For more information, please drop by or phone the Orange Tree Management Office at the Recreation Center at 7201 Woodgreen Drive. The Management Office phone number is **407-351-8747**. You can also refer to the Declarations of Covenants and Restrictions for your Sub-Association and the Master Association, and any published construction criteria.

Figure 1 - Architectural Request Procedure

NOTE: THE APPROVAL PROCESS CAN TAKE UP TO SIXTY (60) DAYS, DEPENDENT ON SCHEDULED COMMITTEE MEETINGS; BUT GENERALLY TAKES GA COUPLE OF WEEKS.



HELPFUL HINTS

For Submitting Your Architectural Review Request

The Estate Homes Architectural Control Board (the "ACB") meets on the **2nd and 4th Tuesday of each month, starting at 6:00 PM.** You are encouraged to attend the meeting if it would assist the ACC in reaching a decision regarding your request. *Remember, the thirty (30) day period for ACC review does not begin until your request has been deemed "complete" AND your application request has first been approved by the ACB - which itself can take thirty (30) days.* THE APPROVAL PROCESS CAN TAKE UP TO SIXTY (60) DAYS, DEPENDENT ON SCHEDULED COMMITTEE MEETINGS; BUT GENERALLY TAKES ONLY A COUPLE OF WEEKS. As such, the following are items that must be included with your Request package for it to be considered complete and considered for approval:

A **plot survey** (a copy was provided in your title work) is needed if you are requesting:

- Fencing (board on board)
- Swimming pool
- Screened Patio/Pool Enclosure
- Landscape Renovation:
 - What plants you wish to remove, and/or
 - The type of plants you wish to add to property
- Security Lighting/Outside Light Fixtures
- Satellite Dish (*see pages 5-7*)
- Room addition or any structural changes to the outside elevation

*If you are requesting any Landscape Renovation you must identify:

Color Samples are needed if you are requesting:

- Roofing (with sample of roofing material)
- Exterior painting
- Driveway/Sidewalk Resurfacing or Color Staining
- Awnings

Pamphlets of the Product if you are requesting:

- New front doors/garage doors
- Solartubes/Skylights

Other: Any improvements affecting the architectural appearance of the outside of the home.

The ACB will make every effort to approve all change requests in accordance with current established guidelines and what is considered in good taste for the community at large. If you have any questions, you are encouraged to contact the Community Manager. It would also assist the ACB if you would provide a telephone number where you can be reached during the time period that the ACB normally convenes in the event the Board has any questions.

Thank you for your assistance.

Courtney Gray, Association Manager
Licensed Community Association Manager
ORANGE TREE ESTATE HOMES HOA

ARCHITECTURAL REVIEW REQUEST

Form to Request a Home Improvement

Name: _____ Date: _____

Address: _____ Lot/Block #: _____

Sub-Association: _____ Contact Phone: _____

Description of Improvement(s): *(check all that apply)*

(List work being done, colors used, material manufacturer, types, style, make, model, etc. as appropriate)

- Roofing: _____
- Painting: _____
- Garage Door/Entry Door(s): _____
- Fencing: _____

New Construction/Landscaping:

- Swimming Pool/Spa: _____
- Screened Patio/Pool Enclosure: _____
- Solar Heating Equipment: _____
- Landscape Renovation: _____

Other Improvements:

- Driveway/Sidewalk Resurfacing or Color Staining: _____
- Security Lighting or Light Fixtures: _____
- Satellite Dish *(see pages 5-7)*: _____
- Other project *(please explain)*: _____

Specifications Enclosed? _____ Yes _____ No

(Attach copies of lot survey, plans, brochures, pictures, elevations, color samples, etc.)

Contractor Supplied Items:

All work must be performed by a licensed contractor, unless otherwise approved by the Board of Directors of the applicable sub-association. For all proposed work requiring a County building permit, proof of Workers Compensation & Liability Insurance, as well as the contractor's CSLB#, must be submitted with this form (unless proposed work is to be done by the homeowner). If the Homeowner's application is approved, Contractor will be required to sign evidencing acceptance of the architectural review process and the HOA Covenants, Conditions & Restrictions. As such, in addition to the items outlined above, the ACB also requires the submittal of the following information for the application to be considered "complete."

_____ _____ _____
Permit No.: *Name of Contractor* *CSLB No.*

Proof of Contractor Workers Compensation & Liability Insurance: *The general contractor must provide proof of applicable, current contractor's liability insurance of not less than \$1,000,000.00, and affirms that all subcontractors are either covered under this policy or another liability policy of not less than \$1,000,000.00.*

Homeowner Acknowledgment:

As the above stated homeowner/applicant, I acknowledge and agree that I will be solely responsible for any claims, including without limitation, claims for property damage, or personal injury, which result from the requested change or addition. I hereby indemnify the Association from and against any and all applicable codes and ordinances, and for obtaining all necessary permits and inspections for the requested change or addition. Also, I will be responsible for all maintenance, repair and upkeep of said change or addition.

By: _____ Date: _____
Homeowner's Signature

ORANGE TREE

RULES AFFECTING RESIDENTS USE OF SATELLITE DISHES

Regulations regarding Satellite Dishes

The Master Association Board has adopted rules and restrictions pertaining to the use of antenna within Orange Tree – including direct broadcast satellite, television broadcast, and multipoint distribution service – collectively referred to as satellite dishes. The Federal Communications Commission, while preempting the Association’s usual rule-making and enforcement authority in this area, does allow the Association to adopt reasonable restrictions governing the installation, maintenance and use of satellite dishes so long as they are consistent with the FCC’s Over-the-Air Reception Devices, or OTARD, rule. The new regulations adopted by the Master Board conform to this rule. As such, every homeowner who already has a satellite dish, or is wanting to install one, will be responsible to acquaint themselves with the Association’s new regulations and to fill out the requisite notice form, copies of which are available at the Property Manager’s Office at the Rec Center. There are safety reasons for requiring this – i.e. proper grounding in case of lightning strikes, adequate anchoring in case of hurricane force winds, etc. This applies to homes located in all sections of Orange Tree - St. Ives, the Golf Villas and the Estate Homes.

Are you required to have your satellite dish approved?

The answer is yes. If you want to install a satellite dish, even if you have one that has already been installed (previously approved or not), you must fill out and execute the required **Notification Form** and submit it to the Orange Tree Master Maintenance Association Architectural Review Board, or OTMMA-ARB, for its records. If you plan to use a satellite dish that is either (a) greater than 39.4 inches (1 meter) in diameter, or (b) mounted on a mast greater in height than 12 feet above the roofline of your home, or (c) mounted on a mast greater in height than the distance to the nearest property line, then you must, instead, fill out a separate **Approval Form** and submit the executed form to the OTMMA-ACC for approval. Again, the above restrictions apply to owners of all satellite dishes, whether they have already been installed or not.

The above restrictions also apply to all Orange Tree homeowners who utilize an antenna or satellite dish installed in a neighbor’s yard. In that case, the owner of the property where the satellite dish is located is responsible for submitting the proper forms to the OTMMA-ARB. If a homeowner is discovered to have a satellite dish on their property and the proper forms have not been submitted to, and approved by, the ARB, then the Association may levy a fine or even remove the satellite dish at the homeowner’s expense.

Satellite Dishes in Association Common Areas

It has also come to the Master Board’s attention that there are homeowners who have a satellite dish installed within association common areas. If so, these dishes must be removed immediately. If not, the homeowner may be subject to a fine, or the satellite dish may be removed by the association at the expense of the violating homeowner.

NOTIFICATION FORM

REGARDING ANTENNA INSTALLATION

Although a resident does not need prior approval to install an antenna covered by the Federal Communications Commission's Over-the-Air Reception Devices Rule (unless the resident is seeking to install an oversized mast), the Association does require that the resident complete and submit this notification form prior to any antenna installation. Once a completed form has been submitted, the resident may proceed with the installation.

Unit/Home Resident(s): _____

Address: _____

Phone (day): _____ Phone (evening): _____

Fax: _____ E-mail: _____

Type of antenna to be installed:

- Direct broadcast satellite
- Television broadcast
- Multipoint distribution service

Name of company performing installation (if any): _____

Address: _____

Phone: _____ Fax: _____ E-mail: _____

Installation location: _____
(Please provide a lot plan with proposed location clearly identified)

Date installation is to be performed: _____

Please indicate the method of installation and how the installation is secured: _____

Please note that the installation must comply with all association guidelines (which include the manufacturer's guidelines and applicable building codes).

Is a mast necessary for reception? Yes No

If yes, is the mast required to extend more than 12 feet above the roofline or extend to a height greater than the distance from the installation to the lot line? Yes No

If yes, then you must complete the Association's Approval Form for Installation of Oversized Masts. You may not install the oversized mast until the Orange Tree Master Maintenance Association Architectural Review Board has approved the installation.

After reviewing the terms and conditions of antenna installation, please sign the statement below:

I will comply with all of the association's rules for installing, maintaining, and using antennas. I assume liability for any personal injury or damage to association and other residents' that occurs due to antenna installation, maintenance, and use, including, but not limited to, wind velocity, lightning strikes or the like.

Resident Signature: _____ Date: _____

Should match application information above.

APPROVAL FORM

FOR INSTALLATION OF OVERSIZED MASTS, ETC.

Prior approval is required for masts, used in conjunction with antennas covered by the Federal Communications Commission's Over-the-Air Reception Devices Rule, that extend more than 12 feet above the roofline or to a height greater than the distance between the installation location and the lot line. This approval is required because such installations pose a greater safety risk to association residents and common and individually owned property. The Orange Tree Master Maintenance Association Architectural Control Committee (OTMMA-ACC) will evaluate all applications for the installation of oversized masts and permit any installation that do not pose a safety risk. Any rejection of an application will specify the safety risks.

Unit/Home Resident(s): _____

Address: _____

Phone (day): _____ Phone (evening): _____

Fax: _____ E-mail: _____

Please mark which one, or if both, of the following apply:

- The desired mast extends more than 12 feet above the roofline.
- The desired mast extends to a height greater than the distance from the installation to the lot line.

Explain why such a mast is necessary. You must provide a detailed drawing of the installation plans and include the following information:

- A description of the antenna and mast;
- A lot plan showing the exact location of the mast and antenna installation;
- A description of the manner and method of installation;
- The total height of the mast and the height to which it will extend beyond the roofline, including an explanation of why the mast must extend to this height; and
- The manufacturer's specifications regarding the installation of the mast.

Name of company performing installation: _____

Address: _____

Phone: _____ Fax: _____ E-mail: _____

Also indicate a date and time when it would be convenient for you to meet with the OTMMA-ACC. A list of preferred days and times is: _____

After reviewing the terms and conditions of antenna installation, please sign the statement below:

I will comply with all of the association's rules for installing, maintaining, and using antennas. I assume liability for any personal injury or damage to association and other residents' that occurs due to mast installation, maintenance, and use, including, but not limited to, wind velocity, lightning strikes or the like.

Resident Signature: _____ Date: _____

Should match application information above.

After reviewing the information supplied by the homeowner in this Notification and Approval Form, the OTMMA-ACC approves this FORM FOR INSTALLATION OF AN OVERSIZED MAST.

By: _____ Date: _____

Master Association Representative