



OPEN MEETING

**REGULAR MEETING OF THE THIRD LAGUNA HILLS MUTUAL
ARCHITECTURAL CONTROL AND STANDARDS COMMITTEE**

**Thursday, September 7, 2017 – 11:30 a.m.
Laguna Woods Village Community Center Sycamore Room
24351 El Toro Road**

NOTICE AND AGENDA

1. Call to Order
2. Acknowledgement of Media
3. Approval of the Agenda
4. Approval of Meeting Report for August 3, 2017
5. Chair Remarks
6. Member Comments - *(Items Not on the Agenda)*
7. Department Head Update

Consent:

All matters listed under the Consent Calendar are considered routine and will be enacted by the Committee by one motion. In the event that an item is removed from the Consent Calendar by members of the Committee, such item(s) shall be the subject of further discussion and action by the Committee.

None

Reports:

8. Review Proposed Conformance Deposit
9. Review Proposed Fee Schedule

Items for Discussion and Consideration:

10. 3044-B Retain Non-Standard Entry Door Color
11. 3488-B Patio Enclosure
12. 5073 Master Bedroom Extension and Room Addition
13. 5448 Room Addition on Rear Patio
14. 5515-1G HVAC Install
15. Review and Finalize Decision Tree
16. Approve Standard Manor Alteration Conditions

Items for Future Agendas:

Concluding Business:

- 17. Committee Member Comments
- 18. Date of Next Meeting and Bus Tour – October 5, 2017
- 19. Recess
- 20. Bus Tour
- 21. Adjourn

Bert Moldow, Chair
Brett Crane, Staff Officer 268-2358

**REGULAR MEETING OF THE THIRD LAGUNA HILLS MUTUAL
ARCHITECTURAL CONTROL AND STANDARDS COMMITTEE**

**Thursday, August 3, 2017 – 11:30 a.m.
Laguna Woods Village Community Center Sycamore Room
24351 El Toro Road**

(The Bus Tour for Directors and Advisors began at 2:00 p.m. on August 3, 2017)

REPORT

MEMBERS PRESENT: Chair - Bert Moldow, Annette Soule, Bill Walsh, John Frankel and Rosemarie diLorenzo Dickins

MEMBERS ABSENT: Steve Parsons

ADVISORS PRESENT: Mike Butler

STAFF PRESENT: Lori Moss, Brett Crane, Gavin Fogg, and Eve Morton

1. Call to Order

Chair Moldow called the meeting to order at 11:32 a.m.

2. Acknowledgement of Media

No media were present.

3. Approval of the Agenda

Director Walsh made a motion to approve the agenda and President diLorenzo Dickins seconded. The committee was in unanimous support.

4. Approval of Meeting Report for July 6, 2017

Director Walsh made a motion to approve the July 6 report. The committee was in unanimous support.

5. Committee Chair Remarks

Chair Moldow stated that the committee is operating under a more stringent set of rules than in the past.

6. Member Comments - *(Items Not on the Agenda)*

(3517-A)Nancy Mormann. She has a "Stop Work Order" for unapproved work in Mutual common area. She fell on her patio and feels it is a safety issue. She has been working with staff and wants to come to an agreement on what she can do to make her patio safer. Director Walsh said that the committee should visit this manor on the bus tour. The committee unanimously agreed.

(3250-O) Lynn Corboz. She wanted to find out the status of the common area restriction decision and the definitions of the different types of common areas. Mr. Crane explained exclusive common area is the original floorplan footprint and Mutual Common Area is everything beyond the original footprint. Limited common area is when only the member has access to a certain part of their manor or airspace.

The new procedure for obtaining 67 percent of the vote of owners in a certain tract for a variance request to use Mutual Common Area was discussed.

7. Department Head Update

None.

Consent:

All matters listed under the Consent Calendar are considered routine and will be enacted by the Committee by one motion. In the event that an item is removed from the Consent Calendar by members of the Committee, such items) shall be the subject of further discussion and action by the Committee.

8. None

Reports:

9. Review Neighborhood Awareness Notice for Standard Alterations

Ms. Moss reviewed a flyer which could be mailed or posted when a standard alteration permit is approved. The committee discussed it. Committee asked that nuisances such as excessive noise and smoking be added to the flyer.

Director Soule shared an article she wrote for the Breeze regarding giving notice to neighbors when work is done to your unit.

Committee asked that this document be called Neighbor Courtesy Notice.

10. Update on City Permit Fees and the Current Permit Process

Mr. Crane went over what the City of Laguna Woods charges for permits, as well as what some surrounding HOAs charge.

Mr. Crane recommended increases in some of the Village permit fees.

President diLorenzo Dickins has concerns that the City is overcharging residents. She asked that staff make their recommendations for any changes to Manor Alteration fees at the next meeting. Mr. Crane said he would like to also make a recommendation about the new conformance deposit and the committee agreed.

11. Review of Cordoba (T6998) and Cabrillo(T7745) Site Plans

The committee felt that it was important to make sure the floorplans and condo plans match and that the website is up to date.

12. Review Fees and those Charged by Surrounding Associations

Already discussed in agenda item #10

Items for Discussion and Consideration

13. 2253-A Via Puerta– Non-Standard Room Addition

The committee addressed a Neighborhood Awareness Form that was a denial based on distance from her manor to the job site and felt that if neighbors were made aware of the distance that they may be agreeable to the addition.

A motion was made and passed unanimously to recommend the Board approve the Non-Standard Room Addition. The motion carried with the following conditions:

1. No improvement shall be installed, constructed, modified or altered at Manor 2253-A, ("Property") within the Third Laguna Hills Mutual ("Mutual") unless and until a Mutual Consent for Manor Alterations application for the improvement has been made to, and approved, in writing, by, the Village Management Services, Inc. ("VMS, Inc."), Manor Alterations Division ("Division"), or, in the event of a Variance from the Mutual's Alteration Standards, the Architectural Control and Standards Committee ("ACSC"). In the event written permission is given for the installation, construction, modification or alteration of any improvement(s) upon the Property, the Member Owner or Owners ("Member Owner") agrees to comply with the Mutual's Governing Documents and any specific terms or conditions imposed, and that the installation, construction, modification or alteration shall be in strict compliance with the terms of the approval.
2. A Mutual Consent for Manor Alterations has been granted at 2253-A for Non-Standard Room Addition, subject to the attached plans stamped approved and is subject to the final inspection by the Division. Any variations to the approved attached plans are not allowed and could result in a stop work notice and/or severe fines to the Member.
3. Prior to the Issuance of a Mutual Consent for Manor Alteration Permit, a Neighbor Awareness Form(s) must be obtained from the affected neighbor(s) at 2252-C, 2252-D, 2253-B, 2254-C, 2254-D and 2255-A. No construction may proceed prior to receiving this executed form and approval by the Manor Alterations Department and the City of Laguna Woods.
4. Member Owner hereby consents to and grants to the Mutual and the Division, and their representatives, a right of entry upon the Property at any time to be

used to inspect the Property and the improvements thereon and for the Mutual and the Division, and their representatives and contractors to remedy any violation upon the Property, including, but not limited to, removing trash, removing any improvement installed without approval or modifying an improvement to bring the same into compliance with the terms of the approval.

5. All costs for maintenance, repair, renovation, replacement or removal of the improvement, present and future, are the responsibility of the Property's Member Owner at 2253-A and all future Mutual members at 2253-A.
6. Member Owner shall be responsible for all activity by contractors, subcontractors, material suppliers and their employees and agents and any others who perform work on the Property, including any violation of the Mutual's Governing Documents, including, but not limited to, traffic and parking violations, maintenance of a clean job site at all times, and use of Mutual property for storage of equipment or materials without prior approval. Member Owner acknowledges and agrees that all such persons are his/her invitees. Member Owner shall be responsible for informing all his/her invitees of the Mutual's Rules and Regulations. Member Owner shall be liable for any violation of the Mutual's Governing Documents by any invitee, including any fine, assessment or other charge levied in connection therewith.
7. Member is responsible for following the gate clearance process (<http://www.lagunawoodsvillage.com>) in place to admit contractors and other invites.
8. Member Owner's contractors and other invitees shall travel to and from the job site by the most direct route available and are not authorized to use Mutual recreational facilities or other amenities while they are in the Village for performance of work in connection with the Property.
9. Parking of contractors or other invitees' vehicles is prohibited in covered resident parking, open resident spaces, handicapped spaces or fire lanes. Contractors or other invitees must park on the street. To the extent possible contractors' or other invitees' vehicles should be limited in number.
10. Member Owner(s) of the Property must sign and submit to the Mutual, c/o VMS, Inc., at the Division office located in the Laguna Woods Village Community Center, an executed and notarized "Recordable Common Area Agreement" for a proposed improvement that would utilize any portion of the Mutual's Common Area. Prior to the issuance of a Mutual Consent for Manor Alterations, that "Recordable Common Area Agreement" must be filed with the Orange County Clerk/Recorder.
11. A City of Laguna Woods permit is required, which may include the requirement to obtain clearance from the South Coast Air Quality Management District (Asbestos Hot Line at (909) 396-2336). Prior to the issuance of a Mutual Consent for Manor Alterations, the appropriate City of

Laguna Woods permit number(s) must be submitted to the Division office located in the Laguna Woods Village Community Center. The City permit must be finalized within the prescribed timeframe, and a copy of the final permit must be submitted to the Division within two weeks.

12. Prior to the issuance of a Mutual Consent for Manor Alterations, a complete set of unit specific plans prepared by a licensed architect or structural engineer depicting the proposed improvement must be submitted to the Division office located in the Laguna Woods Village Community Center. The plans must depict any required structural modifications ensuring the structural integrity of the building is maintained upon completion of the proposed improvement.
13. Prior to the Issuance of a Mutual Consent for Manor Alterations, the Member Owner must have conducted an inspection of the waste lines, by a VMS Plumber, to assure no repairs are needed. The inspection will be a chargeable service to the Member Owner. Inspection appointments are to be made with Resident Services, by authorized persons only. Findings from the video inspection will be recorded on the chargeable service ticket for Manor Alterations staff to review.
14. Prior to the issuance of a Mutual Consent for Manor Alterations, if required, a Mutual Roof Alteration Notification ("Tie-In Form") must be submitted to the Division. All roof tie-ins must be performed by a C-39 Licensed Contractor. The Member Owner may hire a C-39 Licensed Contractor of his/her own choice to perform roof tie-ins for the installation of solar panels on all roof types except PVC Cool Roofs. For PVC Cool Roofs, regardless of the roof type, all tie-ins must be performed by the Mutual's roofing contractor at the Member Owner's expense. All tie-ins may only be made to sound structural elements. Existing structural elements proposed to be tied to, which exhibit signs of dry rot or other structural defects, must first be replaced or repaired at the Member Owner's expense during construction of the improvement.
15. Prior to the issuance of a Mutual Consent for Manor Alterations, the Member Owner shall request a Landscape Department inspection in order to assure all landscape, irrigation, and drainage modifications associated with the improvements are identified and completed by the Landscape Department at the expense of the Member Owner. All gutter drainage shall be directed away from structures, free standing walls, foundations, and pedestrian walkways.
16. Prior to the issuance of a Mutual Consent for Manor Alterations, the Member Owner shall request a Maintenance and Construction Department inspection to assure that Mutual property is appropriately addressed during construction.
17. Prior to the issuance of a Mutual Consent for Manor Alterations, any altered exterior surface should match the Building color; vinyl fence/gate will be either white or taupe, tubular steel or wrought iron fence/gate will be black or white; the approved colors and materials are identified in the Community Center ground floor by Resident Services.

18. All improvements must be installed in accordance with the California State Building Code, and the published Mutual Architectural Alterations Standards. See <http://www.lagunawoodsvillage.com>.
19. During construction, work hours established by the Mutual and the Noise Ordinance set forth in the City of Laguna Woods Municipal Code must be adhered to at all times.
20. During construction, both the Mutual Consent for Manor Alterations and the City Building Permit must be on display for public view at all times in a location approved by the Division.
21. It is mandatory that no waste or materials associated with the construction be dumped in the Village trash bins; such waste or materials associated with the construction must be disposed of offsite by the contractor.
22. The Mutual Consent for Manor Alterations expires six months after the date of approval, unless an application is submitted with fees and approved by the Division for an extension. Only one extension for a maximum of an additional six months may be granted.
23. Violations of the forgoing conditions or the Mutual's Governing Documents (See <http://www.lagunawoodsvillage.com>), including, but not limited to, work outside the approved plans, excessive noise, illegal dumping, or working after hours, will result in disciplinary action, which could result in a stop work notice, loss of privileges and/or severe fines to the Owner Member. Such fines left unpaid will result in forfeiture of a portion or all of the Conformance Deposit required above or other legal remedy.
24. Mutual member shall indemnify, defend and hold harmless Third and its officers, directors, committee members and agents from and against any and all claims, demands, costs, fines, judgments, settlements and any other costs, expenses, amounts and liabilities arising from Mutual member's improvements and installation, construction, design and maintenance of same.

14. 2328-Q Via Mariposa W – Bathroom Addition

A motion made by Director Frankel and seconded by President diLorenzo Dickins that alterations must include a condition for acoustic considerations for quite enjoyment. The committee unanimously agreed and asked that a proposed resolution for this condition be brought to the Board at a future meeting.

A motion was made and passed unanimously to recommend the Board approve the Bathroom Addition. The motion carried with the following conditions:

1. Prior to the issuance of a Mutual Consent for Manor Alterations, a complete set of unit specific plans depicting methods to reduce acoustical nuisance to

neighboring units must be submitted to the Division office located in the Laguna Woods Village Community Center.

2. Prior to the Issuance of a Mutual Consent for Manor Alteration Permit, a Neighbor Awareness Form(s) must be obtained from the affected neighbor(s) at 2328-D and 2328-R. No construction may proceed prior to receiving this executed form and approval by the Manor Alterations Department and the City of Laguna Woods.
3. No improvement shall be installed, constructed, modified or altered at Manor 2328-Q, ("Property") within the Third Laguna Hills Mutual ("Mutual") unless and until a Mutual Consent for Manor Alterations application for the improvement has been made to, and approved, in writing, by, the Village Management Services, Inc. ("VMS, Inc."), Manor Alterations Division ("Division"), or, in the event of a Variance from the Mutual's Alteration Standards, the Architectural Control and Standards Committee ("ACSC"). In the event written permission is given for the installation, construction, modification or alteration of any improvement(s) upon the Property, the Member Owner or Owners ("Member Owner") agrees to comply with the Mutual's Governing Documents and any specific terms or conditions imposed, and that the installation, construction, modification or alteration shall be in strict compliance with the terms of the approval.
4. A Mutual Consent for Manor Alterations has been granted at 2328-Q for a Bathroom Addition, subject to the attached plans stamped approved and is subject to the final inspection by the Division. Any variations to the approved attached plans are not allowed and could result in a stop work notice and/or severe fines to the Member.
5. Member Owner hereby consents to and grants to the Mutual and the Division, and their representatives, a right of entry upon the Property at any time to be used to inspect the Property and the improvements thereon and for the Mutual and the Division, and their representatives and contractors to remedy any violation upon the Property, including, but not limited to, removing trash, removing any improvement installed without approval or modifying an improvement to bring the same into compliance with the terms of the approval.
6. All costs for maintenance, repair, renovation, replacement or removal of the improvement, present and future, are the responsibility of the Property's Member Owner at 2328-Q and all future Mutual members at 2328-Q.
7. Member Owner shall be responsible for all activity by contractors, subcontractors, material suppliers and their employees and agents and any others who perform work on the Property, including any violation of the Mutual's Governing Documents, including, but not limited to, traffic and parking violations, maintenance of a clean job site at all times, and use of Mutual property for storage of equipment or materials without prior approval. Member Owner acknowledges and agrees that all such persons are his/her

invitees. Member Owner shall be responsible for informing all his/her invitees of the Mutual's Rules and Regulations. Member Owner shall be liable for any violation of the Mutual's Governing Documents by any invitee, including any fine, assessment or other charge levied in connection therewith.

8. Member is responsible for following the gate clearance process (<http://www.lagunawoodsvillage.com>) in place to admit contractors and other invites.
9. Member Owner's contractors and other invitees shall travel to and from the job site by the most direct route available and are not authorized to use Mutual recreational facilities or other amenities while they are in the Village for performance of work in connection with the Property.
10. Parking of contractors or other invitees' vehicles is prohibited in covered resident parking, open resident spaces, handicapped spaces or fire lanes. Contractors or other invitees must park on the street. To the extent possible contractors' or other invitees' vehicles should be limited in number.
11. A City of Laguna Woods permit is required, which may include the requirement to obtain clearance from the South Coast Air Quality Management District (Asbestos Hot Line at (909) 396-2336). Prior to the issuance of a Mutual Consent for Manor Alterations, the appropriate City of Laguna Woods permit number(s) must be submitted to the Division office located in the Laguna Woods Village Community Center. The City permit must be finalized within the prescribed timeframe, and a copy of the final permit must be submitted to the Division within two weeks.
12. Prior to the issuance of a Mutual Consent for Manor Alterations, a complete set of unit specific plans prepared by a licensed architect or structural engineer depicting the proposed improvement must be submitted to the Division office located in the Laguna Woods Village Community Center. The plans must depict any required structural modifications ensuring the structural integrity of the building is maintained upon completion of the proposed improvement.
13. Prior to the Issuance of a Mutual Consent for Manor Alterations, the Member Owner must have conducted an inspection of the waste lines, by a VMS Plumber, to assure no repairs are needed. The inspection will be a chargeable service to the Member Owner. Inspection appointments are to be made with Resident Services, by authorized persons only. Findings from the video inspection will be recorded on the chargeable service ticket for Manor Alterations staff to review.
14. All improvements must be installed in accordance with the California State Building Code, and the published Mutual Architectural Alterations Standards. See <http://www.lagunawoodsvillage.com>.

15. During construction, work hours established by the Mutual and the Noise Ordinance set forth in the City of Laguna Woods Municipal Code must be adhered to at all times.
16. During construction, both the Mutual Consent for Manor Alterations and the City Building Permit must be on display for public view at all times in a location approved by the Division.
17. It is mandatory that no waste or materials associated with the construction be dumped in the Village trash bins; such waste or materials associated with the construction must be disposed of offsite by the contractor.
18. The Mutual Consent for Manor Alterations expires six months after the date of approval, unless an application is submitted with fees and approved by the Division for an extension. Only one extension for a maximum of an additional six months may be granted.
19. Violations of the forgoing conditions or the Mutual's Governing Documents (See <http://www.lagunawoodsvillage.com>), including, but not limited to, work outside the approved plans, excessive noise, illegal dumping, or working after hours, will result in disciplinary action, which could result in a stop work notice, loss of privileges and/or severe fines to the Owner Member. Such fines left unpaid will result in forfeiture of a portion or all of the Conformance Deposit required above or other legal remedy.
20. Mutual member shall indemnify, defend and hold harmless Third and its officers, directors, committee members and agents from and against any and all claims, demands, costs, fines, judgments, settlements and any other costs, expenses, amounts and liabilities arising from Mutual member's improvements and installation, construction, design and maintenance of same.

15. 5512-C Paseo Del Lago West – Convert Patio into Room Addition

The committee unanimously agreed that if this construction is done, that it is not used as a bedroom as to not change the number of bedrooms in the original plan so as to not allow more occupants to occupy the unit.

A motion was made and passed unanimously to recommend the Board approve the Rear Patio Room Addition. The motion carried with the following conditions:

1. No improvement shall be installed, constructed, modified or altered at Manor **5512-C**, ("Property") within the Third Laguna Hills Mutual ("Mutual") unless and until a Mutual Consent for Manor Alterations application for the improvement has been made to, and approved, in writing, by, the Village Management Services, Inc. ("VMS, Inc."), Manor Alterations Division ("Division"), or, in the event of a Variance from the Mutual's Alteration Standards, the Architectural Control and Standards Committee ("ACSC"). In

the event written permission is given for the installation, construction, modification or alteration of any improvement(s) upon the Property, the Member Owner or Owners ("Member Owner") agrees to comply with the Mutual's Governing Documents and any specific terms or conditions imposed, and that the installation, construction, modification or alteration shall be in strict compliance with the terms of the approval.

2. A Mutual Consent for Manor Alterations has been granted at **5512-C** for **Converting Patio into Room Addition**, subject to the attached plans stamped approved and is subject to the final inspection by the Division. Any variations to the approved attached plans are not allowed and could result in a stop work notice and/or severe fines to the Member.
3. Member Owner hereby consents to and grants to the Mutual and the Division, and their representatives, a right of entry upon the Property at any time to be used to inspect the Property and the improvements thereon and for the Mutual and the Division, and their representatives and contractors to remedy any violation upon the Property, including, but not limited to, removing trash, removing any improvement installed without approval or modifying an improvement to bring the same into compliance with the terms of the approval.
4. All costs for maintenance, repair, renovation, replacement or removal of the improvement, present and future, are the responsibility of the Property's Member Owner at 5512-C and all future Mutual members at 5512-C.
5. Member Owner shall be responsible for all activity by contractors, subcontractors, material suppliers and their employees and agents and any others who perform work on the Property, including any violation of the Mutual's Governing Documents, including, but not limited to, traffic and parking violations, maintenance of a clean job site at all times, and use of Mutual property for storage of equipment or materials without prior approval. Member Owner acknowledges and agrees that all such persons are his/her invitees. Member Owner shall be responsible for informing all his/her invitees of the Mutual's Rules and Regulations. Member Owner shall be liable for any violation of the Mutual's Governing Documents by any invitee, including any fine, assessment or other charge levied in connection therewith.
6. Member is responsible for following the gate clearance process (<http://www.lagunawoodsvillage.com>) in place to admit contractors and other invites.
7. Member Owner's contractors and other invitees shall travel to and from the job site by the most direct route available and are not authorized to use

Mutual recreational facilities or other amenities while they are in the Village for performance of work in connection with the Property.

8. Parking of contractors or other invitees' vehicles is prohibited in covered resident parking, open resident spaces, handicapped spaces or fire lanes. Contractors or other invitees must park on the street. To the extent possible contractors' or other invitees' vehicles should be limited in number.
9. Member Owner(s) of the Property must sign and submit to the Mutual, c/o VMS, Inc., at the Division office located in the Laguna Woods Village Community Center, an executed and notarized "Recordable Common Area Agreement" for a proposed improvement that would utilize any portion of the Mutual's Common Area. Prior to the issuance of a Mutual Consent for Manor Alterations, that "Recordable Common Area Agreement" must be filed with the Orange County Clerk/Recorder.
10. A City of Laguna Woods permit is required, which may include the requirement to obtain clearance from the South Coast Air Quality Management District (Asbestos Hot Line at (909) 396-2336). Prior to the issuance of a Mutual Consent for Manor Alterations, the appropriate City of Laguna Woods permit number(s) must be submitted to the Division office located in the Laguna Woods Village Community Center. The City permit must be finalized within the prescribed timeframe, and a copy of the final permit must be submitted to the Division within two weeks.
11. Prior to the issuance of a Mutual Consent for Manor Alterations, a complete set of unit specific plans prepared by a licensed architect or structural engineer depicting the proposed improvement must be submitted to the Division office located in the Laguna Woods Village Community Center. The plans must depict any required structural modifications ensuring the structural integrity of the building is maintained upon completion of the proposed improvement.
12. Prior to the issuance of a Mutual Consent for Manor Alterations, if required, a Mutual Roof Alteration Notification ("Tie-In Form") must be submitted to the Division. All roof tie-ins must be performed by a C-39 Licensed Contractor. The Member Owner may hire a C-39 Licensed Contractor of his/her own choice to perform roof tie-ins for the installation of solar panels on all roof types except PVC Cool Roofs. For PVC Cool Roofs, regardless of the roof type, all tie-ins must be performed by the Mutual's roofing contractor at the Member Owner's expense. All tie-ins may only be made to sound structural elements. Existing structural elements proposed to be tied to, which exhibit

signs of dry rot or other structural defects, must first be replaced or repaired at the Member Owner's expense during construction of the improvement.

13. Prior to the issuance of a Mutual Consent for Manor Alterations, the Member Owner shall request a Broadband infrastructure inspection to assure that Mutual property is appropriately identified in order to be addressed during construction.
14. Prior to the issuance of a Mutual Consent for Manor Alterations, the Member Owner shall request a Maintenance and Construction Department inspection to assure that Mutual property is appropriately addressed during construction.
15. Prior to the issuance of a Mutual Consent for Manor Alterations, any altered exterior surface should match the Building color; vinyl fence/gate will be either white or taupe, tubular steel or wrought iron fence/gate will be black or white; the approved colors and materials are identified on the ground floor of the Community Center within Resident Services.
16. All improvements must be installed in accordance with the California State Building Code, and the published Mutual Architectural Alterations Standards. See <http://www.lagunawoodsvillage.com>.
17. During construction, work hours established by the Mutual and the Noise Ordinance set forth in the City of Laguna Woods Municipal Code must be adhered to at all times.
18. During construction, both the Mutual Consent for Manor Alterations and the City Building Permit must be on display for public view at all times in a location approved by the Division.
19. It is mandatory that no waste or materials associated with the construction be dumped in the Village trash bins; such waste or materials associated with the construction must be disposed of offsite by the contractor.
20. The Mutual Consent for Manor Alterations expires six months after the date of approval, unless an application is submitted with fees and approved by the Division for an extension. Only one extension for a maximum of an additional six months may be granted.
21. Violations of the forgoing conditions or the Mutual's Governing Documents (See <http://www.lagunawoodsvillage.com>), including, but not limited to, work outside the approved plans, excessive noise, illegal dumping, or working after hours, will result in disciplinary action, which could result in a stop work notice, loss of privileges and/or severe fines to the Owner Member. Such fines left unpaid will result in forfeiture of a portion or all of the Conformance Deposit required above or other legal remedy.

22. Mutual member shall indemnify, defend and hold harmless Third and its officers, directors, committee members and agents from and against any and all claims, demands, costs, fines, judgments, settlements and any other costs, expenses, amounts and liabilities arising from Mutual member's improvements and installation, construction, design and maintenance of same.

16. Entertain a Motion to Approve General Requirements for Alterations on 3-Story Buildings with Mutual Solar Panels

The committee discussed limiting solar tubes and sky lights to avoid problems later if solar is installed on the roofs.

The Boards need to meet to discuss a cost to all three Mutuals to hire a consultant and to determine whether it is economically feasible to add more solar panels to Village.

The committee made some changes to the proposed resolution and Director Walsh made a motion and President diLorenzo Dickins seconded to endorse this resolution and have it brought to the next Board meeting. The committee was in unanimous support.

17. Review Decision Tree

Mr. Crane said the difference between a standard alteration and the variance process must be made clear in this document.

Ms. Moss reported this document will be finalized by the end of the month and will be put onto the website after reviewing by ACSC.

Concluding Business

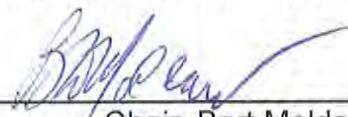
18. Committee Member Comments

None.

19. Date of Next Regular Meeting and Bus Tour - September 7, 2017

20. Adjournment

Chair Moldow recessed the meeting at 1:55 p.m. The Closed Session immediately followed.



Chair, Bert Moldow
Brett Crane, Staff Officer
Telephone: 268-2358

Agenda Item 8:

Review Proposed Conformance Deposit

This item will be presented under separate cover.

Agenda Item 9:

Review Proposed Fee Schedule

This item will be presented under separate cover.



STAFF REPORT

DATE: September 7, 2017
FOR: Architectural Standards and Control Committee
SUBJECT: Variance Request
Mr. Kevin Sheridan of 3044-B Via Serena S - Retain Non-Standard (Blue)
Front Entry Door Color.

RECOMMENDATION

Staff seeks recommendation for the Board to retain a non-standard color (Blue) for the Front Entry Door.

Conditions of approval would be as follows:

1. No improvement shall be installed, constructed, modified or altered at Manor **3044-B**, ("Property") within the Third Laguna Hills Mutual ("Mutual") unless and until a Mutual Consent for Manor Alterations application for the improvement has been made to, and approved, in writing, by, the Village Management Services, Inc. ("VMS, Inc."), Manor Alterations Division ("Division"), or, in the event of a Variance from the Mutual's Alteration Standards, the Architectural Control and Standards Committee ("ACSC"). In the event written permission is given for the installation, construction, modification or alteration of any improvement(s) upon the Property, the Member Owner or Owners ("Member Owner") agrees to comply with the Mutual's Governing Documents and any specific terms or conditions imposed, and that the installation, construction, modification or alteration shall be in strict compliance with the terms of the approval.
2. A Mutual Consent for Manor Alterations has been granted at **3044-B** for **Retaining Non-Standard Blue Color for Front Entry Door**, subject to the attached plans stamped approved and is subject to the final inspection by the Division. Any variations to the approved attached plans are not allowed and could result in a stop work notice and/or severe fines to the Member.
3. Member Owner hereby consents to and grants to the Mutual and the Division, and their representatives, a right of entry upon the Property at any time to be used to inspect the Property and the improvements thereon and for the Mutual and the Division, and their representatives and contractors to remedy any violation upon the Property, including, but not limited to, removing trash, removing any improvement installed without approval or modifying an improvement to bring the same into compliance with the terms of the approval.

4. All costs for maintenance, repair, renovation, replacement or removal of the improvement, present and future, are the responsibility of the Property's Member Owner at 3044-B and all future Mutual members at 3044-B.
5. Member Owner shall be responsible for all activity by contractors, subcontractors, material suppliers and their employees and agents and any others who perform work on the Property, including any violation of the Mutual's Governing Documents, including, but not limited to, traffic and parking violations, maintenance of a clean job site at all times, and use of Mutual property for storage of equipment or materials without prior approval. Member Owner acknowledges and agrees that all such persons are his/her invitees. Member Owner shall be responsible for informing all his/her invitees of the Mutual's Rules and Regulations. Member Owner shall be liable for any violation of the Mutual's Governing Documents by any invitee, including any fine, assessment or other charge levied in connection therewith.
6. Member is responsible for following the gate clearance process (<http://www.lagunawoodsvillage.com>) in place to admit contractors and other invites.
7. Member Owner's contractors and other invitees shall travel to and from the job site by the most direct route available and are not authorized to use Mutual recreational facilities or other amenities while they are in the Village for performance of work in connection with the Property.
8. Parking of contractors or other invitees' vehicles is prohibited in covered resident parking, open resident spaces, handicapped spaces or fire lanes. Contractors or other invitees must park on the street. To the extent possible contractors' or other invitees' vehicles should be limited in number.
9. A City of Laguna Woods permit is required, which may include the requirement to obtain clearance from the South Coast Air Quality Management District (Asbestos Hot Line at (909) 396-2336). Prior to the issuance of a Mutual Consent for Manor Alterations, the appropriate City of Laguna Woods permit number(s) must be submitted to the Division office located in the Laguna Woods Village Community Center. The City permit must be finalized within the prescribed timeframe, and a copy of the final permit must be submitted to the Division within two weeks.
10. All improvements must be installed in accordance with the California State Building Code, and the published Mutual Architectural Alterations Standards. See <http://www.lagunawoodsvillage.com>.
11. During construction, work hours established by the Mutual and the Noise Ordinance set forth in the City of Laguna Woods Municipal Code must be adhered to at all times.

12. The Mutual Consent for Manor Alterations expires six months after the date of approval, unless an application is submitted with fees and approved by the Division for an extension. Only one extension for a maximum of an additional six months may be granted.
13. Violations of the forgoing conditions or the Mutual's Governing Documents (See <http://www.lagunawoodsvillage.com>), including, but not limited to, work outside the approved plans, excessive noise, illegal dumping, or working after hours, will result in disciplinary action, which could result in a stop work notice, loss of privileges and/or severe fines to the Owner Member. Such fines left unpaid will result in forfeiture of a portion or all of the Conformance Deposit required above or other legal remedy.
14. Mutual member shall indemnify, defend and hold harmless Third and its officers, directors, committee members and agents from and against any and all claims, demands, costs, fines, judgments, settlements and any other costs, expenses, amounts and liabilities arising from Mutual member's improvements and installation, construction, design and maintenance of same.

BACKGROUND

During the final inspection of Mutual Consent #162265 issued to 3044-B in November 2016, staff found the door revision installed did not meet Mutual Standard in the original application. A correction notice was issued to bring the door into compliance or to apply for a Variance Request. As a result, Mr. Kevin Sheridan of 3044-B Via Serena S, a Casa Del Mar style manor, submitted a variance request and paid the applicable fee to request Board approval to retain his non-standard (Blue) color front entry door.

DISCUSSION

Mr. Sheridan is requesting to retain the 'Bay View' blue color used on his entry door. The door is visible to one other unit in the building (Unit A), who has signed a Neighbor Awareness Form showing approval of the alteration (See attachment 2).

Third Mutual Alteration Standards Section 10 - Doors, Exterior (Revised March 2003), paragraph 3.1 states, "All doors shall be painted or stained to maintain an appearance that conforms to the approved paint color criteria as dictated by the Mutual's Policy on Exterior Paint Colors and Procedures." The currently approved accent colors within Third Mutual are White Hide Hiding, Krimson Lake, Chocolate Kiss, Grapevine Wreath, Pendulum, and Tarragon Glory. The proposed entry door color is Bay View Blue.

The Board approved requests for non-standard entry door colors for manors 3433-B in March 2013, 3377-A in June 2013, 3304-N in February 2014, 5365-C in July 2015, 5072 in September 2015, 3459-A in March 2016 and 3415-B in June 2016.

Variance Request - Mr. Kevin Sheridan of 3044-B Via Serena S - Retain Non-Standard Blue Color Front Entry Door.

September 7, 2017

Page 4

At the time of preparing the report, there are **seven** open Mutual Consents for manor 3044-B. Only the Non-Standard Door Color request does not qualify under over-the-counter Mutual Consent.

Description	Install Date	Mutual Permit
Tub to Shower	11/2/2016	162265
Shower to Shower	11/2/2016	162265
Patio Wall Revision	11/2/2016	162265
Electrical Throughout	11/2/2016	162265
Door Revision Exterior	11/2/2016	162265
Retrofit all Windows	11/2/2016	162265
Retrofit all Sliding Glass Doors	11/2/2016	162265

All future costs and maintenance associated with the subject alterations are the responsibility of the Mutual member(s) at 3044-B

Prepared By: Gavin Fogg, Manor Alterations Inspector

Reviewed By: Brett Crane, Manor Alterations Supervisor
Kurt Wiemann, Permits, Inspections & Restoration Manager

ATTACHMENT(S)

Attachment 1: Variance Request; July 24, 2017

Attachment 2: Neighbor Awareness Form(s)

Attachment 3: Map



Laguna Woods Village.

MANOR # 3044-B

☐ ULWM

☒ TLHM

Variance Request Form

SA 21156214

Model: <u>CASA DEL MAR</u>	Plan: <u>LOWER w/PATIO</u>	Date: <u>7/24/2017</u>
Member Name: <u>#199392</u> <u>KEVIN SHERIDAN</u>	[REDACTED]	[REDACTED]
Applicant Name/Co: <u>OWNER</u> <u>S/A</u> <u>/RESIDENT</u>	Phone:	Email:

Description of Proposed Variance Request ONLY:

EXTERIOR FRONT DOOR COLOR: Bay View (DE-5886)

RECEIVED
JUL 24 2017
Alterations Department

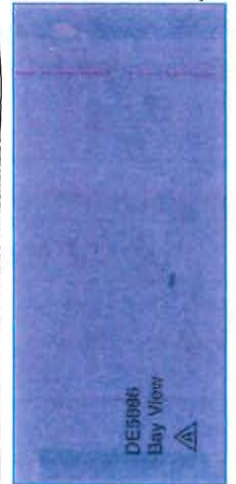
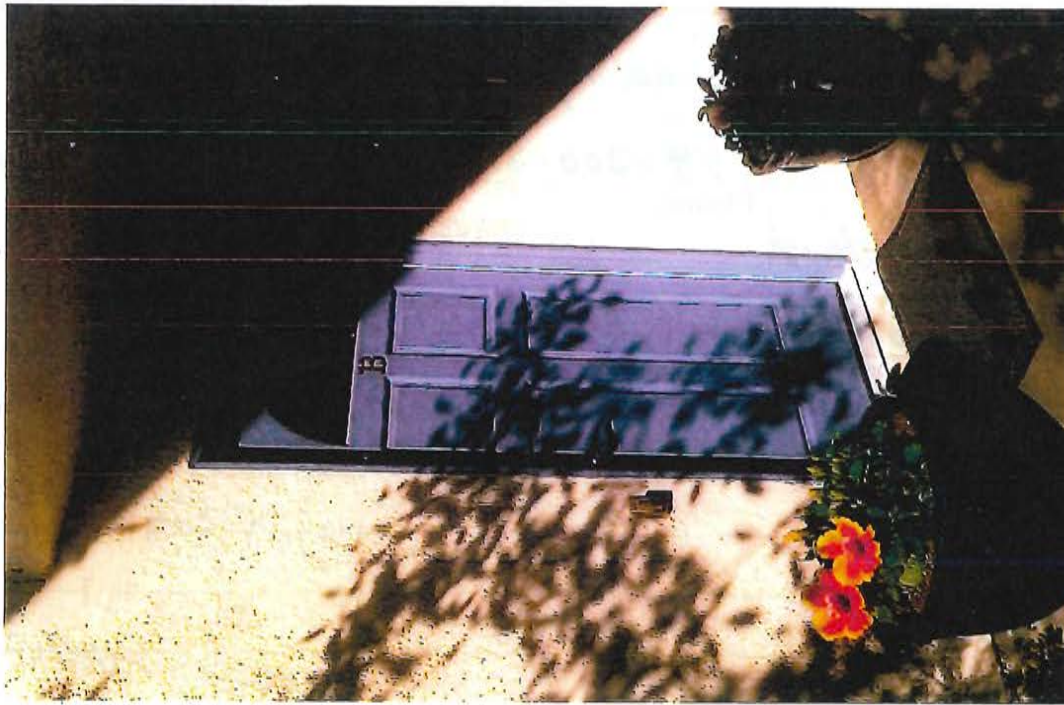
Dimensions of Proposed Variance Alterations ONLY:

FOR OFFICE USE ONLY

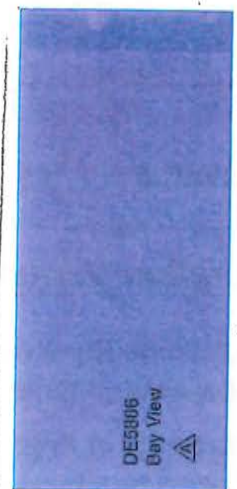
RECEIVED BY: Abraham B DATE RECEIVED: 7-24-17 Check# 3038 BY: Karin J. Sheridan

Alteration Variance Request Check Items Received: ☐ Drawing of Existing Floor Plan ☐ Drawing of Proposed Variance ☐ Dimensions of Proposed Variance ☐ Before and After Pictures ☒ Other: <u>1) Neighbor Awareness</u> <u>2) PHOTOS w/PAINT color sample</u>	Complete Submittal Cut Off Date: <u>8-4-17</u> Meetings Scheduled: Third AC&S Committee (TACSC): <u>9-7-17</u> United M&C Committee: _____ Board Meeting: <u>9-19-17</u> ☐ Denied ☐ Approved ☐ Tabled ☐ Other _____
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Agenda Item # 16
Page 5 of 11



BAY VIEW



BAY VIEW

THIRD LAGUNA HILLS MUTUAL

NEIGHBOR AWARENESS FORM

Requestor: You are making an Application for Mutual Consent for Manor Alteration(s) to make a physical Alteration to your Manor. This form is intended to notify your neighbors who own Manors near your Manor and who may be affected by your proposed Alteration. The neighbor's signature below indicates their awareness of your Application. No Application will be considered by the Third Laguna Hills Mutual ("Third Mutual") without this evidence that each of your neighbors has been made aware of the proposed Alteration. Further Guidelines are on the reverse side of this form.

Neighbor: You are hereby notified that the Member at neighboring Manor # 3044-B has filed an Application for Mutual Consent for Manor Alteration(s) and/or a Variance to make the following Alteration to their Manor, which is expected to take approximately _____ weeks/months to complete:

Non-Standard Entry Door Color (_____)

1. BAY VIEW

See Attachment

DONN B EDWARDS (DE-5886)

A diagram or plan of the proposed Alteration is attached.

The Laguna Woods Village Manor Alterations Department, pursuant to policies and procedures established by Third Mutual, has determined that the above described proposed Alteration may affect your Manor. You are requested to review the description of the proposed Alteration, including any attached drawings or plans, and sign this form in the space provided below to acknowledge that you have been made aware of the proposed Alteration. More detailed plans of the proposed Alteration, if any, are available for review by Mutual members at the Laguna Woods Village Community Center, Manor Alterations Department.

You have a right to address the Third Mutual's Maintenance and Construction Committee regarding the proposed Alteration if you so desire. Please telephone the Manor Alterations Department at 949-597-4616 for Committee meeting dates, times, and locations when this Application for the proposed Alteration will be considered.

Michelle Nelson

/ 3044-A /

7/21/17

Name (Printed)

Manor Number

Date

Michelle Nelson

Name (Signature)



For



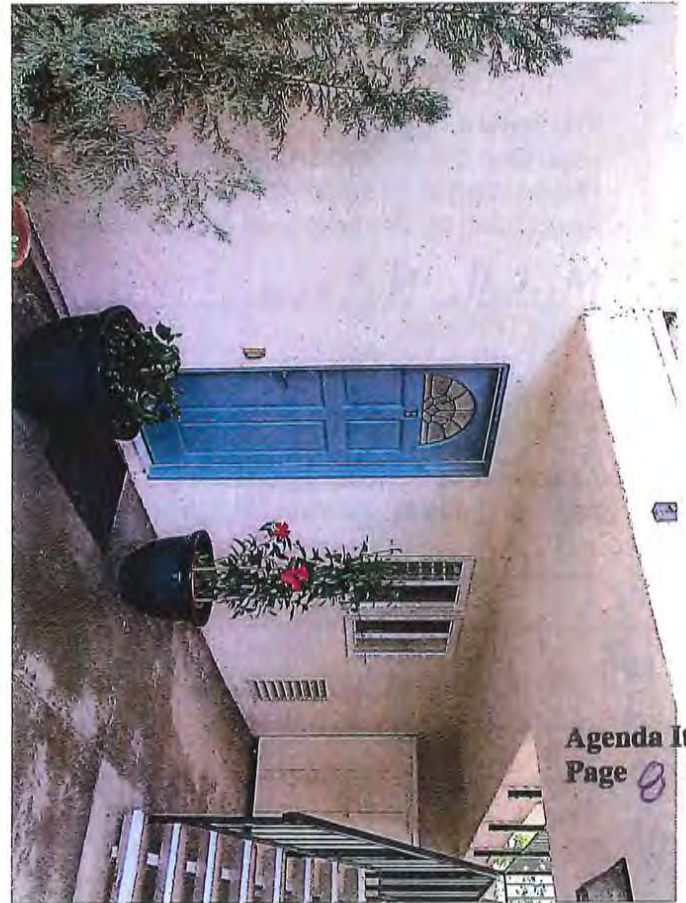
Undecided



Against

Comments: Indicate by checking the appropriate box above if you have any preference regarding this Application for a proposed Alteration, and add any additional comments below.

Please either return this form to your neighbor who gave it to you, or mail it to Laguna Woods Village, Manor Alterations Department, P.O. Box 2220, Laguna Hills, CA 92654-2220.



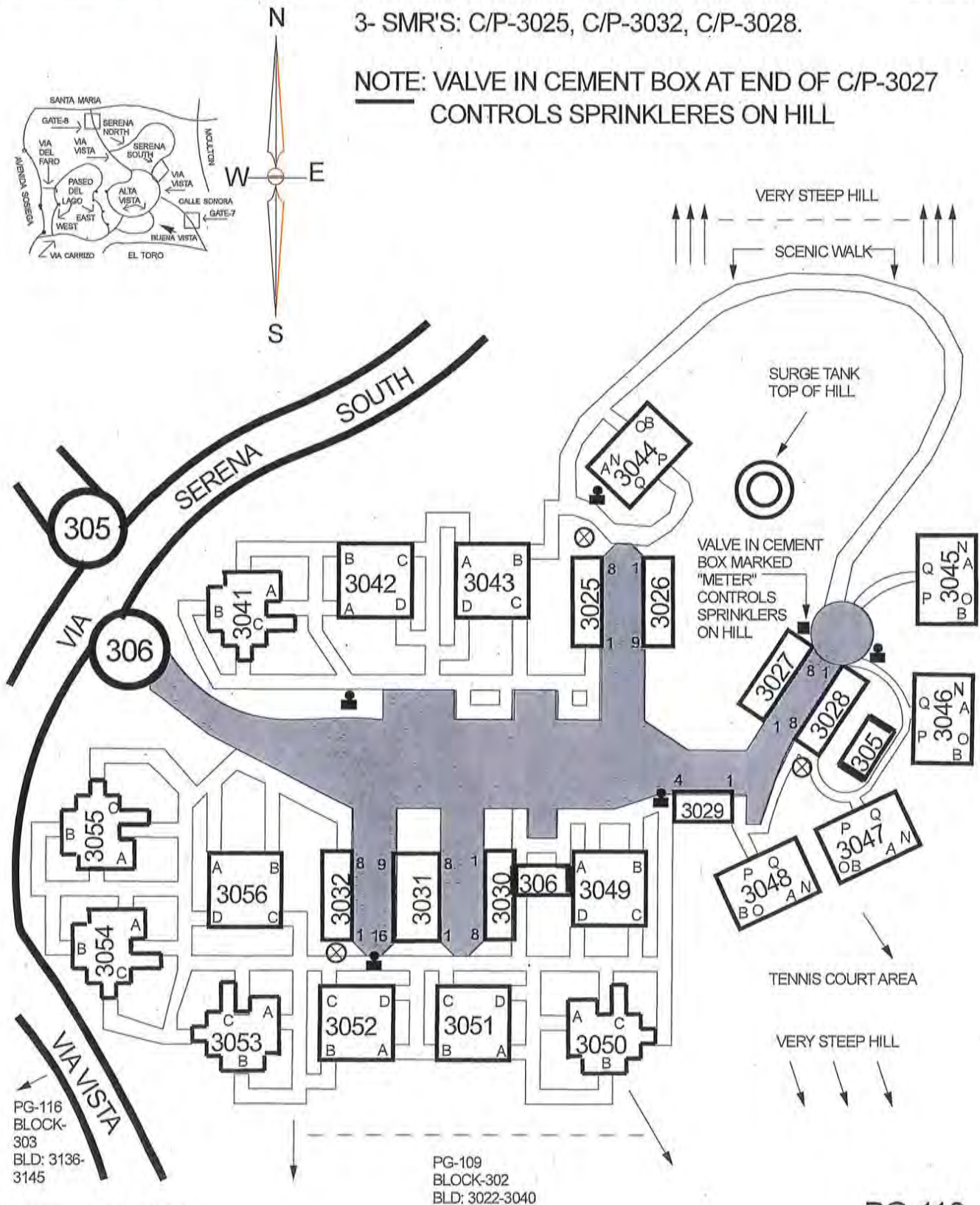
Mutual Consents

3044-B

Description	Install Dt	Mutual Permit
IISCB	10/26/1971	1002a
IISD1	7/20/1972	2010a
Retrofit Window in Kitchen	9/28/2016	162023
Retrofit Window in Kitchen	9/28/2016	162023
Storage Cabinet in Carport	9/28/2016	162023
Tub to Shower	11/2/2016	162265
Shower to Shower	11/2/2016	162265
Patio Wall Revision	11/2/2016	162265
Electrical Throughout	11/2/2016	162265
Door Revision Exterior	11/2/2016	162265
Retrofit all Windows	11/2/2016	162265
Retrofit all Sliding Glass Doors	11/2/2016	162265

3- SMR'S: C/P-3025, C/P-3032, C/P-3028.

NOTE: VALVE IN CEMENT BOX AT END OF C/P-3027
CONTROLS SPRINKLERES ON HILL







STAFF REPORT

DATE: September 7, 2017
FOR: Architectural Standards and Control Committee
SUBJECT: Variance Request
Ms. Tsuey-Ying Tsai of 3488-B Calle Azul – Rear Patio Enclosure

RECOMMENDATION

Staff recommends the Board approve the request for the rear patio enclosure with the following conditions:

1. No windows are permitted on the left or right elevations of the Patio Enclosure unless adjacent neighboring units (A and C of building 3488) give written approval. Revised site plans in line with condition #12 must be submitted prior to the issuance of a Mutual Consent for Manor Alterations.
2. No improvement shall be installed, constructed, modified or altered at Manor **3488-B**, ("Property") within the Third Laguna Hills Mutual ("Mutual") unless and until a Mutual Consent for Manor Alterations application for the improvement has been made to, and approved, in writing, by, the Village Management Services, Inc. ("VMS, Inc."), Manor Alterations Division ("Division"), or, in the event of a Variance from the Mutual's Alteration Standards, the Architectural Control and Standards Committee ("ACSC"). In the event written permission is given for the installation, construction, modification or alteration of any improvement(s) upon the Property, the Member Owner or Owners ("Member Owner") agrees to comply with the Mutual's Governing Documents and any specific terms or conditions imposed, and that the installation, construction, modification or alteration shall be in strict compliance with the terms of the approval.
3. A Mutual Consent for Manor Alterations has been granted at **3488-B** for **rear patio enclosure**, subject to the attached plans stamped approved and is subject to the final inspection by the Division. Any variations to the approved attached plans are not allowed and could result in a stop work notice and/or severe fines to the Member.
4. Member Owner hereby consents to and grants to the Mutual and the Division, and their representatives, a right of entry upon the Property at any time to be used to inspect the Property and the improvements thereon and for the Mutual and the Division, and their representatives and contractors to remedy any violation upon the Property, including, but not limited to, removing trash, removing any improvement installed without approval or

modifying an improvement to bring the same into compliance with the terms of the approval.

5. All costs for maintenance, repair, renovation, replacement or removal of the improvement, present and future, are the responsibility of the Property's Member Owner at 3488-B and all future Mutual members at 3488-B.
6. Member Owner shall be responsible for all activity by contractors, subcontractors, material suppliers and their employees and agents and any others who perform work on the Property, including any violation of the Mutual's Governing Documents, including, but not limited to, traffic and parking violations, maintenance of a clean job site at all times, and use of Mutual property for storage of equipment or materials without prior approval. Member Owner acknowledges and agrees that all such persons are his/her invitees. Member Owner shall be responsible for informing all his/her invitees of the Mutual's Rules and Regulations. Member Owner shall be liable for any violation of the Mutual's Governing Documents by any invitee, including any fine, assessment or other charge levied in connection therewith.
7. Member is responsible for following the gate clearance process (<http://www.lagunawoodsvillage.com>) in place to admit contractors and other invites.
8. Member Owner's contractors and other invitees shall travel to and from the job site by the most direct route available and are not authorized to use Mutual recreational facilities or other amenities while they are in the Village for performance of work in connection with the Property.
9. Parking of contractors or other invitees' vehicles is prohibited in covered resident parking, open resident spaces, handicapped spaces or fire lanes. Contractors or other invitees must park on the street. To the extent possible contractors' or other invitees' vehicles should be limited in number.
10. Member Owner(s) of the Property must sign and submit to the Mutual, c/o VMS, Inc., at the Division office located in the Laguna Woods Village Community Center, an executed and notarized "Recordable Common Area Agreement" for a proposed improvement that would utilize any portion of the Mutual's Common Area. Prior to the issuance of a Mutual Consent for Manor Alterations, that "Recordable Common Area Agreement" must be filed with the Orange County Clerk/Recorder.
11. A City of Laguna Woods permit is required, which may include the requirement to obtain clearance from the South Coast Air Quality Management District (Asbestos Hot Line at (909) 396-2336). Prior to the issuance of a Mutual Consent for Manor Alterations, the appropriate City of Laguna Woods permit number(s) must be submitted to the Division office located in the Laguna Woods Village Community Center. The City permit must be

finalized within the prescribed timeframe, and a copy of the final permit must be submitted to the Division within two weeks.

12. Prior to the issuance of a Mutual Consent for Manor Alterations, a complete set of unit specific plans prepared by a licensed architect or structural engineer depicting the proposed improvement must be submitted to the Division office located in the Laguna Woods Village Community Center. The plans must depict any required structural modifications ensuring the structural integrity of the building is maintained upon completion of the proposed improvement.
13. Prior to the issuance of a Mutual Consent for Manor Alterations, if required, a Mutual Roof Alteration Notification ("Tie-In Form") must be submitted to the Division. All roof tie-ins must be performed by a C-39 licensed contractor. The Member Owner may hire a C-39 licensed contractor of his/her own choice to perform roof tie-ins for the installation of solar panels on all roof types except PVC Cool Roofs. For PVC Cool Roofs, regardless of the roof type, all tie-ins must be performed by the Mutual's roofing contractor at the Member Owner's expense. All tie-ins may only be made to sound structural elements. Existing structural elements proposed to be tied to, which exhibit signs of dry rot or other structural defects, must first be replaced or repaired at the Member Owner's expense during construction of the improvement.
14. Prior to the issuance of a Mutual Consent for Manor Alterations, any altered exterior surface should match the building color; vinyl fence/gate will be either white or taupe, tubular steel or wrought iron fence/gate will be black or white; the approved colors and materials are identified at Resident Services located at the Community Center first floor.
15. All improvements must be installed in accordance with the California State Building Code, and the published Mutual Architectural Alterations Standards. See <http://www.lagunawoodsvillage.com>.
16. During construction, work hours established by the Mutual and the Noise Ordinance set forth in the City of Laguna Woods Municipal Code must be adhered to at all times.
17. During construction, both the Mutual Consent for Manor Alterations and the City Building Permit must be on display for public view at all times in a location approved by the Division.
18. It is mandatory that no waste or materials associated with the construction be dumped in the Village trash bins; such waste or materials associated with the construction must be disposed of offsite by the contractor.
19. The Mutual Consent for Manor Alterations expires six months after the date of approval, unless an application is submitted with fees and approved by the Division for an

extension. Only one extension for a maximum of an additional six months may be granted.

20. Violations of the forgoing conditions or the Mutual's Governing Documents (See <http://www.lagunawoodsvillage.com>), including, but not limited to, work outside the approved plans, excessive noise, illegal dumping, or working after hours, will result in disciplinary action, which could result in a stop work notice, loss of privileges and/or severe fines to the Owner Member. Such fines left unpaid will result in forfeiture of a portion or all of the Conformance Deposit required above or other legal remedy.
21. Mutual member shall indemnify, defend and hold harmless Third and its officers, directors, committee members and agents from and against any and all claims, demands, costs, fines, judgments, settlements and any other costs, expenses, amounts and liabilities arising from Mutual member's improvements and installation, construction, design and maintenance of same.
22. The Mutual Consent Applicant or agent must contact the Manor Alterations Division as soon as the project is complete and has received a Final City of Laguna Woods permit approval in order to arrange a final inspection for Mutual Consent.

BACKGROUND

Tsuey-Ying Tsai of 3488-B Calle Azul, a Cabrillo style manor, requests Board approval for her variance to convert the existing rear patio and planter wall into an enclosed patio.

The rear patio was extended in 1976 via Mutual Consent 8017 and then again in 1980 with a planter wall installed via Mutual Consent 3965b to approximately 32' by 12'6". Tile surfacing was added to the rear patio in 2000 via Mutual Consent 201395. The requested alteration will take place on both Limited Common Area and Common Area; the Common Area has been utilized for exclusive use due to the patio extension for over 30 years (see attachments for Condo plan and Mutual Consents).

DISCUSSION

The existing rear patio slab measures 32' by 12'6" (403ft²). The request would involve demolition of the existing planter wall and constructing a new footing with a new concrete slab. Additionally, it would involve erecting wood framing on the North, East, and West facing walls to enclose the patio, which spans across one bedroom and the living room.

The proposed patio enclosure will have four windows on the rear elevation measuring 6' by 4' and two windows on each side elevation measuring 5' by 4'. All windows would be dual glazed white vinyl to match existing.

An additional window will be installed in the bedroom to meet building code egress requirements. The additional window can be approved via an over-the-counter Mutual Consent and Laguna Woods City Permit to verify building code is met.

In order to avoid the use of any additional Common Area, the patio enclosure will have a 6'8" by 5' sliding glass door set back by 36" on the rear elevation to allow the legally required landing area of 36" in the direction of travel to fall within the existing patio slab footprint.

A built-up roof (BUR) system would be used for the flat roof, using materials to match the existing roof and would include three skylights measuring 4' by 2'.

Fascia and exterior walls would be finished to match the existing building in materials and color. Per Resolution 03-17-38 alternative materials to wood would be required to meet Mutual Standards.

Previous Enclosures on rear Patios have been approved at 5516-A in December 2003, 3514-A in December 2013, 3511-C in July 2014, 3422-C in August 2014 and 5515-C in August 2017.

Staff is of the opinion that the proposed alterations would not create a negative visual imbalance to the building or surrounding area; however recommend a condition to eliminate the left elevation windows which would face directly at Unit A's covered patio area.

The Member will be required to complete the "Recordable Common Area Agreement" prior to issuance of a Mutual permit.

At the time of preparing this report there are 13 open Mutual Consents as part of a full unit remodel. These alterations are approved via Over-the-Counter Mutual Consents and City permits.

Description	Install Dt	Mutual Permit
Tub to Tub	2/21/2017	170312
Shower to Shower	2/21/2017	170312
Electrical Throughout	2/21/2017	170312
Door Revision, Entry	2/21/2017	170312
Central Heating and Air, Change Out	2/21/2017	170312
Solatube in Bathroom	2/21/2017	170312
Solatube in Bathroom	2/21/2017	170312
New Construction Window in Living Room	2/21/2017	170312
Wall Revision in Kitchen	2/21/2017	170312
Wall Revision in Hall	2/21/2017	170312
Wall Revision in Bathroom	2/21/2017	170312
New Construction Sliding Glass Door	2/21/2017	170312
Skylight in Bathroom	3/6/2017	170460

Prepared By: Gavin Fogg, Manor Alterations Inspector

Reviewed By: Kurt Wiemann, Permits, Inspections & Restoration Manager
Brett Crane, Manor Alterations Supervisor

ATTACHMENT(S)

Attachment 1: Variance Request; July 27th, 2017

Attachment 2: Condominium Plans & Mutual Consents.

Attachment 3: Map



Laguna Woods Village

MANOR # 3488-B

☐ ULWM

☒ TLHM

Variance Request Form

SA 21135799

Model:	Plan:	Date: <u>5-23-17</u>
Member Name: <u>Tsuey Ying, Tsai</u>		
Applicant Name/Co: <u>Tsuey Ying, Tsai</u>		

Description of Proposed Variance Request ONLY:

patio Enclosed - 3-2x4 skylight
- flat roof
- wall & window
- emergency window for room

RECEIVED

MAY 23 2017

Alterations Department

Dimensions of Proposed Variance Alterations ONLY:

12' x 32'

FOR OFFICE USE ONLY

RECEIVED BY: Abraham B DATE RECEIVED: 5-23-17 Check# 3140 BY: Light house Construction

Alteration Variance Request Check Items Received: ☒ Drawing of Existing Floor Plan ☒ Drawing of Proposed Variance ☒ Dimensions of Proposed Variance ☒ Before and After Pictures ☐ Other: _____	Complete Submittal Cut Off Date: <u>June 5, 17</u> Meetings Scheduled: Third AC&S Committee (TACSC): <u>7-6-17</u> United M&C Committee: _____ Board Meeting: <u>7-18-17</u> ☐ Denied ☐ Approved ☐ Tabled ☐ Other _____
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Agenda Item #
Page 7 of 26

GENERAL NOTES:

- [illegible]

ELECTRICAL NOTES

- [illegible]

ELECTRICAL LEGEND:

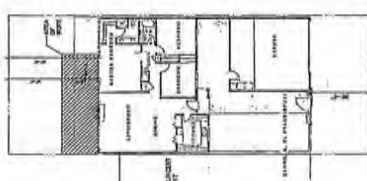
- [illegible]

FLOOR PLAN NOTES:

- [illegible]

GREEN BUILDING NOTES:

- CONTRACTORS TO DEVELOP A WASTE MANAGEMENT PLAN TO REDUCE OR RECYCLE A MAJOR AMOUNT OF SOLID WASTE. THE WASTE MANAGEMENT PLAN MUST BE SUBMITTED TO THE CITY, CDD, AND ADEP.
- DURING CONSTRUCTION, ENDS OF DIRT SUPPLY AND RETURN MUST BE MAINTAINED TO PREVENT DIRT FROM BEING SPILLED OR TO BE DISPERSED AND PROVIDE ALL SPACEWORK TO BE COMPLETED WITHIN THE SPECIFIED TIME FRAME. A DIRT SPREADER MUST BE USED DURING CONSTRUCTION IF NECESSARY.
- ALL CDD, ADEP, AND STATE AGENCIES MUST BE NOTIFIED IN WRITING AT LEAST 14 DAYS BEFORE THE WASTE MANAGEMENT PLAN IS SUBMITTED TO THE CITY, CDD, AND ADEP.
- THE WASTING, CONVENT OF CEMENT MATERIALS AND MILLION POUNDS OF WASTE MUST BE REMOVED FROM THE PROJECT AND ALL WASTE MUST BE REMOVED FROM THE PROJECT AND ALL WASTE MUST BE REMOVED FROM THE PROJECT.
- HIGH CONCENTRATING PLUMBING FIXTURES SHALL BE REPLACED WITH LOWER CONCENTRATING PLUMBING FIXTURES.
- WATER CONSERVING PLUMBING FIXTURES:
- | FIXTURE TYPE | MAX FLOW RATE |
|--------------|------------------|
| TOILET | 1.6 GPM @ 60 PSI |
| WASH BASIN | 1.2 GPM @ 60 PSI |
| WASH SINK | 1.2 GPM @ 60 PSI |
| WASH SINK | 1.2 GPM @ 60 PSI |
| WASH SINK | 1.2 GPM @ 60 PSI |



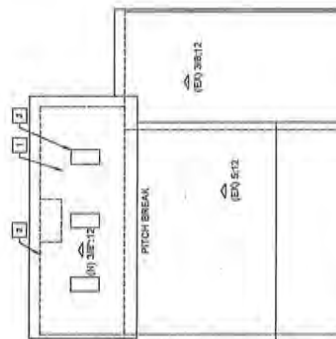
EXISTING
FLOOR PLAN/ SITE PLAN
SCALE NTS



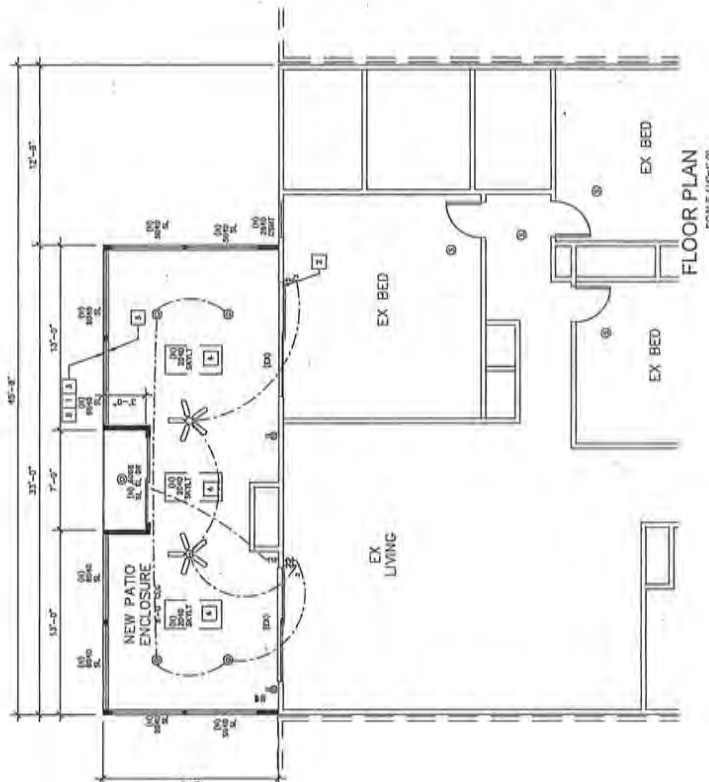
VICINITY MAP

PROOF NOTES

- [illegible]



ROOF PLAN



FLOOR PLAN



FRAMING PLAN NOTES:

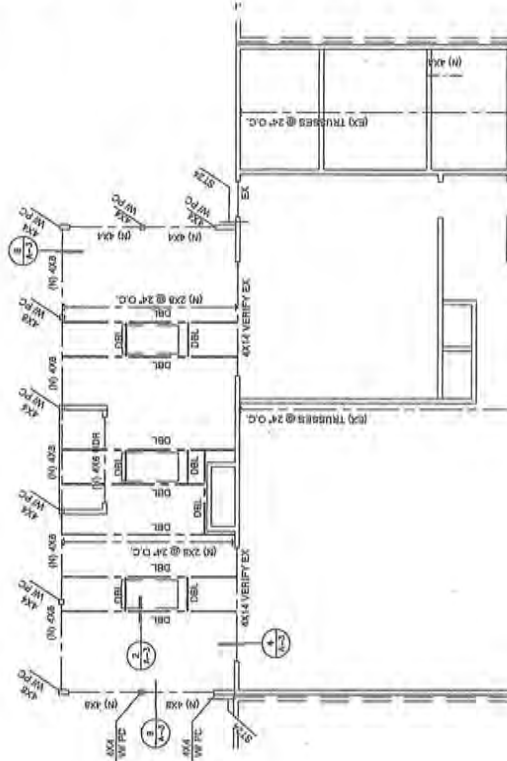
1. PROVIDE FRAMING AND FINISHES TO MATCH EXISTING.
2. PROVIDE FRAMING AND FINISHES TO MATCH EXISTING.
3. PROVIDE FRAMING AND FINISHES TO MATCH EXISTING.
4. PROVIDE FRAMING AND FINISHES TO MATCH EXISTING.
5. PROVIDE FRAMING AND FINISHES TO MATCH EXISTING.

STRUCTURAL CALCS

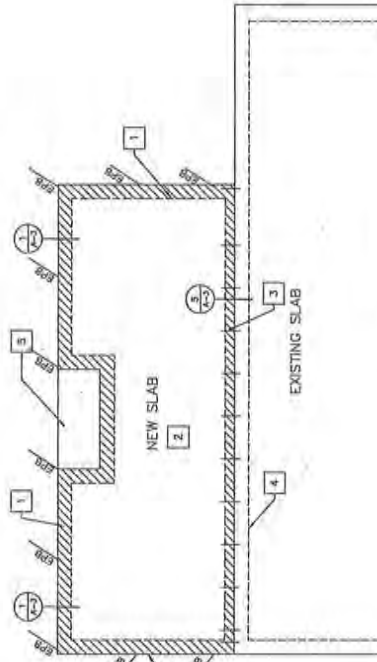
DOOR & WINDOW
DOOR: 1-1/2" x 6" x 2" x 6"
WINDOW: 1-1/2" x 6" x 2" x 6"
DOOR: 1-1/2" x 6" x 2" x 6"
WINDOW: 1-1/2" x 6" x 2" x 6"
DOOR: 1-1/2" x 6" x 2" x 6"
WINDOW: 1-1/2" x 6" x 2" x 6"
DOOR: 1-1/2" x 6" x 2" x 6"
WINDOW: 1-1/2" x 6" x 2" x 6"

SLAB PLAN NOTES:

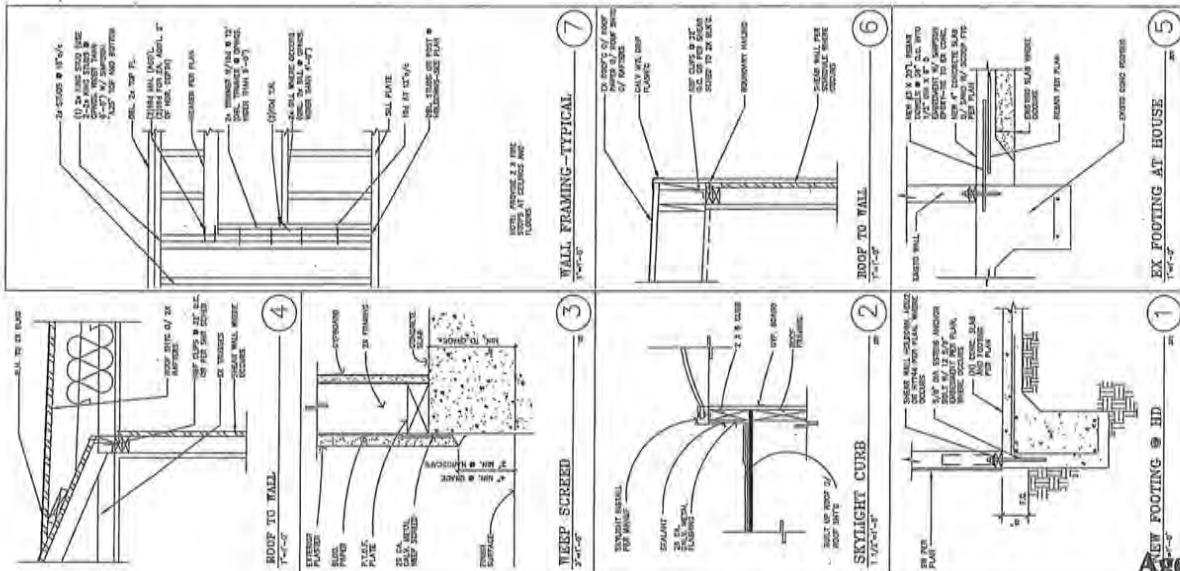
1. NEW CONCRETE - 15" THICK 24" x 24" (1) #4 TOP AND BOTTOM 2009 2"
2. NEW CONCRETE - 15" THICK 24" x 24" (1) #4 TOP AND BOTTOM 2009 2"
3. NEW CONCRETE - 15" THICK 24" x 24" (1) #4 TOP AND BOTTOM 2009 2"
4. NEW CONCRETE - 15" THICK 24" x 24" (1) #4 TOP AND BOTTOM 2009 2"
5. NEW CONCRETE - 15" THICK 24" x 24" (1) #4 TOP AND BOTTOM 2009 2"

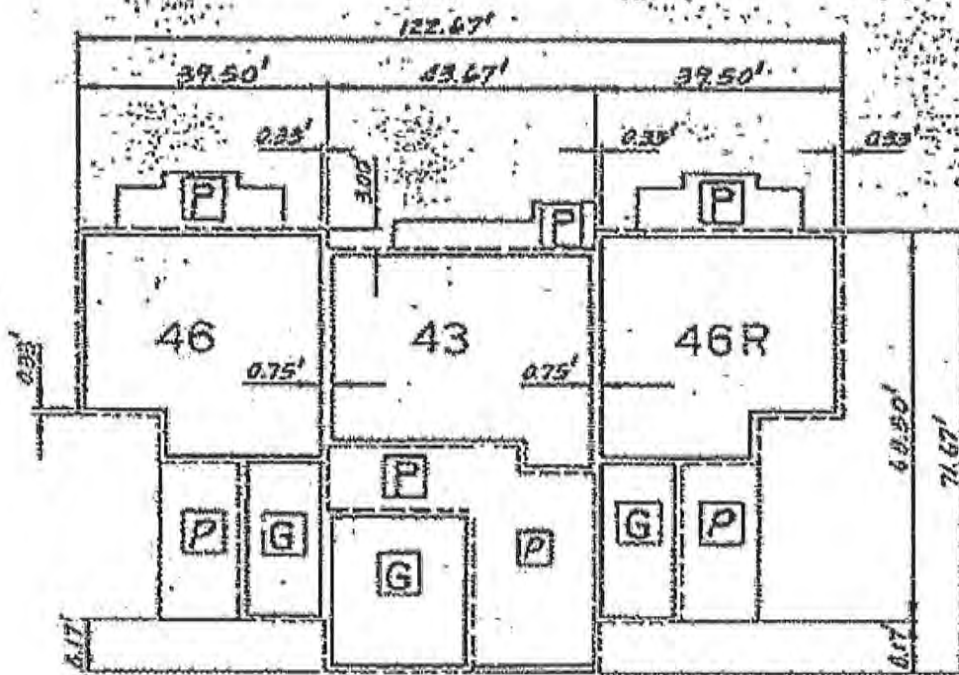


FRAMING PLAN
SCALE 1/8"=1'-0"

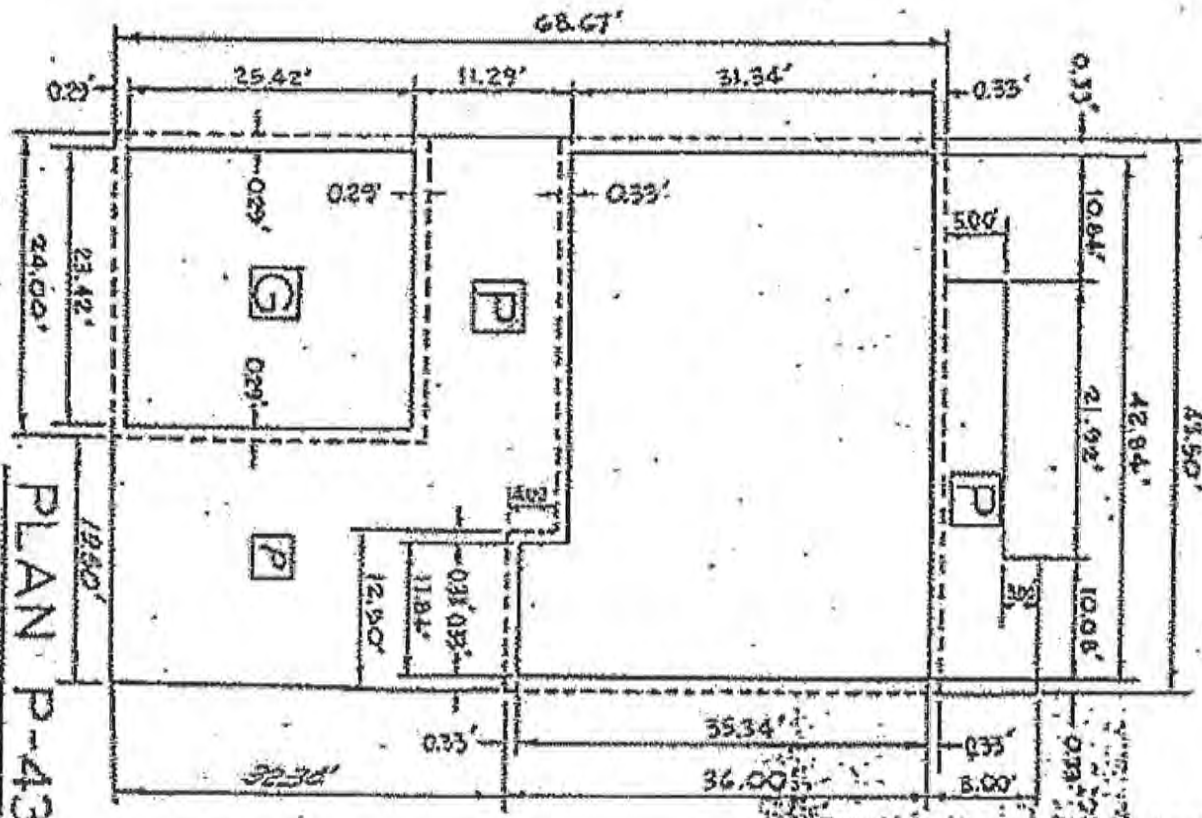


SLAB PLAN
SCALE 1/8"=1'-0"





P-303



PROFESSIONAL COMMUNITY MANAGEMENT, INC., AGENT

Laguna Hills, California

Manor # 3488-B
Permit # 8017a
Final Insp. 11-2-76

TBW
012

APPLICATION FOR ALTERATION PERMIT

The undersigned, a member of #57 L.H.M. a California nonprofit corporation (hereinafter referred to as the "Corporation"), hereby requests permission of the Corporation to make the alteration described below to dwelling unit No. 3488-B occupied by the undersigned. Said alteration (hereinafter sometimes referred to as the "work") shall be performed subject to the terms and conditions printed on the reverse side hereof, which terms and conditions set out the responsibilities of the member and the below named contractor, if a contractor is to perform said alteration, and which are incorporated herein and made a part hereof.

Proposed alteration: Addition To Rear Patio

Telephone No. _____

Whiting
Resident Member

The undersigned is a contractor licensed pursuant to the laws of the State of California and hereby agrees to perform the above described work subject to the terms and conditions printed on the reverse side hereby which are incorporated herein and made a part hereof.

Dated: Oct 13 1976

Williams + Sons
Contractor

ALTERATION PERMIT

The foregoing application is hereby approved and said member is hereby granted permission to make the above described alteration.

Dated: 10-25-76

Paula Manning
By Professional Community Management, Inc., Agent

Valuation \$ 125.00

Alteration Number P43/BSR

Permit Fee \$ 5.00

Approved by TBW 10-15-76

FORM 10-75

Agenda Item # 11
Page 12 of 26

PROFESSIONAL COMMUNITY MANAGEMENT, INC., AGENT

Laguna Hills, California

Manor # 3488-B *W*

Permit # 3965-B

Final Insp. 9-8-80

TW
OK

APPLICATION FOR ALTERATION PERMIT

The undersigned, a member of 3rd S.A.M. a California nonprofit corporation (hereinafter referred to as the "Corporation"), hereby requests permission of the Corporation to make the alteration described below to dwelling unit No. 3488 B occupied by the undersigned. Said alteration (hereinafter sometimes referred to as the "work") shall be performed subject to the terms and conditions printed on the reverse side hereof, which terms and conditions set out the responsibilities of the member and the below named contractor, if a contractor is to perform said alteration, and which are incorporated herein and made a part hereof.

Proposed alteration:

Extend concrete 1 1/2' x 22'
slump stone wall 20" high

Telephone No. _____

Whiting
Resident Member Calle Azuc

The undersigned is a contractor licensed pursuant to the laws of the State of California and hereby agrees to perform the above described work subject to the terms and conditions printed on the reverse side hereby which are incorporated herein and made a part hereof.

Dated: 7-28-80

Mission Construction
Contractor

ALTERATION PERMIT

The foregoing application is hereby approved and said member is hereby granted permission to make the above described alteration.

Dated: 8/6

W
By Professional Community Management, Inc., Agent

Valuation \$ 280.00

Cabrillo
Alteration Number P43-PWR

Permit Fee \$ 30.00

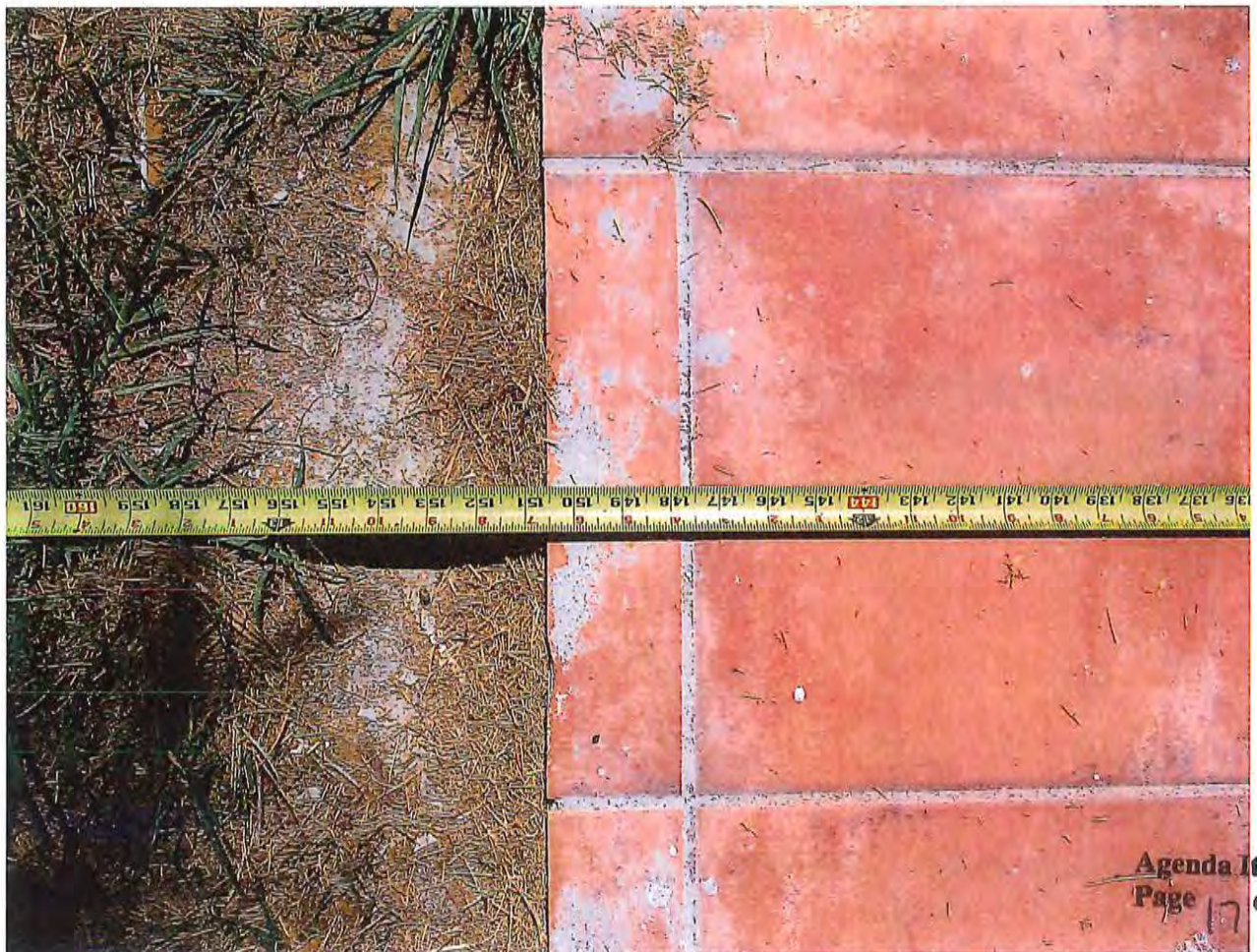
Approved by TW 7-28-80

Mutual Consents 3488-B

Description	Install Dt	Mutual Permit
P43PSR	10/25/1976	8017a
P43PWR	8/6/1980	3965b
IAS	1/4/1990	4046c
PWR	3/28/1990	4309c
Illuminated Address Sign	1/4/1990	4046c
Patio Wall Revision	3/28/1990	4309c
Tile on Front Patio	8/29/2000	201395
Tile on Back Patio	8/29/2000	201395
Garage Door	9/25/2000	201567
Retrofit All Windows	9/29/2003	031610
Retrofit All Sliding Glass Doors	9/29/2003	031610
Bedroom Extension	10/15/2003	031700
Central Heat Pump (Replacing Original System)	9/13/2007	071445
Door Revision (Entry)	9/13/2007	071445
CANCELLED by Owner	10/5/2007	071620
Tub to Tub	2/21/2017	170312
Shower to Shower	2/21/2017	170312
Electrical Throughout	2/21/2017	170312
Door Revision, Entry	2/21/2017	170312
Central Heating and Air, Change Out	2/21/2017	170312
Solatube in Bathroom	2/21/2017	170312
Solatube in Bathroom	2/21/2017	170312
New Construction Window in Living Room	2/21/2017	170312
Wall Revision in Kitchen	2/21/2017	170312
Wall Revision in Hall	2/21/2017	170312
Wall Revision in Bahtroom	2/21/2017	170312
New Construction Sliding Glass Door	2/21/2017	170312
Skylight in Bathroom	3/6/2017	170460





















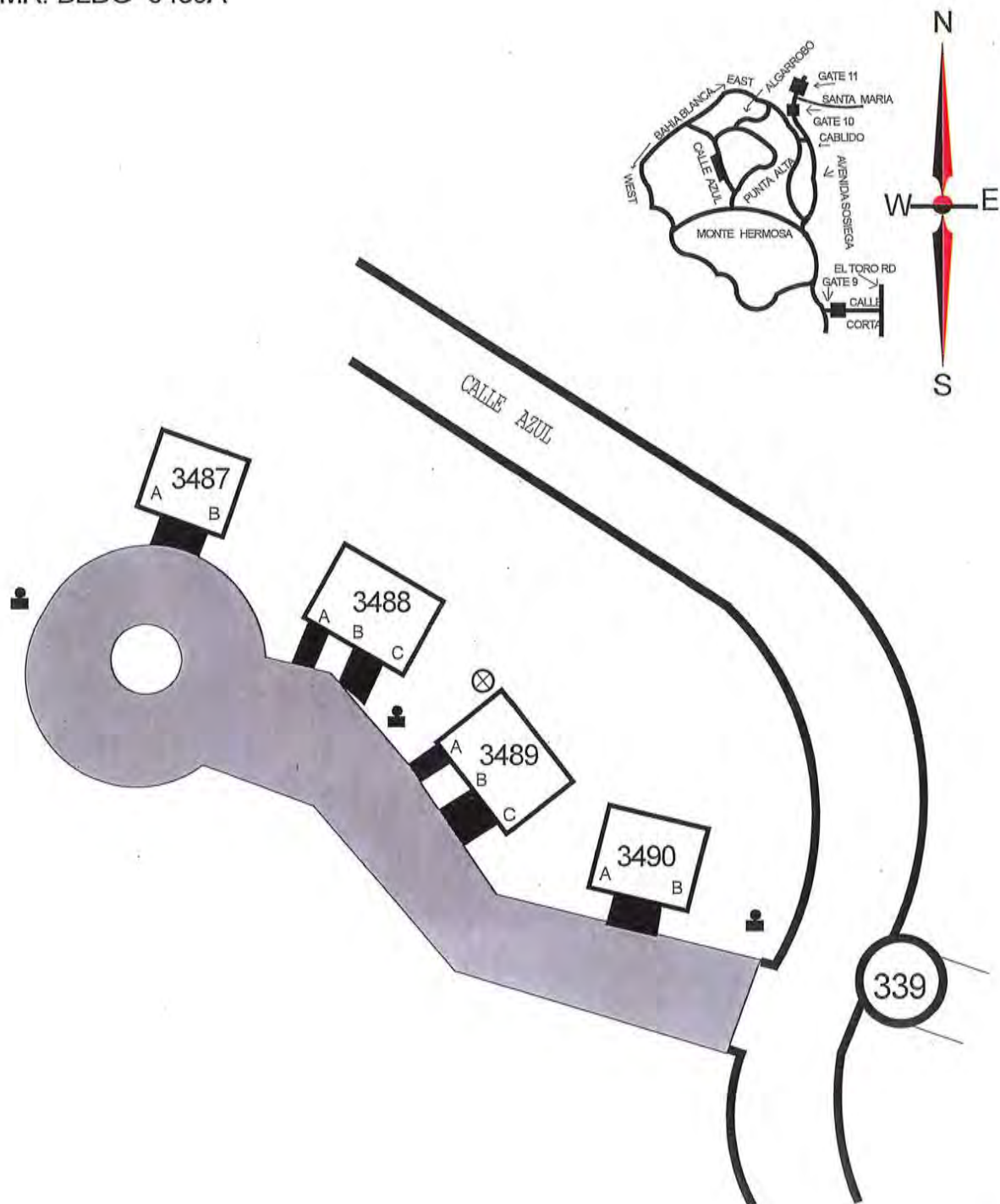
L/R: N/A

BLD: 3487--3490

C/P: N/A

PG-147

1 SMR: BLDG- 3489A







STAFF REPORT

DATE: September 7, 2017
FOR: Architectural Standards and Control Committee
SUBJECT: Variance Request
Sydney C. Stephan of 5073 Avenida Del Sol – Master Bedroom Extension
and Room Addition on existing Rear Patio.

RECOMMENDATION

Staff seeks Committee guidance for endorsement to the Board for the Variance Request for a bedroom extension and room addition on existing rear patio at Manor 5073:

Should the Request be approved, Staff recommends applying the following conditions:

1. The Mutual Member must conduct a geological survey of the slope prior to commencing work. The geological survey would be at cost to the Mutual Member.
2. No improvement shall be installed, constructed, modified or altered at **Manor 5073**, ("Property") within the Third Laguna Hills Mutual ("Mutual") unless and until a Mutual Consent for Manor Alterations application for the improvement has been made to, and approved, in writing, by, the Village Management Services, Inc. ("VMS, Inc."), Manor Alterations Division ("Division"), or, in the event of a Variance from the Mutual's Alteration Standards, the Architectural Control and Standards Committee ("ACSC"). In the event written permission is given for the installation, construction, modification or alteration of any improvement(s) upon the Property, the Member Owner or Owners ("Member Owner") agrees to comply with the Mutual's Governing Documents and any specific terms or conditions imposed, and that the installation, construction, modification or alteration shall be in strict compliance with the terms of the approval.
3. A Mutual Consent for Manor Alterations has been granted at **5073** for **Master Bedroom Extension and Room Addition on existing Rear Patio**, subject to the attached plans stamped approved and is subject to the final inspection by the Division. Any variations to the approved attached plans are not allowed and could result in a stop work notice and/or severe fines to the Member.
4. Member Owner hereby consents to and grants to the Mutual and the Division, and their representatives, a right of entry upon the Property at any time to be used to inspect the Property and the improvements thereon and for the Mutual and the Division, and their representatives and contractors to remedy any violation upon the Property, including, but not limited to, removing trash, removing any improvement installed without approval or

modifying an improvement to bring the same into compliance with the terms of the approval.

5. All costs for maintenance, repair, renovation, replacement or removal of the improvement, present and future, are the responsibility of the Property's Member Owner at **5073** and all future Mutual members at **5073**.
6. Member Owner shall be responsible for all activity by contractors, subcontractors, material suppliers and their employees and agents and any others who perform work on the Property, including any violation of the Mutual's Governing Documents, including, but not limited to, traffic and parking violations, maintenance of a clean job site at all times, and use of Mutual property for storage of equipment or materials without prior approval. Member Owner acknowledges and agrees that all such persons are his/her invitees. Member Owner shall be responsible for informing all his/her invitees of the Mutual's Rules and Regulations. Member Owner shall be liable for any violation of the Mutual's Governing Documents by any invitee, including any fine, assessment or other charge levied in connection therewith.
7. Member is responsible for following the gate clearance process (<http://www.lagunawoodsvillage.com>) in place to admit contractors and other invites.
8. Member Owner's contractors and other invitees shall travel to and from the job site by the most direct route available and are not authorized to use Mutual recreational facilities or other amenities while they are in the Village for performance of work in connection with the Property.
9. Parking of contractors or other invitees' vehicles is prohibited in covered resident parking, open resident spaces, handicapped spaces or fire lanes. Contractors or other invitees must park on the street. To the extent possible contractors' or other invitees' vehicles should be limited in number.
10. Member Owner(s) of the Property must sign and submit to the Mutual, c/o VMS, Inc., at the Division office located in the Laguna Woods Village Community Center, an executed and notarized "Recordable Common Area Agreement" for a proposed improvement that would utilize any portion of the Mutual's Common Area. Prior to the issuance of a Mutual Consent for Manor Alterations, that "Recordable Common Area Agreement" must be filed with the Orange County Clerk/Recorder.
11. A City of Laguna Woods permit is required, which may include the requirement to obtain clearance from the South Coast Air Quality Management District (Asbestos Hot Line at (909) 396-2336). Prior to the issuance of a Mutual Consent for Manor Alterations, the appropriate City of Laguna Woods permit number(s) must be submitted to the Division office located in the Laguna Woods Village Community Center. The City permit must be finalized within the prescribed timeframe, and a copy of the final permit must be submitted to the Division within two weeks.

12. Prior to the issuance of a Mutual Consent for Manor Alterations, a complete set of unit specific plans prepared by a licensed architect or structural engineer depicting the proposed improvement must be submitted to the Division office located in the Laguna Woods Village Community Center. The plans must depict any required structural modifications ensuring the structural integrity of the building is maintained upon completion of the proposed improvement.
13. Prior to the issuance of a Mutual Consent for Manor Alterations, if required, a Mutual Roof Alteration Notification ("Tie-In Form") must be submitted to the Division. All roof tie-ins must be performed by a C-39 Licensed Contractor. The Member Owner may hire a C-39 Licensed Contractor of his/her own choice to perform roof tie-ins for the installation of solar panels on all roof types except PVC Cool Roofs. For PVC Cool Roofs, regardless of the roof type, all tie-ins must be performed by the Mutual's roofing contractor at the Member Owner's expense. All tie-ins may only be made to sound structural elements. Existing structural elements proposed to be tied to, which exhibit signs of dry rot or other structural defects, must first be replaced or repaired at the Member Owner's expense during construction of the improvement.
14. Prior to the issuance of a Mutual Consent for Manor Alterations, the Member Owner shall request a Landscape Department inspection in order to assure all landscape, irrigation, and drainage modifications associated with the improvements are identified and completed by the Landscape Department at the expense of the Member Owner. All gutter drainage shall be directed away from structures, free standing walls, foundations, and pedestrian walkways.
15. Prior to the issuance of a Mutual Consent for Manor Alterations, any altered exterior surface should match the Building color; vinyl fence/gate will be either white or taupe, tubular steel or wrought iron fence/gate will be black or white; the approved colors and materials are identified at Resident Services located at the Community Center first floor.
16. All improvements must be installed in accordance with the California State Building Code, and the published Mutual Architectural Alterations Standards. See <http://www.lagunawoodsvillage.com>.
17. During construction, work hours established by the Mutual and the Noise Ordinance set forth in the City of Laguna Woods Municipal Code must be adhered to at all times.
18. During construction, both the Mutual Consent for Manor Alterations and the City Building Permit must be on display for public view at all times in a location approved by the Division.
19. It is mandatory that no waste or materials associated with the construction be dumped in the Village trash bins; such waste or materials associated with the construction must be disposed of offsite by the contractor.

20. The Mutual Consent for Manor Alterations expires six months after the date of approval, unless an application is submitted with fees and approved by the Division for an extension. Only one extension for a maximum of an additional six months may be granted.
21. Violations of the forgoing conditions or the Mutual's Governing Documents (See <http://www.lagunawoodsvillage.com>), including, but not limited to, work outside the approved plans, excessive noise, illegal dumping, or working after hours, will result in disciplinary action, which could result in a stop work notice, loss of privileges and/or severe fines to the Owner Member. Such fines left unpaid will result in forfeiture of a portion or all of the Conformance Deposit required above or other legal remedy.
22. Mutual member shall indemnify, defend and hold harmless Third and its officers, directors, committee members and agents from and against any and all claims, demands, costs, fines, judgments, settlements and any other costs, expenses, amounts and liabilities arising from Mutual member's improvements and installation, construction, design and maintenance of same.
23. The Mutual Consent Applicant or agent must contact the Manor Alterations Division as soon as the project is complete and has received a Final City of Laguna Woods permit approval in order to arrange a final inspection for Mutual Consent.

BACKGROUND

Sydney Stephan of 5073 Avenida Del Sol, a Villa Paraisa style manor, requests Board approval of a variance for a room extension for a bedroom onto a previously extended patio (Attachment A) and to replace the existing enclosed patio with a permanent room addition.

The existing enclosed patio (garden room) was installed via Mutual Consent (#031052) in 2003. A variance Request was approved in 2008 to extend the rear patio slab (Mutual Consent #081391).

In August of 2016, Third Mutual Maintenance and Construction Committee granted an endorsement of a Variance for a similar room addition. Due to concerns from the owner of the adjacent Manor (5075), the Variance Request for the proposed room addition and bedroom extension was withdrawn. There are three key differences between the original 2016 approved Variance Request and the newly submitted Variance Request:

1. The original 2016 Variance Request proposed to extend the existing manor roof line to the end of the addition; the new Request proposes a flat roof with a similar profile to the existing enclosed patio and the patio covers of adjacent manors.
2. The 2016 Variance Request proposed to build a room addition that extended onto the previously extended patio slab (12'4" total depth); the new proposal requests to utilize only the existing garden room footprint (8') for the room addition.

3. Finally, the 2016 Request involved a bedroom extension utilizing the entire width of the bedroom, whereas the new proposal only proposes to utilize the previously granted patio slab area.

DISCUSSION

The existing sun room, measuring approximately 27'11" by 8' will be removed from the existing rear patio. The proposed new room addition will measure 27'11" by 8', will have two 8' by 6' windows along with a 7'6" by 8' sliding glass door on the rear wall. The existing patio slab will provide the required landing for the rear sliding glass door. Additionally, a 3' by 6' window will be installed on both sides of the room addition.

On the rear facing elevation of the extended bedroom, a new 6' by 4' window will be installed.

All windows and sliding glass doors will be of white vinyl to match the rest of the existing windows on the manor.

Both additions would have a matching exterior stucco surface painted to match the existing stucco. The new roof will be constructed using materials that match the existing roof and will be tied in to the building to cover both the room addition and room extension (see attachment); the roof would be at a pitch of 4:12.

As part of the 2016 M&C Committee recommendation, a condition was added that the Mutual Member must conduct a geological survey of the slope prior to commencing work. Staff recommend the same condition be applied and that the geological survey would be at cost to the Mutual Member.

Neighbor Awareness Notices were mailed to manors 5071, 5072, 5074, 5075, 5076, and 5077 due to potential line of sight. Manor 5075 has responded with concern and has provided the letter sent by her legal representation during the 2016 variance request to be attached to the meeting packet. Manor 5072 has responded via e-mail stating they do not have any concerns with the proposed alteration. Both responses are available in attachment 3.

The Condominium Plan for Manor 5073 designates the location of the proposed room addition partially on Limited Common Area for Exclusive Use and partially on Common Area.

The bedroom extension would be constructed fully on Common Area that was previously permitted to have an alteration concrete slab. In 2008, when the patio slab extension was permitted, the Common Area Usage Agreement that was signed by the Member (see Attachments, contained no restrictions preventing future modifications.

The Member will be required to complete a new "Recordable Common Area Agreement" prior to issuance of a Mutual permit.

Pursuant to the previous Decision Tree, five (5) criteria must be considered when reviewing applications for Common Area alterations. If the proposed alteration does not meet all criteria

the Request should be denied. Alternately, of course, if the proposed alteration meets all criteria, the Request should be approved.

1. Compliance with Community Standards. Each Application must comply with all Mutual governing documents, including but not limited to the architectural and building rules, whether the proposed alteration is entirely within the Member's manor, on Exclusive Use Common Area, or on Common Area.

The proposed alterations comply with Community Standards.

2. Neighbor Awareness Forms, required to be submitted from affected neighbors prior to approval. If the Mutual determines the proposed alteration will cause an unreasonable burden to other Manor residents, then the Application for Manor Alterations(s) should be rejected.

Neighbor Awareness were mailed to 6 of the surrounding manors prior to Committee Meeting). The Board shall make the determination regarding an unreasonable burden.

3. Determine Whether the Area of the Proposed Alteration is Located in Common Area or Exclusive Use Common Area. If the Mutual determines that the proposed alteration will be located entirely on Exclusive Use Common Area, proceed to Step 5, Recordable Agreement Requirement.

The proposed room addition would be installed on a previously-approved rear patio extension and would be located on Exclusive Use Common Area and partially on Common Area. The bedroom extension would be located entirely on Common Area that was previously approved for a rear patio extension.

4. If a proposed alteration is to be located entirely or partially on or over Common Area, the Mutual should first determine if allowing the alteration would relieve the Mutual of the burden of management and maintenance of an area which is generally inaccessible and not of general use to the other members of Third. [The alteration should relieve management and maintenance burden and not create or increase others]. If the proposed alteration does not meet these conditions, it must be denied. If the application meets this test, proceed to Step 5 below.

The proposed alteration would meet this requirement as it would be partially located on a previously-extended patio with a block wall that is generally inaccessible and not of general use to other members of Third, which relieved the Mutual of burden of management and maintenance of that area.

5. Recordable Agreement Requirement. This agreement, among other things, requires the Member to acknowledge the Alteration shall be Common Area and will not be separately owned by Member, and shall not construed to change or expand the Member's separate interest as documented in the applicable Condominium Plan.

The Member will be required to complete the "Recordable Common Area Agreement" prior to issuance of a Mutual Consent for Manor Alterations

Previous room additions/enclosures on rear patios have been approved at 5516-A in December 2003, 3514-A in December 2013, 3511-C in July 2014, and 3422-C in August 2014

Staff is of the opinion that since the proposed alterations are similar to the existing approved patio enclosure, it would not create a negative visual imbalance to the building or surrounding area.

At the time of preparing this report, Manor 5073 has no open Mutual Consents.

The Member will be required to complete the "Recordable Common Area Agreement" prior to issuance of a Mutual permit.

Prepared By: Gavin Fogg, Manor Alterations Inspector

Reviewed By: Brett Crane, Manor Alterations Supervisor
Kurt Wiemann, Permits, Inspections & Restoration Manager

ATTACHMENT(S)

Attachment 1: Variance Request; July 13, 2017

Attachment 2: Mutual Consents for Patio Enclosure and Slab Extension and Common Area Usage Agreement for Slab Extension.

Attachment 3: Manor 5075 Legal letter and Manor 5072 e-mail approval

Attachment 4: Photos and Map



☐ ULWM
☐ TLHM

Variance Request Form

SA107_____

Manor No: 5073	Model:	Plan:	Date: 7-13-2017
----------------	--------	-------	-----------------

Member Name: SYDNEY STEPHAN	[REDACTED]
Applicant Name/Co: SYDNEY STEPHAN	

Description of Proposed Variance Request ONLY:

REMOVE EXISTING SUN ROOM & REPLACE WITH A PERMANENT STRUCTURE.

Dimensions of Proposed Variance Alterations ONLY: 8' x 28' (same as the existing sun room.)

FOR OFFICE USE ONLY

RECEIVED BY: _____ DATE RECEIVED: _____ PAYMENT BY: _____

Alteration Variance Request:	
Check Items Received: ☒ Drawing of Existing Floor Plan ☒ Drawing of Proposed Variance ☒ Dimensions of Proposed Variance ☒ Before and After Pictures ☐ Other: _____	Meetings Scheduled Third AC&S Committee (TACSC): 9/7/17 United M&C Committee: _____ Board Meeting: 9/19/17. ☐ Denied ☐ Approved ☐ _____ ☐ _____

Proposed Alternation- 5073 Avenida Del Sol

Remove the "sun room" structure and replace it with a permanent structure. The new foundation will not be any larger than the outside dimensions of the permitted sun room.

The flat roof will allow the neighbors a view from their home similar to what exists with the current "sun room". The existing concrete slabs outside the "sun room", which were permitted, will remain.

Bedroom #3 will be extended 7 feet using the patio slab which was permitted. The outside of the new foundation will not be larger than the space permitted for the patio. The existing concrete slab outside the bedroom addition will remain.

No common area will be used.

Abbreviations

[illegible]

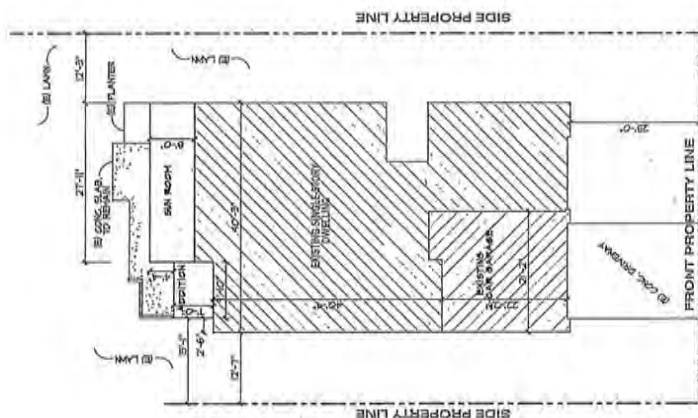
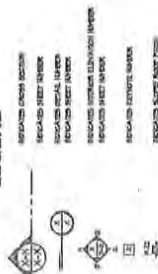
EMERGENCY ESCAPE NOTES

- SAFETY: EXCEPT FOR ONLY FOR MECHANICAL EQUIPMENT AND NOT OVER 20 SQUARE FEET IN FLOOR AREA, PASSTHROUGHES AND EVERY SLEEPING ROOM SHALL HAVE AT LEAST ONE OPERABLE EXITS OR ESCAPE AND RESCUE OPENING.



LEGEND

NOTE: ALL MATERIALS, COLORS, TEXTURES, AND PATTERNS, SHALL MATCH EXISTING.



SITE PLAN



॥

AVENIDA DEL SOL

LEGAL DESCRIPTION:

TRACTS		SITE ADDRESS:
LIN#		3079 AVENIDA DEL SOL
APN#		CALIFORNIA MOVERS CA 90801
CITY	CHANDLER	PHONO MAIL BOX #60
COUNTY	LAKEVIEW	
STATE	CA 90801	

BUILDING SUMMARY:

2-CAR GARAGE	481 SQ. FT.
2ND BUS ROOM	220 SQ. FT.
2ND LIVING AREA	2,195 SQ. FT.
2ND ACROSS	64 SQ. FT.
2ND LIVING AREA	2,341 SQ. FT.
2ND ROOMS	2,306 SQ. FT.

BUILDING ANALYSIS:

[illegible]

SCOPE OF WORK:

- RENOVATE BUN ROOM (200 SQ. FT.) TO PARTIALLY ADDED.
- ADD 14 SQ. FT. TO EXISTING BROOM RM
- ADD BROOM ON DRINK ROOM REAR WALL

SHEET INDEX

TITLE	_____	DATE	_____
OWNER STREET & STATE PLANS	_____	C-1	_____
EXISTING FLOOR PLANS	_____	A-0	_____
PROPOSED FLOOR PLANS	_____	A-1	_____
ROOF PLAN & EXISTING ELEVATIONS	_____	A-2	_____

VICINITY MAP 101.5



PROJECT: SUNROOM RENOVATION

OWNER: SYDNEY STEPHAN
5075 AVENIDA DEL SOL
LAGUNA WOODS, CA

MIBGA
DRAFTING INC.

NOTICE:

...the ... of ...

07/24/17
 12/15/17
 1707-STE
 COVER SHEET
 SITE PLAN
 C-1

OWNER	M.B.L.
DATE	07/12/17
SPR	1/4" x 1/2" O"
JOB NO.	1707-STE
WALL	ROOF FLAT EXTERIOR ELEV.
SHEET	A-2

△ △

PROJECT: SUNROOM RENOVATION

OWNER:
SYDNEY STEPHAN
5075 AVENIDA DEL SOL,
LAJUNA WOODS, CA

MIBGA
DRAFTING INC.



NOTICE:

CONCLUSION

MILL
DATE 07/12/20
SHEET 1/4
JOB NO. NOT-SET
EXISTING FLOOR PLAN
A-C

SQUARE FOOTAGE	
12 CAR GARAGE	400 SQ. FT.
20 BILL ROOM	200 SQ. FT.
10 ME. RESTROOM	200 SQ. FT.
20 LIVING AREA	2,000 SQ. FT.
10 LIVING AREA	2,275 SQ. FT.

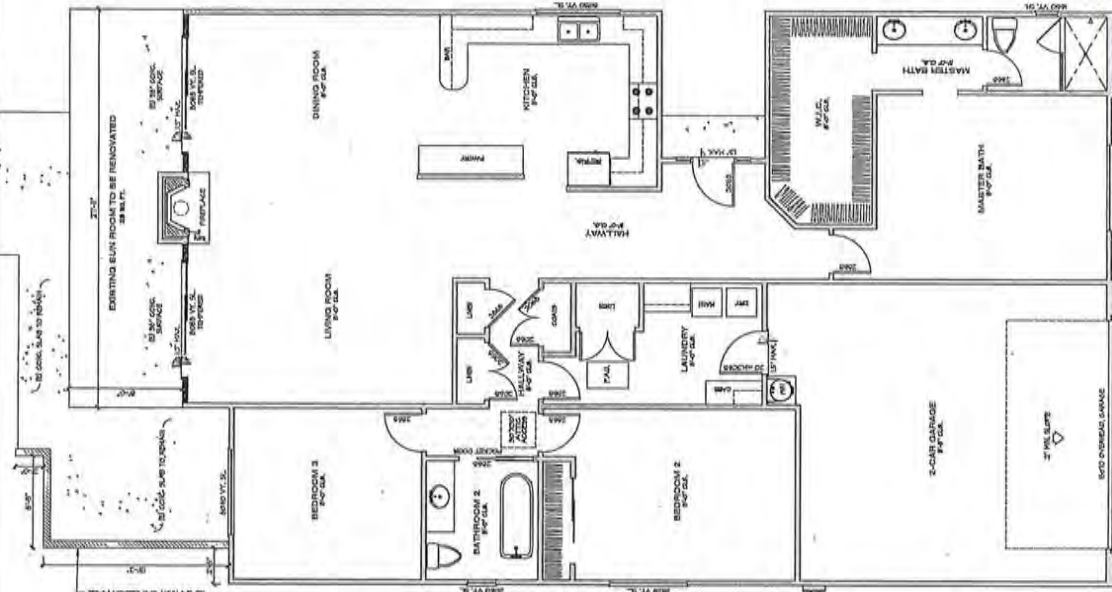


EXISTING FLOOR PLAN

WALL LEGEND

WALL LEGEND

CLAYTON H. H.









Professional
Community
Management, Inc., AGENT
Leisure World, Laguna Woods

RECEIVED

JUN 19 2003

PLANNING & ENGINEERING

MANOR # 5073
STREET AVE DEL SOL
PERMIT # 031052
FINAL INSP. 10/6/03
Q.A.

APPLICATION FOR ALTERATION PERMIT

(Please print clearly with black ink or type all information)

THE MEMBER, WHOSE SIGNATURE APPEARS BELOW, HEREBY ACKNOWLEDGES THAT THE REPAIR, REMOVAL AND/OR MAINTENANCE OF THE SPECIFIED ALTERATION(S) OR IMPROVEMENT(S) IS THE MEMBER'S RESPONSIBILITY. I HEREBY FURTHER EXPRESSLY ACKNOWLEDGE AND AGREE THAT IT IS THE RESIDENT'S RESPONSIBILITY TO BEAR ALL RISKS IN CONNECTION WITH THE SPECIFIED ALTERATION(S) OR IMPROVEMENT(S), INCLUDING, BUT NOT LIMITED TO, THE COSTS OF REMOVING, ALTERING OR REPLACING THE SAME AS MAY BE NECESSARY OR APPROPRIATE TO ALLOW THE CORPORATION BUSINESS. IT IS INTENDED THAT THIS PROVISION BE BROADLY CONSTRUED TO EFFECTUATE THE PARTY'S INTENT THAT THE INDIVIDUAL RESIDENT BEAR ALL COSTS IN CONNECTION WITH THE SPECIFIED ALTERATION(S) OR IMPROVEMENT(S). I UNDERSTAND AND AGREE TO THESE CONDITIONS.

The undersigned, a member of UNITED THIRD Laguna Hills Mutual, a California nonprofit corporation (hereinafter referred to as the "Corporation"), hereby requests permission of the Corporation to make the alteration described below to dwelling unit No. 5073. Said alteration (hereinafter sometimes referred to as the "work") shall be performed subject to the terms and conditions printed on the reverse side hereof, which terms and conditions set out the responsibilities of the member and the below named contractor, if a contractor is to perform said alteration, and which are incorporated herein and made a part hereof.

PROPOSED ALTERATION (please check all that apply)

City # 7273-D

- | | | |
|--|---|---|
| ☐ Antenna, AMATEUR RADIO | ☐ Flagpole | ☐ Solatube |
| ☐ Atrium, ENCLOSURE | ☒ Garden Room | ☐ Slab Revision |
| ☐ Bathroom, REMODEL | ☐ Gate | ☐ Solarium |
| ☐ Block Wall | ☐ Gutters/Downspout | ☐ Soft Water Unit |
| ☐ Condensation Panel | ☐ HVAC - O FAN - O A/C - O VENT | ☐ Solar Unit |
| ☐ Dishwasher | ☐ Modesty Paneling | ☐ Storage Cabinet(s) |
| ☐ Fences, WROUGHT IRON | ☐ Patio/Balcony/Atrium Cover, ALUMINUM | ☐ Wall Attachment(s), EXTERIOR |
| ☐ Door, EXTERIOR | ☐ Patio/Balcony/Atrium Cover, WOOD LATTICE | ☐ Washer/Dryer |
| ☐ Door, GARAGE | ☐ Patio/Balcony/Atrium Cover, WOOD SOLID | ☐ Water Heater, HEAT PUMP |
| ☐ Door, SCREEN | ☐ Room Addition | ☐ Water Heater, RELOCATION |
| ☐ Floor Coverings, EXTERIOR | ☐ Shades, ROLL UP | ☐ Window |
| ☐ Fireplace | ☐ Skylight(s) | ☐ Windbreak/Windscreen, GLASS |

LOCATION/OTHER: GARDEN ROOM

☒ PER MUTUAL APPROVED STANDARD SPECIFICATIONS AND STANDARD PLAN(S): # _____

☐ PER MUTUAL APPROVED VARIANCE RESOLUTION NO. _____

☐ VALUATION \$ 12,600

NOTE: THE CEILING, FLOORS AND POSSIBLY OTHER AREAS OF THE MANOR MAY CONTAIN A MINUTE AMOUNT OF ASBESTOS THAT IS BASICALLY INERT AND HARMLESS. IT IS NOT DISTURBED. HOWEVER, YOU ARE CAUTIONED TO TAKE ALL REASONABLE AND PRUDENT MEASURES TO PROTECT YOURSELF. SHOULD YOU DISTURB OR PENETRATE ANY AREAS OF THE INTERNAL ENVELOPE OF THE MANOR, THE RESIDENT AND/OR HIS CONTRACTOR SHALL BE ABIDE BY ALL FEDERAL, STATE AND LOCAL REGULATIONS RELATING TO ASBESTOS REMOVAL.

MEMBER (SIGNATURE REQUIRED) THOMAS A. NAGY

DATE 06/19/03

THE UNDERSIGNED IS A CONTRACTOR LICENSED PURSUANT TO THE LAWS OF THE STATE OF CALIFORNIA AND HEREBY AGREES TO PERFORM THE ABOVE DESCRIBED WORK SUBJECT TO THE TERMS AND CONDITIONS PRINTED ON THE REVERSE SIDE HEREBY WHICH ARE INCORPORATED HEREIN AND MAKE A PART HEREOF. IN ADDITION, THE UNDERSIGNED CONTRACTOR HAS RECEIVED, READ, UNDERSTANDS AND AGREES TO FOLLOW AND ADHERE TO ALL CURRENT MUTUAL STANDARDS REGARDING THIS ALTERATION.

CONTRACTOR (SIGNATURE REQUIRED) Leif Nylund

DATE 6-19-03

PLEASE MAKE CHECK PAYABLE TO: GRF

Agenda Item # 12
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ALTERATION PERMIT (OFFICE USE ONLY)

The foregoing application is hereby approved and said member is hereby granted permission to make the above described alteration.

PCM, INC., AGENT

MANOR MODEL NAME VILLA PARAISA

PERMIT FEE \$304

ALTERATION CODE(S) Gard Rm

DATE 6/20/03

Third Laguna Hills Mutual

September 22, 2008

Mrs. Lynne Dvorak
5073 Avenida Del Sol
Laguna Woods, CA 92637

Dear Mrs. Dvorak:

Your variance request to install two new patio slabs at the rear of your manor was considered at the September 16, 2008 Regular Meeting of the Third Laguna Hills Mutual Board of Directors.

Please be advised that the Board of Directors approved your request with the following contingencies:

1. Mutual Member/s at 5073 must sign and submit to Third Laguna Hills Mutual, c/o PCM, Inc., Attention Pamela Bashline, Community Services Manager, the "Recordable Common Area Agreement" for the subject expansion utilizing Common Area.
2. All future costs associated with the alteration are the responsibility of the Mutual member(s) at 5073.
3. All landscape, irrigation, and drainage modifications associated with the alteration are to be completed by the Landscape Division at the expense of the Mutual member(s) at 5073.
4. Installation of the patio slabs and walkway must comply with Mutual Standard Section 21 - Patio Slabs, and the block wall with Mutual Standard Section 6-Block Walls.
5. A Neighbor Awareness Form signed by the owner(s) of Manor 5072 indicating their awareness of the proposed alterations is required.

The Permits and Inspections Department has been advised of the Board's decision and can be reached at (949) 597-4616, should you require further assistance.

FOR THE BOARD OF DIRECTORS

Patty Fox
Assistant Secretary,
Third Laguna Hills Mutual

Cc: Debbie Sucamele, Permits & Inspections Department

Agenda Item # 12
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Third Laguna Hills Mutual

VARIANCE REQUEST REPORT

DATE: September 8, 2008

FOR: Third Laguna Hills Mutual
Board of Directors

SUBJECT: New Rear Patio Slabs at 5073

SUMMARY / RECOMMENDATION

Mrs. Lynne Dvorak of 5073 Avenida Del Sol, a Villa Paraisa style manor, requests approval of a variance to install two new patio slabs at the rear of her manor (Exhibit A). Staff recommends that the Board approve the request with contingencies.

BACKGROUND

Mrs. Dvorak submitted a request for approval to install two new patio slabs at the rear of her manor. The proposed alterations are to enlarge the existing stoop outside of the existing sunroom, install a new patio slab with low block wall outside Bedroom Two, and a walkway to connect the two.

The existing sunroom stoop would be removed and a new 10'-0" X 6'-0" concrete slab installed. A new 9'-4" X 12'-0" concrete slab with a 2'-0" high stucco-covered block wall with concrete cap would be installed next to the sunroom, outside Bedroom Two. A new 10'-8" X 3'-0" concrete walkway would join the two new patio slabs.

The approximately 50 square foot remaining patch of grass between the Bedroom Two patio and Manor 5072 would be converted into a planter. The existing planter and grassy area next to the 10'-0" X 6'-0" slab would be extended to create a larger planter.

Mrs. Dvorak submitted a conceptual plan of the proposed alterations and their locations.

ANALYSIS

The subject alteration is located at the rear of the manor, and would be visible to neighboring Manors 5072, and 5075. Staff has requested and received a Neighbor Awareness Form from Manor 5075 and a Certified Mail Receipt from the USPS for Manor 5072. Records show that Manor 5072 is owned and occupied by a Trustee; however, the property appears to be vacant.

A sunroom installed under Mutual permit in 2003 resides over the existing rear patio slab original to the manor. Approximately six sprinkler heads would need to be relocated to facilitate the expansion. The proposed patio slabs and walkway would incorporate approximately 200 square feet of Mutual Common Area.

A previous rear patio extension at Villa Paraisa style manor has been approved by the Board for Manor 5268 in April 2007.

Staff is of the opinion that the proposed new patio slabs, low block wall and walkway at Manor 5073 would not negatively affect the manor or surrounding area.

The Condominium Plan for 5073 designates the location of the patio slabs and walkway as Common Area.

Current legal opinion, and the "Decision Tree", was developed by legal counsel to be used as a tool in the decision-making process when reviewing applications for alterations. Pursuant to the Decision Tree, certain criteria must be considered:

- The proposed alteration meets the requirement that the alteration complies with all architectural and building guidelines within the community, whether the proposed alteration is entirely on the Member's own property, on Exclusive Use Common Area, or on Common Area.
- The proposed alteration will be located on Exclusive Use Common Area and partially on Common Area.
- Because the proposed alteration will be located partially on Common Area, the Board must determine whether such Common Area is *generally inaccessible* and is *not of general use* to the other members of Third Mutual, or is only accessible to and of use by the applicant. Because of the location of the back of the manor being open onto Common Area that doesn't allow for pedestrian traffic due to lack of a sidewalk and topography, Staff is of the opinion that the location of the proposed alteration is generally inaccessible and is not of general use to other members.
- Because the proposed alteration is over an area that is technically Common Area, then a prerequisite to approval is to transfer the burden of management and maintenance by having the applicant execute an Agreement Confirming Continuing Tenant In Common Ownership of Common Areas, hereafter referred to as a "Recordable Common Area Agreement", which also establishes that only exclusive use is being granted. The title is and shall continue to be held by all Members of the Mutual, and not now nor shall there ever be any transfer of title to any portion of such Common Area.
- Because of the location of the existing extended patio, and the location of the patios of surrounding manors, the proposed installation would not prevent a Member of a neighboring manor from also performing such an alteration.

The Board should determine that at least three of the following objective factors are present prior to approving any alteration that will include an enclosure, or otherwise encroach into the third dimension of the Common Area.

- 1) The alteration is constructed behind an already existing block wall at least five feet in height.
- 2) The alteration does not obstruct a neighboring manor's view.
- 3) The alteration is consistent with the architectural aesthetics and integrity of the Community.
- 4) The encroachment into the third dimension does not impede ingress or egress of other members onto adjacent Common Area or impede Community maintenance Staff from going into or across the Common Area.
- 5) The proposed area of alteration can only be reasonably accessed through or benefit the subject manor.

The subject extension meets criteria numbers 2, 3, 4, and 5.

Staff recommends that the Board approve the request to install two rear patio slabs, block wall and walkway at Manor 5073, with the following contingencies:

1. Mutual Member/s at 5073 must sign and submit to Third Laguna Hills Mutual, c/o PCM, Inc., Attention Pamela Bashline, Community Services Manager, the "Recordable Common Area Agreement" for the subject expansion utilizing Common Area.
2. All future costs associated with the alteration are the responsibility of the Mutual member(s) at 5073.
3. All landscape, irrigation, and drainage modifications associated with the alteration are to be completed by the Landscape Division at the expense of the Mutual member(s) at 5073.
4. Installation of the patio slabs and walkway must comply with Mutual Standard Section 21 - Patio Slabs, and the block wall with Mutual Standard Section 6-Block Walls.
5. A Neighbor Awareness Form signed by the owner(s) of Manor 5072 indicating their awareness of the proposed alterations is required.

Prepared By: Rodd Whiston, Alterations Inspector *rw*

Reviewed By: Art Hernandez, Alterations Inspector *A.H.*
Wendy Panizza, Property Services Manager *WP*

Lynne C. Dvorak
John P. Flower
5073 Avenida Del Sol
Laguna Woods, CA 92637
[REDACTED]

July 29, 2008

Laguna Woods Village
Third Laguna Hills Mutual

RE: Variance request

Attached are the proposed plans for new hardscape and landscaping to the rear of our manor.

The total square footage of the proposed hardscape is 200SF. This will include a 10' wide x 6' deep cement slab directly outside our rear sunroom door and a 9' 4" wide x 12' deep cement slab to the left of the sunroom. The patio slabs will be connected by a 3' wide walkway. The patio to the left of the sunroom will be bordered on the left front by a 2' high x 5.5" wide cinder block wall which will be stuccoed to match the building and topped with a pre-cast concrete cap.

We will remove all of the current grass and planting in front of and to the left of the new concrete (except as seen on the drawings). The planter to the right of the 10 x 6 slab will be enlarged, doubling the current depth to 6'.

All necessary irrigation work and new planting will be done by the Third Mutual gardeners at our expense.

Cordially,

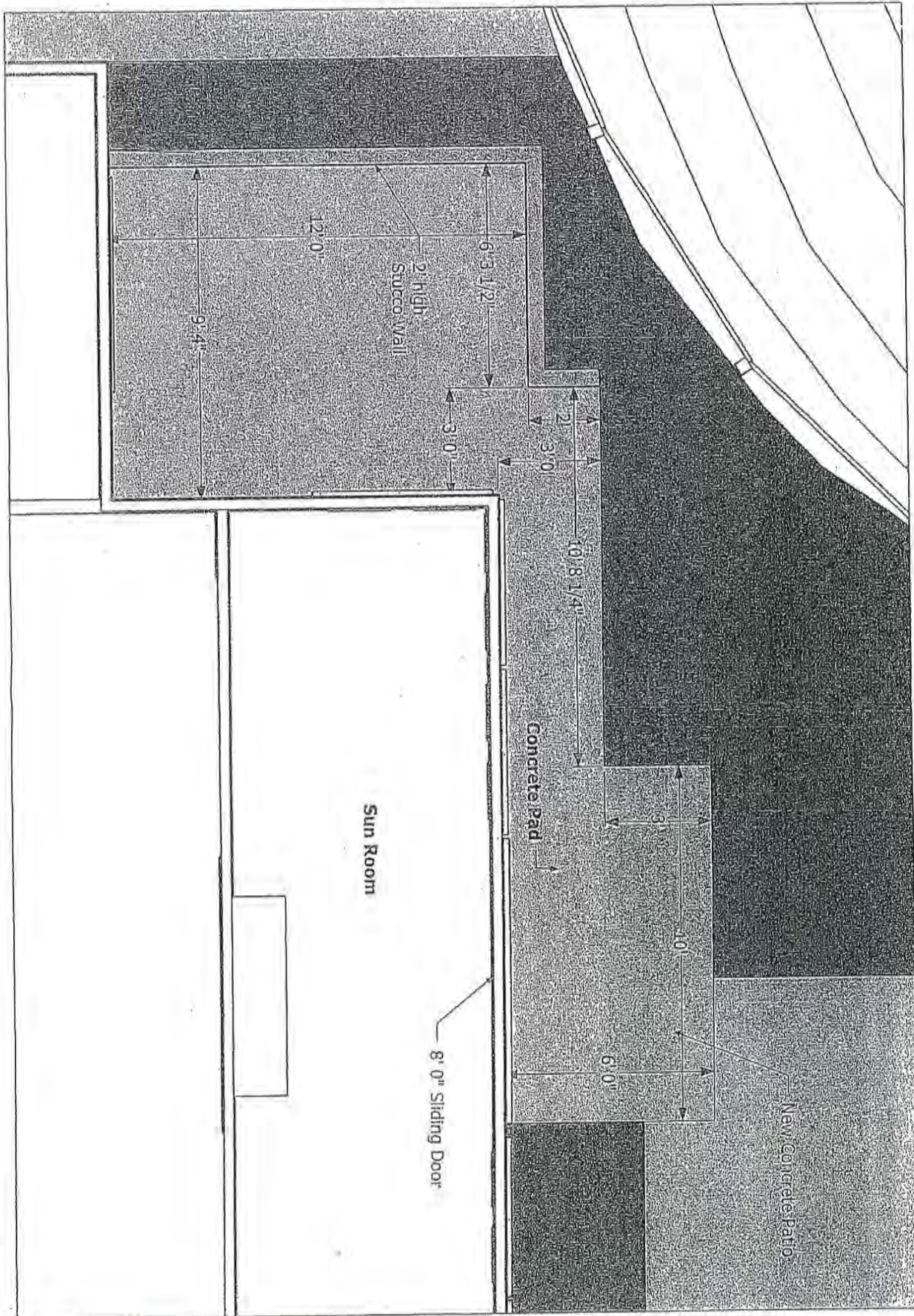

Lynne C. Dvorak

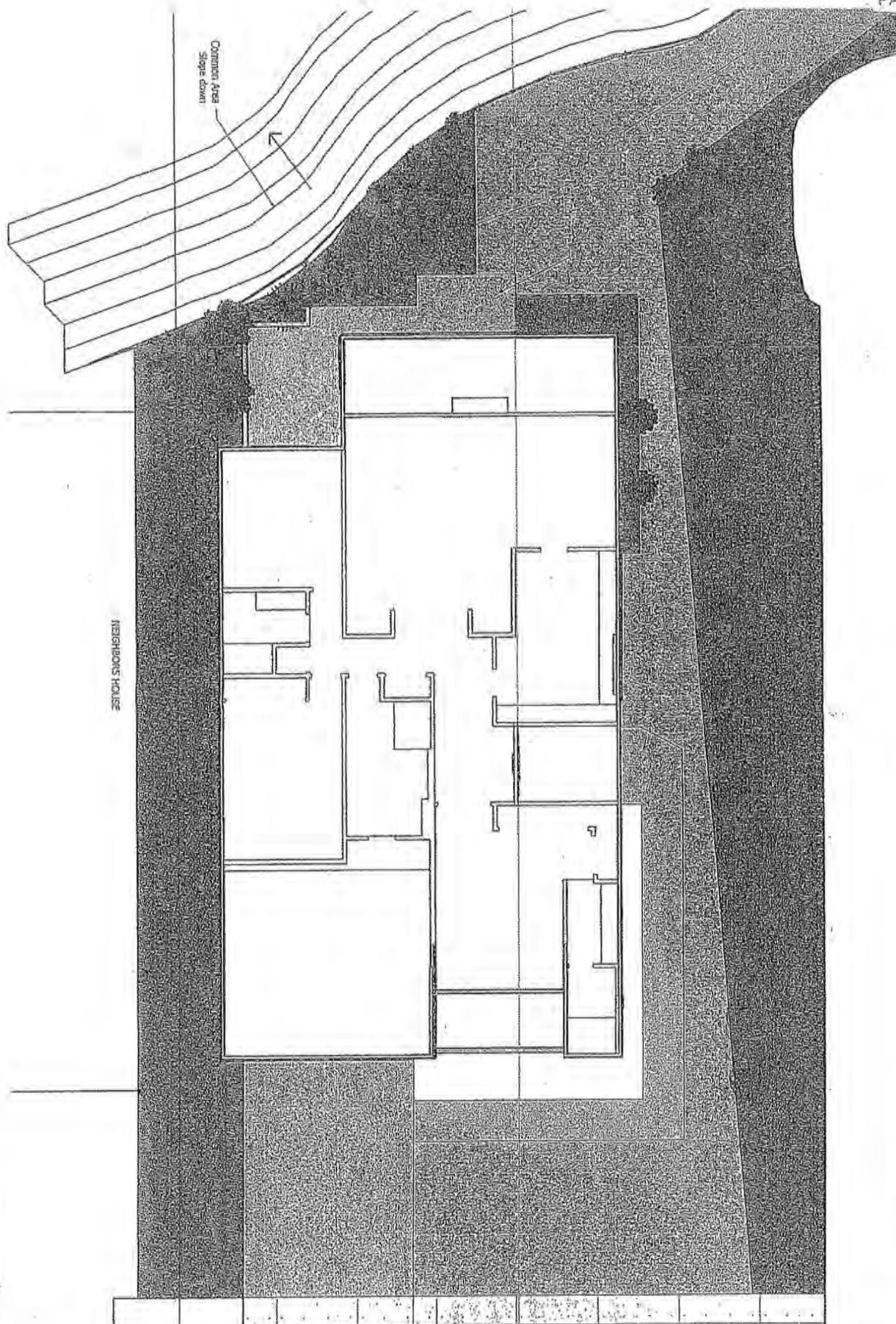
John P. Flower

RECEIVED

JUL 29 2008

PERMITS DEPARTMENT



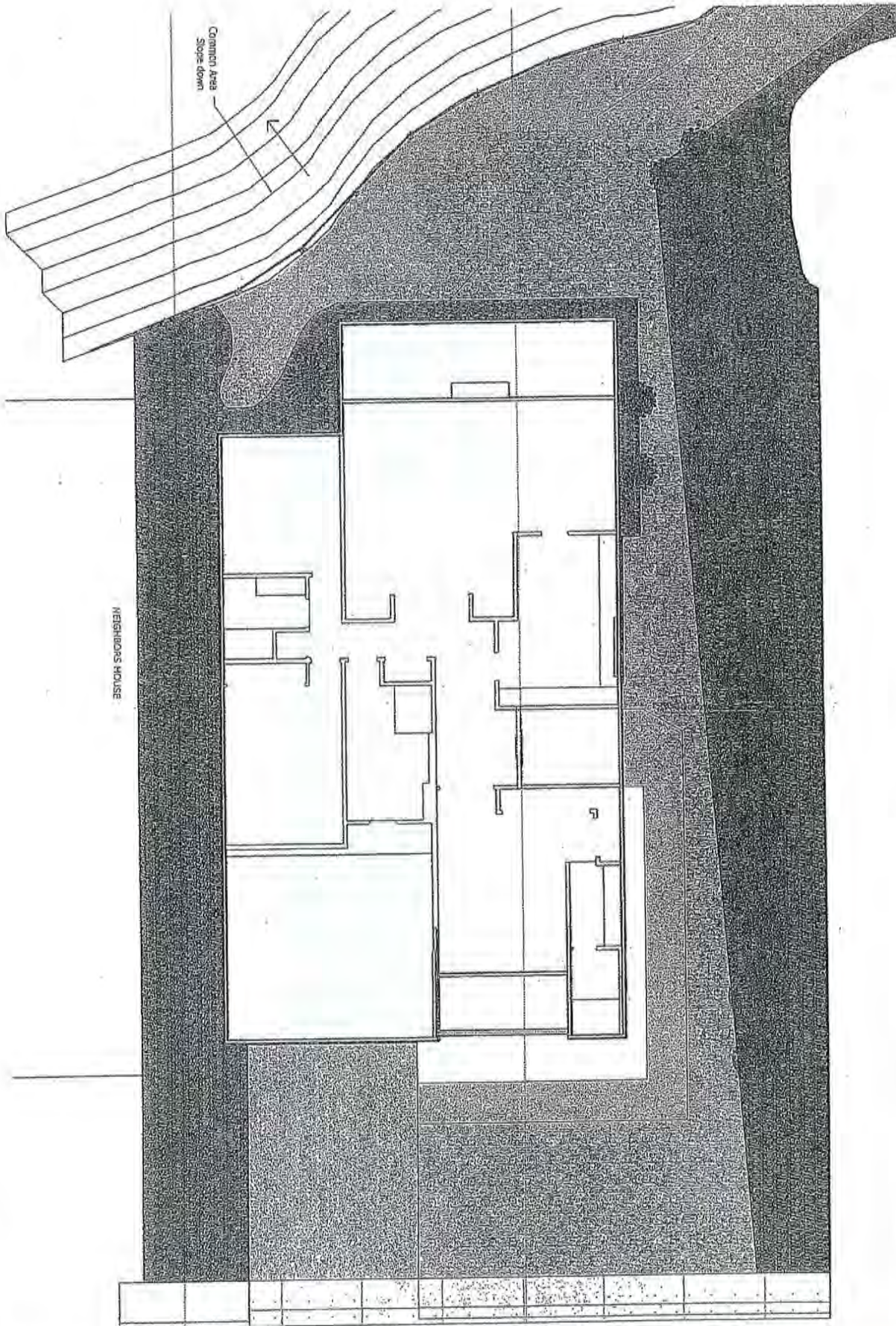


PROPOSED

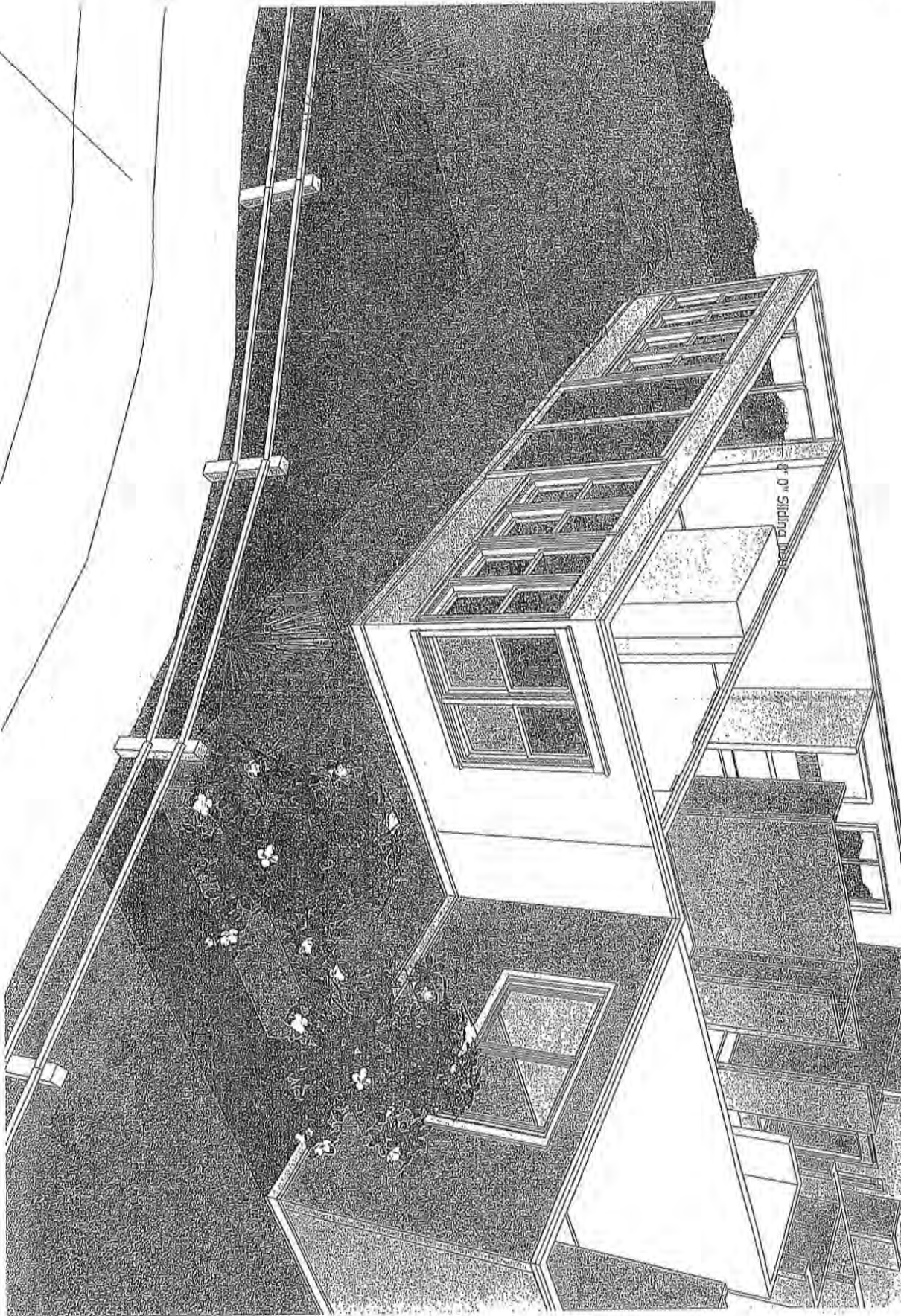
Agenda Item # 12
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Lynne Dvorak / John Flower Property
949-295-3990

5073 Avenida Del Sol, Laguna Woods, Ca



EXISTING



PROPOSED

Agenda Item #1.
Page 25 of 72

Lynne Dvorak / John Flower Property
949-295-3990

5073 Avenida Del Sol, Laguna Woods, Ca

THIRD LAGUNA HILLS MUTUAL

NEIGHBOR AWARENESS FORM

Requestor: The intent of this notification is to advise your neighbors who own property within close proximity of your manor who may be affected by your proposed alteration(s) by requiring their signatures below. The neighbor's signature indicates their awareness of the application. No application will be considered without this evidence that your neighbor(s) have been made aware of the proposed alteration(s).

Neighbor(s): You are hereby notified that the Member at neighboring manor # 5073 has filed an application for an alteration permit to construct or install the following:

REAR PATIO EXTENSIONS & WALKWAY

The Permits and Inspections office, pursuant to policies established by the Third Laguna Hills Mutual, has determined that the above alteration(s) may affect your manor. You are requested to review the proposed manor modification and sign this form in the space provided below to show that you have been made aware of the proposed alteration. Plans for the proposed alteration(s) are available for viewing at the Permits and Inspections office in the Laguna Wood Village Community Center.

You have a right to address the Third Laguna Hills Mutual Maintenance and Construction Committee regarding the proposed alteration(s) if you so desire. Please telephone the Permits and Inspections office at 949-597-4616 for Committee meeting dates, time, and location.

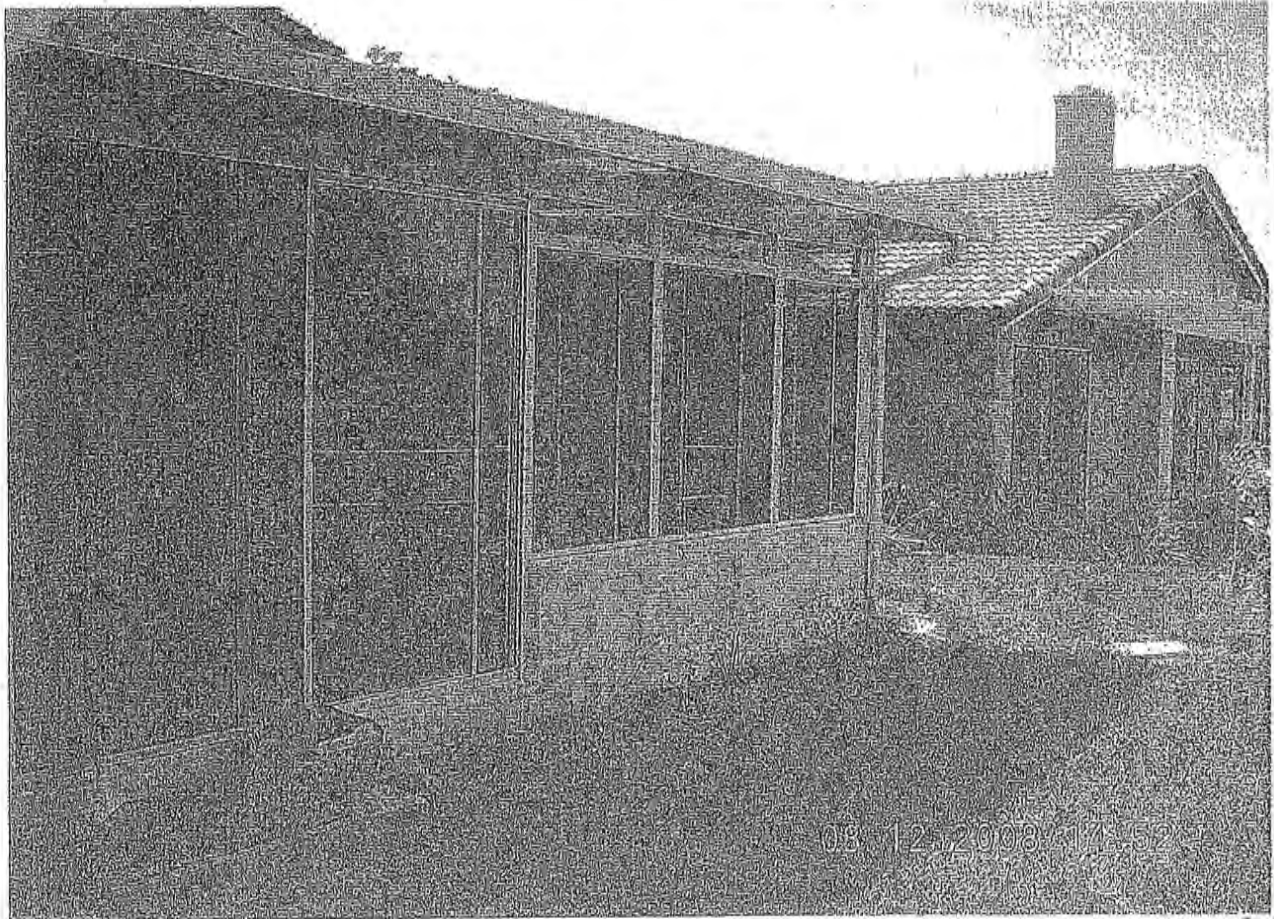
Name (Signature) George Natenier 5075 18/13/08
Date

Comments:

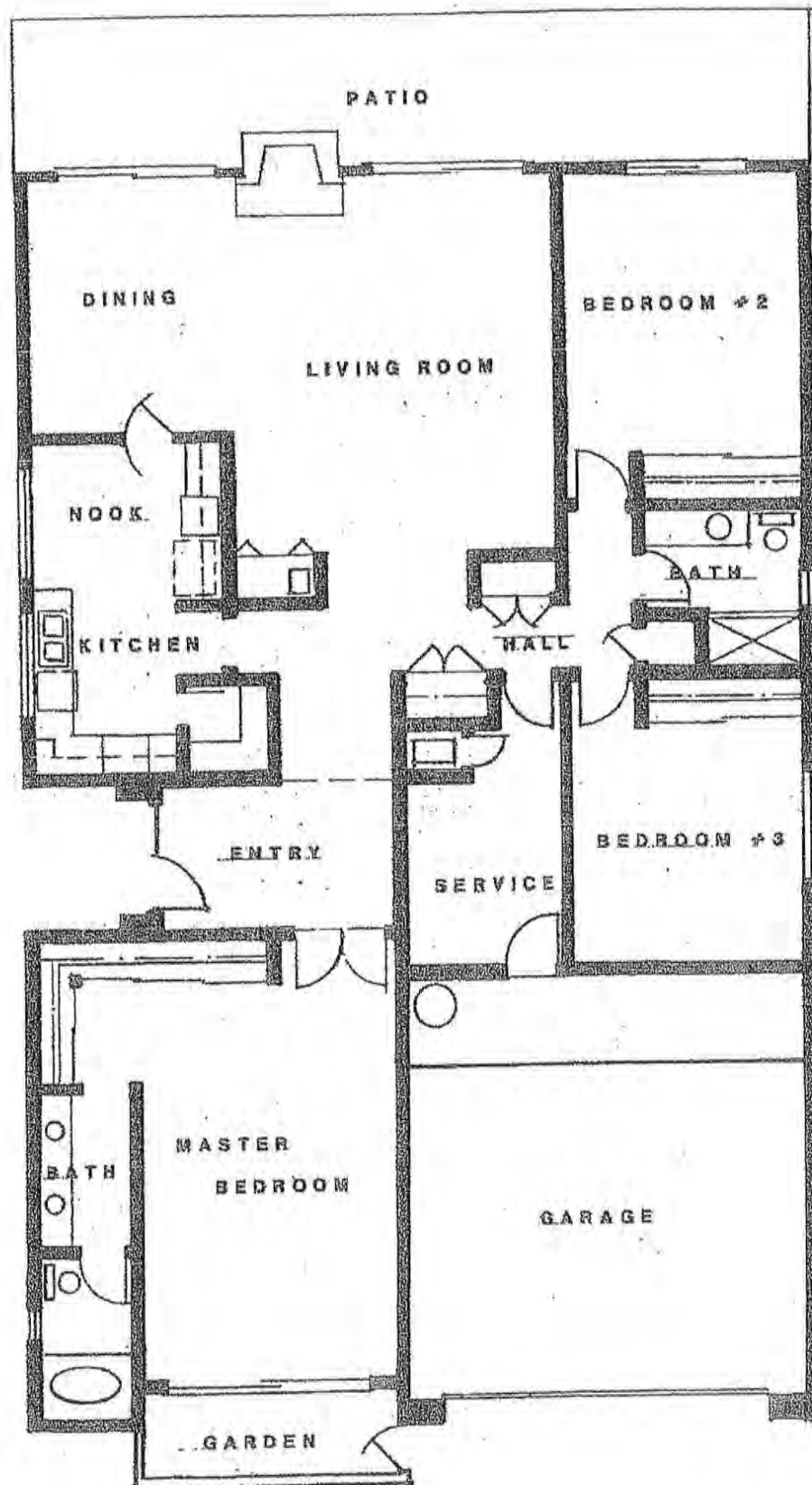
7008 0150 0001 5309 7640

U.S. Postal Service		
CERTIFIED MAIL RECEIPT		
(Domestic Mail Only. No Insurance Coverage Provided)		
For delivery information visit our website at www.usps.com		
LAGUNA 94005-CA 92637		
OFFICIAL USE		
Postage	\$ 40.42	0402
Certified Fee	\$ 2.70	02
Return Receipt Fee (Endorsement Required)	\$ 2.20	
Restricted Delivery Fee (Endorsement Required)	\$ 0.00	
Total Postage & Fees	\$ 45.32	
Sent To: GEORGE NATENIER		
Street, Apt. No., or PO Box No. 5075 AVE DEL SOL		
City, State, ZIP+4 LAGUNA HILLS CA 92653		

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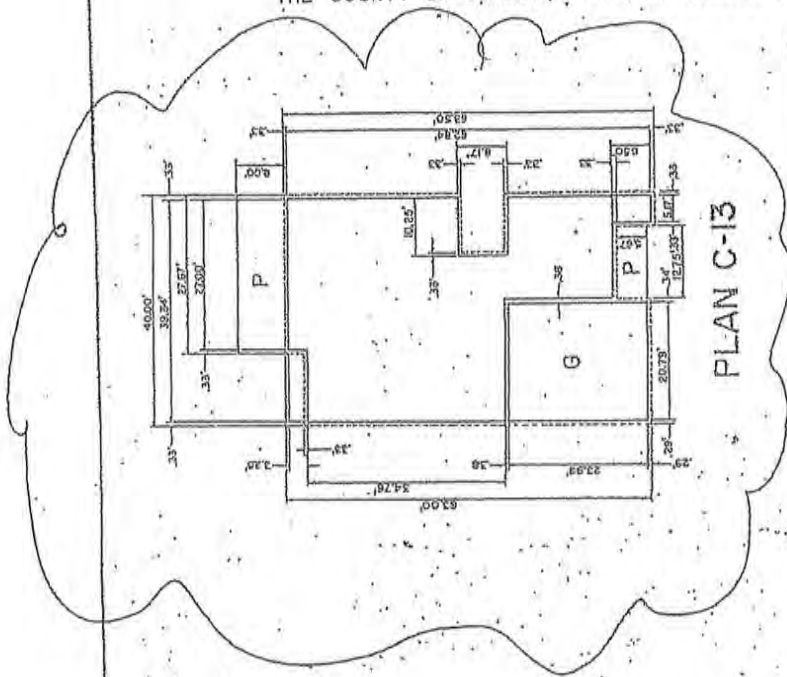


VILLA PARAISA(C13 villa's)

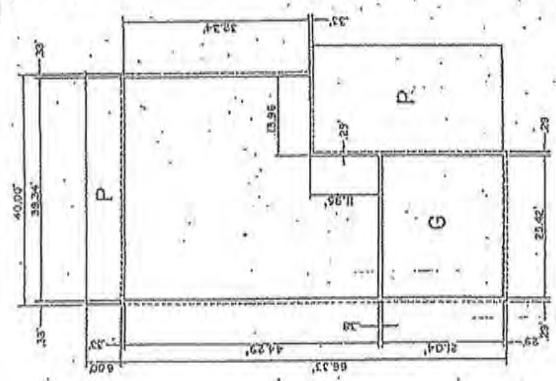
CONDOMINIUM PLAN FOR LOTS 1 THRU 6 OF
TRACT NO. 7388
 IN UNINCORPORATED TERRITORY OF
 THE COUNTY OF ORANGE, STATE OF CALIFORNIA

SHEET 19 OF 24

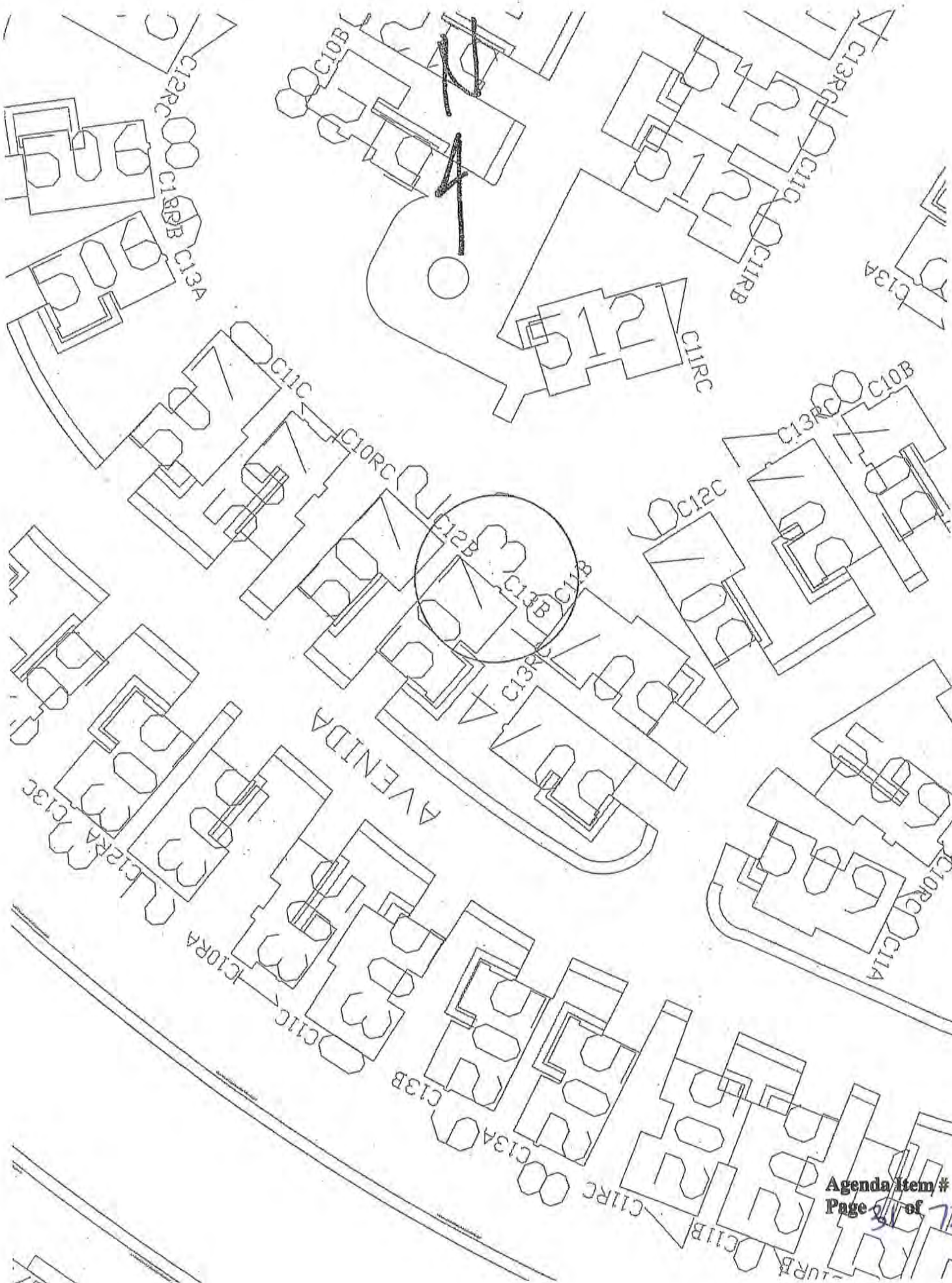
BLK 10530 PLOT 885



TYPICAL FOR Bldgs. R5002, R5007, 5013, R5014, 5018, R5019, R5023, 5028, 5029, 5033, 5039, R5040, R5044, 5045, 5049, 5054, R5061, R5064, R5066, 5069, 5073, R5074, R5077, 5081, R5086, R5094, R5097, 5098, R5100, 5101, R5106, R5107, 5109, 5115, R5124, R5130, 5139, 5144, 5145, 5150, 5152, R5158, 5159, 5165, 5166, R5168.



TYPICAL FOR Bldgs. R5001, 5003, 5006, 5008, R5012, 5016, R5017, R5022, 5024, R5032, R5036, R5039, 5042, 5048, 5051, R5057, R5060, R5062, R5063, R5067, 5072, R5076, 5079, R5080, R5082, R5084, 5085, R5087, R5089, 5090, R5093, 5102, R5104, 5108, 5110, R5111, 5121, R5122, 5129, R5140, 5146, R5147, 5148, R5149, R5151, R5154, R5156, 5157, 5162, R5163, 5164.



LAGUNA WOODS VILLAGE - APPLICATION FOR ALTERATION PERMIT

The undersigned, a member of United Third/Fifty Laguna Hills Mutual, a California nonprofit corporation (hereinafter referred to as the "Corporation") hereby requests permission of the Corporation to make the alteration described below to dwelling No. 5073. Said alteration (hereinafter sometimes referred to as the "work") shall be performed subject to the terms and conditions printed on the reverse side hereof, which terms and conditions set out the responsibilities of the member and the below named contractor, if a contractor is to perform said alteration, and which is incorporated herein and made a part hereof.

Manor # 5073
Street AVE DEL SOL
Permit # 081391
Final Insp. 1-15-09

Proposed Alteration (please check all that apply)

City # 20976-D

- | | | |
|---|---|--|
| ☐ Antenna, Amateur Radio | ☐ Garden Room, Solarium | ☐ Skylight(s) |
| ☐ Atrium, Enclosure | ☐ Gate | ☐ Solatube(s) |
| ☐ Awnings | ☐ Gutters/Downspout | ☐ Slab Revision |
| ☐ Bathroom, Remodel | ☐ HVAC ☐ FAU ☐ A/C Vent ☐ Heat Pump | ☐ Soft Water Unit |
| ☐ Block Wall | ☐ Modesty Paneling | ☐ Storage Cabinet(s) |
| ☐ Dishwasher | ☐ Patio/Balcony/Atrium Cover, Aluminum | ☐ Stepping Stones |
| ☐ Enclosures: Patio, Balcony | ☐ Patio/Balcony/Atrium Cover, Wood Lattice | ☐ Wall Attachment(s), Interior |
| ☐ Fences, Wrought Iron | ☐ Patio/Balcony/Atrium Cover, Wood | ☐ Wall Attachment(s), Exterior |
| ☐ Door, Exterior | ☒ Room Addition <u>MASTER BEDRM</u> | ☐ Washer/Dryer |
| ☐ Door, Garage | ☐ Satellite Dish | ☐ Water Heater Relocation |
| ☐ Floor Coverings, Exterior | ☐ Shades, Roll Up | ☒ Window: Retrofit/ New Construction |
| ☐ Fireplace | | ☐ Windbreak/ Windscreen, Glass |

RECEIVED
AUG 04 2008
PERMITS DEPARTMENT

Location/Other: INSTALL 2 NEW PATIO SLABS AT REAR OF MANOR

1. Move MR Bedroom wall to incorporate atrium, 2. Replace 1 bit-then window with glass block, 3. Add gable vent front & back

☒ Per Mutual approved standard specifications and standard plan(s) #

☒ Per Mutual approved variance resolution No. SEE ATTACHED Valuation \$ 5000.00

MEMBER: IMPORTANT, PLEASE READ CAREFULLY

1. The Mutual's Alteration Permit process requires that the Mutual Member receive a copy of the Mutual Standard to which the requested permit applies, where applicable. To ensure compliance, the Member's signature indicating receipt of the Standard is necessary, and a permit will not be issued without this required signature.

2. I understand that I will be in non-conformance if my contractor and/or I do not conform to Mutual Standards, and that I may be subject to Member Disciplinary Procedures, including the possibility of a fine in accordance with the Schedule of Monetary Penalties.

3. I understand and agree that I am responsible for all risks in connection with the alteration(s) or improvement(s) specified above, including, but not limited to, the costs of removing, altering, or replacing the same as may be necessary or appropriate to allow the corporation business.

4. I understand and agree that I am responsible for, and bear all costs in connection with the alteration(s) or improvement(s) specified above.

Lyne C. Dvorak
(Member Signature Required)

8-4-08
Date

CONTRACTOR: IMPORTANT, PLEASE READ CAREFULLY

I have received, read, understand, and agree to follow and conform to all current Mutual standards regarding this alteration. In addition, I am a contractor licensed pursuant

to the laws of the state of California and hereby agree to perform the above described work subject to the terms and conditions printed on the reverse side hereby which are incorporated herein and made a part hereof.

Lyne C. Dvorak
Contractor (Signature Required)

8-4-08
Date

Note: The ceiling, floors and possibly other areas of the manor may contain a minute amount of asbestos that is basically inert and harmless if not disturbed. However, you are cautioned to take all reasonable and prudent measures to protect yourself should you disturb any areas of the internal envelope of the manor. Resident and his/her contractor agree to abide by all Federal, State, and Local regulations relating to asbestos removal.

Please Make Check Payable to: GRF

Office Use Only

The foregoing application is hereby approved and said member is hereby granted permission to make the above described alteration.

John W. White
M, INC., Agent

VILLA PARAISA
Manor Model Name

\$244.00
Permit Fee

Bed Ext, PS, PS, 8/5/08
Alteration Code(s) Date
GLASS BLOCK W/K

RECORDING REQUESTED BY
FIRST AMERICAN TITLE COMPANY
AS AN ACCOMMODATION ONLY

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

Third Laguna Hills Mutual
c/o PCM, Inc.
24351 El Toro Road
Laguna Woods, CA 92637

Attn: Pamela Bashline
Community Services Manager

This Document was electronically recorded by
Lenders Advantage B

Recorded in Official Records, Orange County
Tom Daly, Clerk-Recorder

 24.00

2008000462108 04:30pm 10/02/08

113 92 A12 7

0.00 0.00 0.00 0.00 18.00 0.00 0.00 0.00

SPACE ABOVE THIS LINE FOR RECORDER'S USE

A.P.N. 932-19-013

AGREEMENT CONFIRMING CONTINUING TENANT IN COMMON OWNERSHIP OF COMMON AREAS

This agreement confirming continuing tenant in common ownership of common areas ("Agreement") is made and entered into as of this 23 day of SEPT., 2008, by and between Mrs. Lynne Dvorak ("Members") located at 5073 Avenida Del Sol and Third Laguna Hills Mutual, a California nonprofit mutual benefit corporation ("Mutual") with reference to the following facts and circumstances.

WHEREAS, the Member has requested and the Mutual has approved the Member's request to construct (or is hereby approving construction that has already been performed) an enclosure ("Improvement") located adjacent to the Member's separate interest property at the Mutual (a legal description of which is attached hereto as Exhibit A and incorporated herein by this reference), and part of this Improvement is to be located on, over, across, or enclosing the common areas of the Mutual. This Improvement is described as follows: Two new patio slabs, low block wall, and walkway.
Member's Initials LD

WHEREAS, the Member and Mutual wish to provide through this Agreement for the Member's express acknowledgment that the common areas of the Mutual enclosed by or on which such Improvement is or shall be located nevertheless retain and always shall retain their common area character, and shall not in any fashion be construed to create additional area as the Member's separate interest property, and further for the Member's indemnification of the Mutual and related entities for any and all costs or expenses arising or incurred in any manner related to such Improvement, or its removal if so required by the Mutual.

NOW, THEREFORE, in consideration of the mutual promises contained herein, the parties hereby agree as follows:

1. Common Area Status of Property. Notwithstanding that the Member has been given approval by the Mutual to construct the Improvement (or is hereby obtaining retroactive approval for construction already completed), the Member hereby expressly acknowledges and agrees that such Improvement is being constructed on, over, across, and/or enclosing certain common areas of the Mutual, for which title is and shall continue to be held by all Members of the Mutual as tenants in common, and further that there is not now nor shall there ever be any transfer of title to any portion of such common areas to the Member, despite the Member's construction of the Improvement and/or the Member's exclusive use of the entryway area adjacent to their manor.

2. Removal of Improvement. The Member expressly acknowledges and agrees that the Improvement shall be removed at the Member's sole cost and expense within sixty (60) days after a written request delivered to the Member at the Mutual's discretion if at any time the Mutual finds it necessary or appropriate to have such Improvement removed, and further that the Member shall at his or her sole cost and expense thereupon also return the common areas on or around which the Improvement was constructed to their original condition or reinstall the alteration with the approval of the Mutual.

3. Maintenance/Insurance. So long as the Member and his or her guests, lessees, or related parties are the sole users of any entryway area, adjacent to their manor (whether or not enclosed by an Improvement), the Member agrees to maintain and insure such area at their sole cost and expense in a manner consistent with the Mutual's standards, as reasonably determined by the Mutual.

4. Indemnification. The Member agrees to indemnify and hold harmless the Mutual, Golden Rain Foundation of Laguna Woods and PCM, Inc., and their respective, officers, directors, employees and agents, and each of them (collectively, the "Indemnified Parties"), from and against any and all claims, damages, liabilities or expenses (including, without limitation, settlement costs and legal or other expenses for investigating or defending any action or threatened action) based on, or arising out of the construction, installation, maintenance, repair, existence, or use of the Improvement, whether caused by the Member directly, and/or by the Member's contractors, sub-contractors, guests, lessees or related parties. The Indemnified Parties shall have the right to employ their own counsel in any such case, and the fees and expenses of such counsel shall be borne by the Member.

5. Miscellaneous. This Agreement shall be construed in accordance with and all disputes hereunder shall be governed by the internal laws of the State of California. In the event of any controversy or dispute arising out of this Agreement, the prevailing party or parties shall be entitled to recover from the non-prevailing party or parties, reasonable expenses, including, without limitation, attorneys' fees and costs actually incurred. This Agreement sets forth the entire agreement between the parties hereto, and fully supersedes any and all prior agreements or understandings between the parties hereto pertaining to the subject matter hereof. This Agreement shall be binding upon the heirs, administrators, executors, successors and assigns of each of the parties hereto. This Agreement may be executed in counterparts, each of which shall be deemed an original, but such counterparts together shall constitute but one and the same instrument.

IN WITNESS WHEREOF, this Agreement has been executed as of the date first written above.

THIRD LAGUNA HILLS MUTUAL

By: Cynthia S. Conners

Cynthia Conners, President
Printed Name

Its: President

MEMBER

Lynne C. Dvorak
Signature

LYNNE C. DVORAK
Printed Name

State of California

County of Orange }

On September 23, 2008 before me, C.S. Kendall, Notary Public
Date Name and Title of Officer

Personally appeared

Lynne C. Divorak
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that ~~he~~/she/~~they~~ executed the same in his/~~her~~/their authorized capacity(~~ies~~), and that by his/~~her~~/their signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

C.S. Kendall
Signature of Notary Public



Notary Seal

State of California

County of ORANGE }

On SEPTEMBER 26, 2008 before me, RAE ESPERON, NOTARY PUBLIC
Date Name and Title of Officer

Personally appeared

CYNTHIA S. CONNERS
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Rae Esperon
Signature of Notary Public



Notary Seal

EXHIBIT "A"

Legal description of Member's separate interest property

[See attached]

EXHIBIT "A"

PARCEL 1:

BUILDING NO. 5073 AS SAID UNIT IS SHOWN ON THAT CERTAIN CONDOMINIUM PLAN ATTACHED TO AND MADE A PART OF THAT CERTAIN DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED JANUARY 26, 1973 IN BOOK 10530 PAGE 850 OFFICIAL RECORDS OF ORANGE COUNTY, CALIFORNIA AND A 1/172ND UNDIVIDED INTEREST IN AND TO LOTS 1 TO 6 INCLUSIVE OF TRACT NO. 7388, IN THE CITY OF LAGUNA WOODS, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 308 PAGES 11 TO 14 INCLUSIVE OF MISCELLANEOUS MAPS, RECORDS OF SAID ORANGE COUNTY, SHOWN AND DEFINED AS "COMMON AREA" ON THE ABOVE-REFERRED TO CONDOMINIUM PLAN

EXCEPT THEREFROM ANY PORTION OF LOTS A TO F INCLUSIVE OF SAID TRACT NO. 7388, ADJOINING SAID LOTS

EXCEPT THEREFROM ALL OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES LYING BELOW THE SURFACE OF SAID LAND, BUT WITHOUT THE RIGHT OF SURFACE ENTRY, AS RESERVED OR GRANTED IN DOCUMENTS OF RECORD.

PARCEL 2:

NON-EXCLUSIVE EASEMENTS FOR INGRESS AND EGRESS, PUBLIC UTILITIES, SEWERS AND FOR ALL PURPOSES INCIDENTAL THERETO, INCLUDING BUT NOT LIMITED TO, THE CONSTRUCTION, INSTALLATION, REPLACEMENT, REPAIR, MAINTENANCE, OPERATION AND USE OF ALL NECESSARY OR DESIRABLE ROADWAYS, SIDEWALKS AND CONDUITS OVER THE FOLLOWING DESCRIBED LAND:

PARCEL A:

ALL THE LAND DESCRIBED IN PARCEL 2 OF THAT CERTAIN DEED RECORDED JANUARY 30, 1973 IN BOOK 10534 PAGE 345 RECORDS OF SAID ORANGE COUNTY

PARCEL B:

LOT A OF TRACT NO. 7811, AS PER MAP RECORDED IN BOOK 300 PAGES 49 AND 50 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY

PARCEL C:

LOT A OF TRACT NO. 7897 AS PER MAP RECORDED IN BOOK 308 PAGES 35 AND 36 OF MISCELLANEOUS MAPS, RECORDS OF SAID ORANGE COUNTY

PARCEL D:

LOTS A, B, AND C OF TRACT NO. 7898, AS PER MAP RECORDED IN BOOK 310 PAGES 44 AND 45 OF MISCELLANEOUS MAPS, RECORDS OF SAID ORANGE COUNTY

PARCEL E:

LOTS A AND B OF TRACT NO. 7896, AS PER MAP RECORDED IN BOOK 311 PAGES 47 AND 48 OF MISCELLANEOUS MAPS, RECORDS OF SAID ORANGE COUNTY

PARCEL F:

LOTS A AND F INCLUSIVE OF TRACT NO. 7388 AS PER MAP RECORDED IN BOOK
308 PAGES 11 TO 14 INCLUSIVE OF MISCELLANEOUS MAPS, RECORDS OF ORANGE
COUNTY.

Nordberg | DeNichilo, LLP
ATTORNEYS AT LAW



2016

PREPARED BY DANIEL
NORDBERG, ESQ. for
PATRICIA J. GAHAN, (5075 TERO)

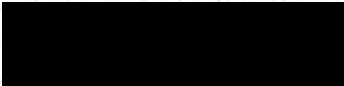


VIA ELECTRONIC MAIL AND U.S. FIRST CLASS MAIL

Subj: 5073 DEL SOL VARIANCE

August 4, 2016

Third Laguna Hills Mutual
c/o Denver R. Andrews, Esq.
Law Offices of Denver R. Andrews Jr



Dear Mr. Andrews and the Board of Directors of Third Mutual (hereafter referred to as "TM" or "Association"),

I have the pleasure of representing Ms. Patricia Gahan (hereinafter "Gahan"), owner of Unit #5075 Tero, Laguna Woods (accessed via Gate 11), and it is in my capacity as her attorney that I am directing this correspondence to your attention.

Ms. Gahan, only just a few days ago, was shocked to learn that Sydney Stephan (hereinafter "Stephan"), the Owner of Unit #5073, Avenida Del Sol, requested Board approval of a "variance" for a "Room Addition" on a "previously extended patio"¹. Ms. Gahan appeared at the scheduled hearing to voice her objections. Other Owners have also objected to the requested "variance" and have submitted written memoranda in opposition. Ms. Gahan requests that you review all of those materials in addition to the information in this letter in acting upon Stephan's request. Since presenting her strong objections, Ms. Gahan has learned that the report from staff grossly misrepresents the facts.²

Ms. Gahan strongly objects to the requested variance, and demands that the Board reject and deny approval of the proposed alterations for the following reasons:

¹ See the staff report submitted to the Board of Directors on July 19, 2016, copy attached.

² Among other things, the staff report states that the proposed construction will build upon a previously extended patio without disclosing that the existing patio was not properly approved, that the photo and the floor plan used in the staff report purporting to show the Stephan Building is not, in fact, the Stephan Building, that Stephan is in breach of the CC&Rs, and that the existing patio violates the Association's governing documents. Furthermore, the staff report fails to recognize that the proposed construction, if approved, will result in an unreasonable burden upon Gahan and neighboring owners, all of whom have registered their objection. Finally, the staff report fails to acknowledge that the Association, its Board and Committees lack legal authority to grant Stephan's request for a "variance".



1. The Governing Documents do not authorize the Association to grant the "variance" requested by Stephan.

The power and authority of the Association and its Board of Directors is specified in the Governing Documents and in law. Nowhere in those documents or in law is there authority for the Board or any of its standing or adhoc committees to grant a "variance". The law is very clear that the Board may not act in violation of the Association's Governing Documents or applicable law. (See: *MaJor v. Miraverde HOA* 7 Cal.App.4th 618; *Ticor Title Ins. Co. v. Rancho Santa Fe* 177 Cal.App.3d 726; *Ekstrom v. Marquesa at Monarch Beach* 168 Cal.App.4th 1111.)

2. The proposed construction and requested grant of Common Area to Stephan, if approved, would constitute a "material amendment" (as that is defined in Article XIV of the CC&Rs) of the CC&Rs without the required vote or consent of the Members.

The Governing Documents do not permit any material amendments to be adopted without the proper vote of the Owners/Members and Mortgagees (see Article XIV of the CC&Rs). Because the request by Stephan would effectively change the boundaries of her Unit, approval by the Board would constitute a material amendment, which requires membership approval. (CC&Rs, Article XIV). The Board may not unilaterally amend the CC&Rs. Any Board approval of Stephan's request without the required Membership vote would be a violation of the CC&Rs.

3. TM may not "grant exclusive use" over Common Area for purposes of expansion of the Stephan Unit such that it encroaches onto Common Area

Article I of the CC&Rs "Definitions" provides in pertinent parts:

"6. "Building" means any structure in the Common Area which contains one or more Units.

9. "Common Area" means all of that portion of the Project not within a Unit shown on the Plan, together with all improvements thereto.

11. "Condominium" means an equal undivided interest in common with the other Owners within the Project in the Common Area, together with a separate interest in a Unit, and all other right, title and interests which may be appurtenant thereto.

40. "Unit" means that portion of any Condominium which is not owned in common with other Owners, and which is designated as a Unit in the Plan. The boundaries of a Unit are as designated in Section 1371 of the California Civil Code, provided that all doors and windows of a Unit and all fixtures, and utility installations located

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Page 3

within a Unit including without limitation hot water heaters, space heaters and kitchen, bathroom and lighting fixtures, shall be a part of each Unit, provided further that exterior soffits and furred down ceilings shall not be a part of such Unit. Whenever, within twenty (20) years after conveyance of the first Condominium in the Project, a Building is built substantially in conformity with the original plans therefor as reflected by the Unit boundaries shown on the Plan for such Project, the boundaries of all Units within such Building shall thereafter be as described in the second sentence of this paragraph and the boundaries of the Common Area shall be altered correspondingly."

Article III of the CC&Rs "Use Restrictions" provides in pertinent parts:

"2. Subject to the provisions of these Restrictions, use of the Common Area shall be in accordance with and subject to the Rules. The Board may, among other things, fix the hours of use, and restrict or prohibit access to the portions of the Common Area used for operation and maintenance of the Project, including but not limited to offices, kitchens, storage rooms, boiler rooms, maintenance, heating, electric and public utility facilities.

3. Nothing shall be done or kept in any Condominium or in any portion of the Common Area which will increase the rate of insurance on the Common Area without the approval of the Board. No Owner shall permit anything to be done or kept in his or her Unit or in any portion of the Common Area which will result in the cancellation of insurance on the Common Area or which would be in violation of any law.

7. Nothing shall be done in any Condominium or in, on, or to any Building which would structurally change any such Building except as is otherwise provided herein.

8. There shall be no structural alteration, construction or removal of any Building, fence or other structure in the Project (other than repairs or rebuilding pursuant to Article XIII hereof) without the approval of the Architectural Control Committee as set forth in Article X hereof. *No Building, fence or other structure shall be constructed upon any portion of the Common Area other than such Buildings, fences and structures as shall be constructed by the Mutual pursuant to Article XIII or Article IV, Section 8. (emphasis added)"*

Article IV of the CC&Rs "Management" provides in pertinent parts:

7. The Board, in the name and on behalf of the Mutual, is authorized and empowered to grant such licenses, easements and rights of way for sewer lines,

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Page 4

water lines, underground conduits, storm drains and other public utility purposes as may be necessary and appropriate for the orderly maintenance, preservation and enjoyment of the Common Area or for the preservation of the health, safety, convenience and welfare of the Owners, over those portions of the Common Area upon which no Building or other structure has been erected. Such licenses, easements and rights of way may be granted at any time prior to twenty-one (21) years after the death of all Members as of the date these Restrictions were recorded in the official records of the County of Orange, State of California, and the right to grant such licenses, easements and rights of way is hereby expressly reserved. (Emphasis added)

The proposed construction and requested grant of Common Area for the exclusive use of Stephan violate the express provisions of the CC&Rs.

The proposed construction is not to be constructed by TM, but by Stephan and her contractors, in violation of Section 8.

The requested grant of Common Area for the exclusive use of Stephan violates Section 7 as it is not "for sewer lines, water lines, underground conduits, storm drains and other public utility purposes as may be necessary and appropriate for the orderly maintenance, preservation and enjoyment of the Common Area or for the preservation of the health, safety, convenience and welfare of the Owners".

The proposed construction and requested grant of Common Area for the exclusive use of Stephan is a violation of CC&Rs, Section 7, as it constitutes a structural change to the Building at 5073 which is not authorized anywhere in the CC&Rs.

The proposed construction and requested grant of Common Area for the exclusive use of Stephan is a violation of Section 2 as approval by TM would be a violation of the Rules as more fully explained below.

4. Civil Code Section 4600 does not create a right in Board to grant exclusive use common area.

TM's CC&Rs only permit the Board to grant exclusive use of Common Area "for sewer lines, water lines, underground conduits, storm drains and other public utility purposes as may be necessary and appropriate for the orderly maintenance, preservation and enjoyment of the Common Area or for the preservation of the health, safety, convenience and welfare of the Owners". (Article IV Section 7)

Ms. Gahan is informed and believes that members of the M&C Committee and staff have argued that Civil Code Section 4600 vests authority in the M&C Committee and/or the Board to grant exclusive use of the Common Area to a Unit Owner under certain conditions. They further argue that Stephan's request satisfies those conditions.

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The law is clear that the M&C Committee lacks any authority to grant or approve Stephan's requested "variance". (See *Woodridge Escondido Property Owners Association v. Nielsen* (2005) 130 Cal.App.4th 559 and Article VII of the CC&Rs)

Furthermore, Civil Code Section 4600 is not a vesting statute. There is nothing in that section that gives authority to a Board of a common interest development to grant common area to the exclusive use of an Owner where that right has not been provided to the Board in the Governing Documents. The legislative history of Civil Code Section 4600, and the predecessor statute, Civil Code Section 1363.07, does not establish that the statute was intended to vest authority in the Board where no such authority was recognized under the Association's Governing Documents. That section only applies if the Board already has authority under its governing documents to grant common area to the exclusive use of an Owner. TM's CC&Rs do not authorize the Board to grant exclusive use to Stephan of any portion of the Common Area. Neither the Board nor the Association may rely upon Civil Code Section 4600 as a basis to grant the "variance" requested by Stephan.

5. Stephan does not have a legal right to encroach onto Common Area; any encroachment must be granted by the Association Board of Directors in the exercise of its discretion

Assuming for argument purposes, which Gahan does not concede, that the Governing Documents vest authority in the Board to grant Common Area for the exclusive use of Stephan, such authority would rest only in the discretion of the Board; Stephan has no vested right and the Board owes no obligation or duty to grant Common Area for the exclusive use of the owner of Unit 5073. The law does not recognize, and the Governing Documents do not provide for, any duty or obligation of the Association, or its Board, or any of its committees, to grant the requested "variance" by Stephan.

On the other hand, the Association and the Board, and the committees of the Association and of the Board owe fiduciary duties to Ms. Gahan to protect her property and to enforce the Governing Documents. The proposed construction, if approved, would be a violation of the fiduciary duties owed by the Association, its Board, and the committees. (See *Posey v. Leavitt* (1991) 229 Cal.App.3d 1236; *Ritter and Ritter v. The Churchill* (2008) 166 Cal.App.4th 103)

6. The proposed construction would constitute a trespass

ARTICLE XV of the CC&Rs "Encroachments" provides:

"None of the rights and obligations of the Owners created herein, or by the grant deed conveying the Condominium to the Owner, shall be altered in any way by encroachments due to settlement or shifting of structures or any other cause. There shall be valid easements for the maintenance of said encroachments so long as they shall exist; provided, however, that in no event shall a valid easement for encroachment be created in favor of an Owner or Owners if said encroachment occurred due to the willful conduct of said Owner or Owners." (Emphasis added)

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Page 6

As described further below, Stephan has already, without prior permission, willfully encroached upon, trespassed and unlawfully seized and taken Common Area upon which to build improvements. (Gahan is informed and believes that the Common Area beneath the "patio" adjacent to the Stephan Unit/Building was never properly conveyed to Stephan, and was constructed without proper notice, permission, and approval by TM and in violation of the CC&Rs. Stephan now seeks, by her request for a "variance", permission to build further improvements upon Common Area. Because her prior construction was willful and in violation of the CC&Rs there is no valid right to the existing or proposed encroachments. (See *Posey*, supra)

7. Assuming for argument purposes only, which Gahan does not concede, that TM may grant exclusive use of Common Area to Stephan, TM may impose any conditions it wishes, including that any encroachment may not block views.

The issue presented is whether the Board may condition any grant upon any conditions it chooses; it has no "duty" to Stephan to grant Common Area for the exclusive use by Stephan. Nowhere in law, or in the Association's governing documents is there recognized any obligation or duty owed Stephan by the Association to approve, or grant her the requested "variance". Neither the Association, nor its Board will suffer legal liability to Stephan in denying her request. However, as explained below, the Association, the Board and the Committees, and the individuals volunteering their services are exposed to liability to Gahan if Stephan's request is approved.

Even if the CC&Rs are silent as to the right to a view, TM may deny the requested encroachment.

8. The power, if any, of the Board to grant exclusive use of the Common Area to Stephan, must be exercised according to the Rules.

Assuming for argument purposes only, which Gahan does not concede, that the Board may grant exclusive use of the Common Area to Stephan as requested, the Board's discretion to grant must be exercised according to the Rules. The Association has purportedly adopted Rules for the exercise of discretion when a request, such as that presented by Stephan, is received. The Rules require the Board to deny the request if, among other things, an unreasonable burden is imposed upon neighboring property. The request of Stephan if approved, would result in an unreasonable burden upon Gahan. She currently enjoys open land without building encroachments in the area where Stephan intends to build massive improvements. Not only does the proximity of the proposed improvement impose a diminution in the value and use by Gahan of her Unit, but it also will result in a massive blockage and interference of the views from the Gahan Unit which will drastically reduce her use and enjoyment of her Unit/Building and its value. This burden is also suffered by the owners at 5074, and 5076 (each of whom have also registered their objections).

9. Unreasonable risk of damage resulting from slope failure

The CC&Rs provide in Article III "Use Restrictions":

August 4, 2016

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“6. No Owner or Resident shall permit or suffer anything to be done or kept within the Project which will increase insurance rates on any Building or contents thereof, or which will obstruct or interfere with the rights of other persons in the Project or annoy them by unreasonable noises or otherwise, nor shall any Owner or Resident commit or permit any nuisance or commit or permit any illegal act within the Project. An Owner and each Resident shall comply with the requirements of all governmental authorities. If by reason of any act of any Owner insurance rates should be increased, the Owner shall be personally liable for the additional premium. (Emphasis added)”

Approximately ten (10) years ago, the slope immediately adjacent to the proposed construction suffered a massive failure. The Association made repairs costing tens of thousands of dollars. In addition, the slope separating Gahan's building from Stephan's Building has moved such that the Gahan Building has suffered structural damage. The Association should not approve any new construction or any further use of the Common Area until and unless a full investigation has been conducted by qualified professionals to confirm that further damages will not result, with and without the construction of the proposed improvements. If the proposed improvements are constructed, there is added risk of soil movement and slope instability by, among other things, directing surface and roof run-off into the top of the slope portion of the pad. Certainly, any renewal or purchase of insurance by TM will require full and complete disclosure of all risks, and known conditions. Disclosure will have a dramatic effect upon the cost of insurance charged to Gahan's Unit, the Stephan Building, and adjacent and impacted Buildings.

10. Stephan has “unclean hands”:

1. Stephan has misrepresented the condition of existing property in her application

A photograph and plans purportedly depicting the Stephan's existing building is attached to materials submitted with her request. However, that photograph and plans grossly misrepresent the actual conditions existing today. Attached please find photographs taken by myself when I visited the property on Monday, August 1. You will quickly discover upon comparing the two photographs, that extensive patio improvements have been constructed upon the Common Area adjacent to the Stephan Building which are not shown in the photograph she submitted with her request. Gahan is informed and believes that these improvements were not approved prior to construction. Gahan will testify under oath that she was never contacted and never received notice or signed any neighbor awareness forms prior to the installation and construction of the patio improvements presently existing on the Common Areas adjacent to the Stephan Building.

2. Stephan is in breach of the CC&Rs

Because the existing patio improvements on the Common Areas adjacent to the Stephan Building were never properly approved, Stephan is in breach of the CC&Rs. The patio improvements are violations of the Association's Governing Documents.

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3. Stephan has trespassed and converted Common Area

As explained above, neither the Association, nor the Board, have authority to grant Common Area for the existing patio improvements adjacent to Stephan's Building. Gahan is informed and believes that no approval or grant was received by Stephan prior to constructing these improvements. Stephan has willfully trespassed upon and unlawfully seized, and converted the Common Area adjacent to her Building.

4. Stephan cannot be trusted

Stephan cannot be trusted. Stephan has grossly misrepresented existing conditions with the submittal in support of her request. Gahan is informed and believes that Stephan is in breach of the CC&Rs for constructing existing patio improvements in violation of the Association's Governing Documents. Furthermore, Ms. Stephan was instructed to define the area that would be impacted by the proposed construction by constructing poles with lines attached prior to a review by the Board on August 1, 2016. Stephan failed to follow the instructions and installed poles and lines which created a misleading outline of the impact and burden the proposed construction would have on Gahan and neighboring properties.

Based upon the foregoing, and the objections and materials submitted by Gahan and other owners in opposition to Stephan's request, Ms. Gahan needs, wants, and expects the Association, its Board and Committees to summarily deny and reject Stephan's request. Approval of Stephan's request by the Association, the Board, or any committees will force Ms. Gahan to pursue all legal remedies at her disposal.

Please contact me should you have any questions.

Sincerely,

Nordberg|DeNichilo, LLP

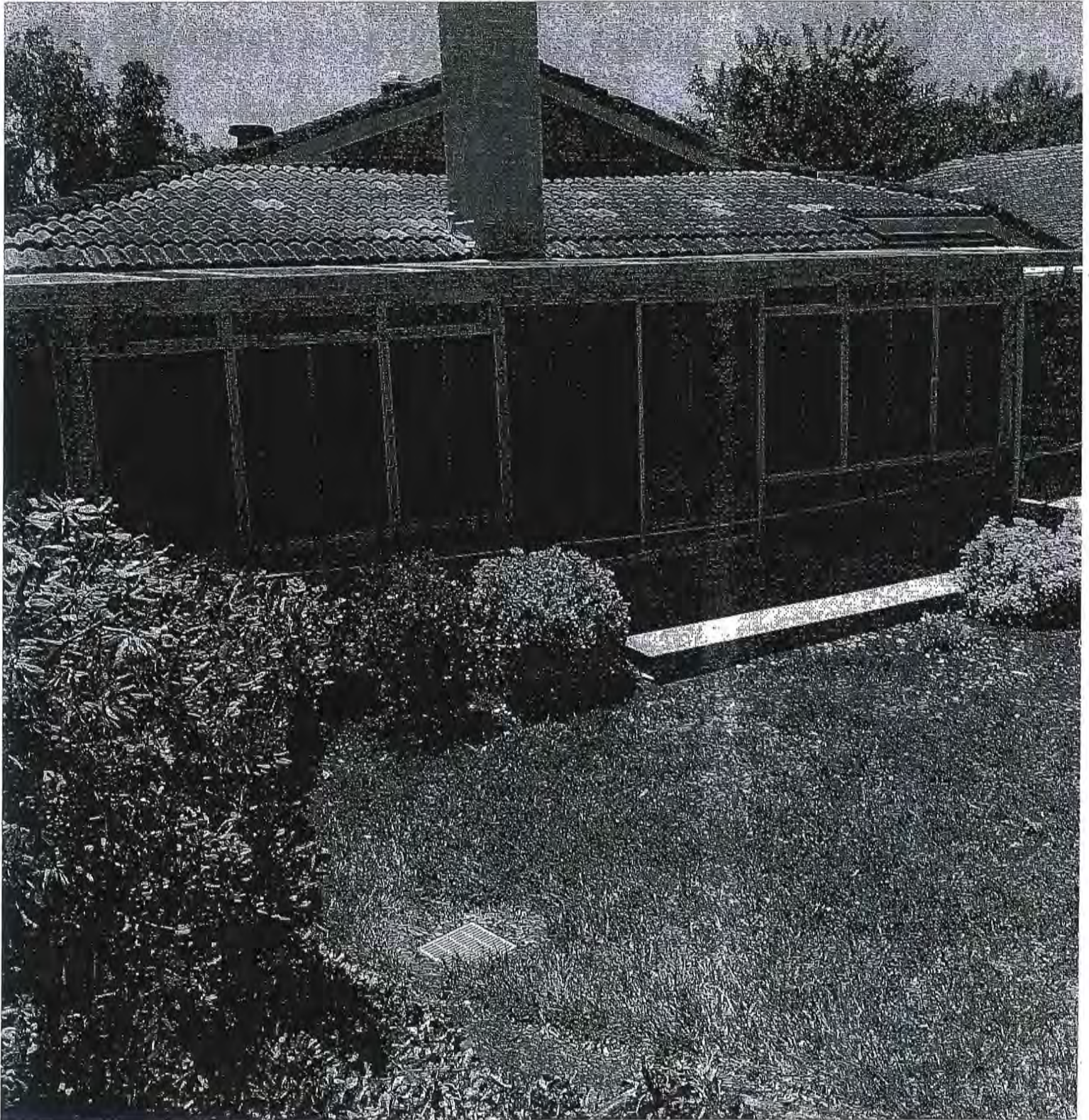


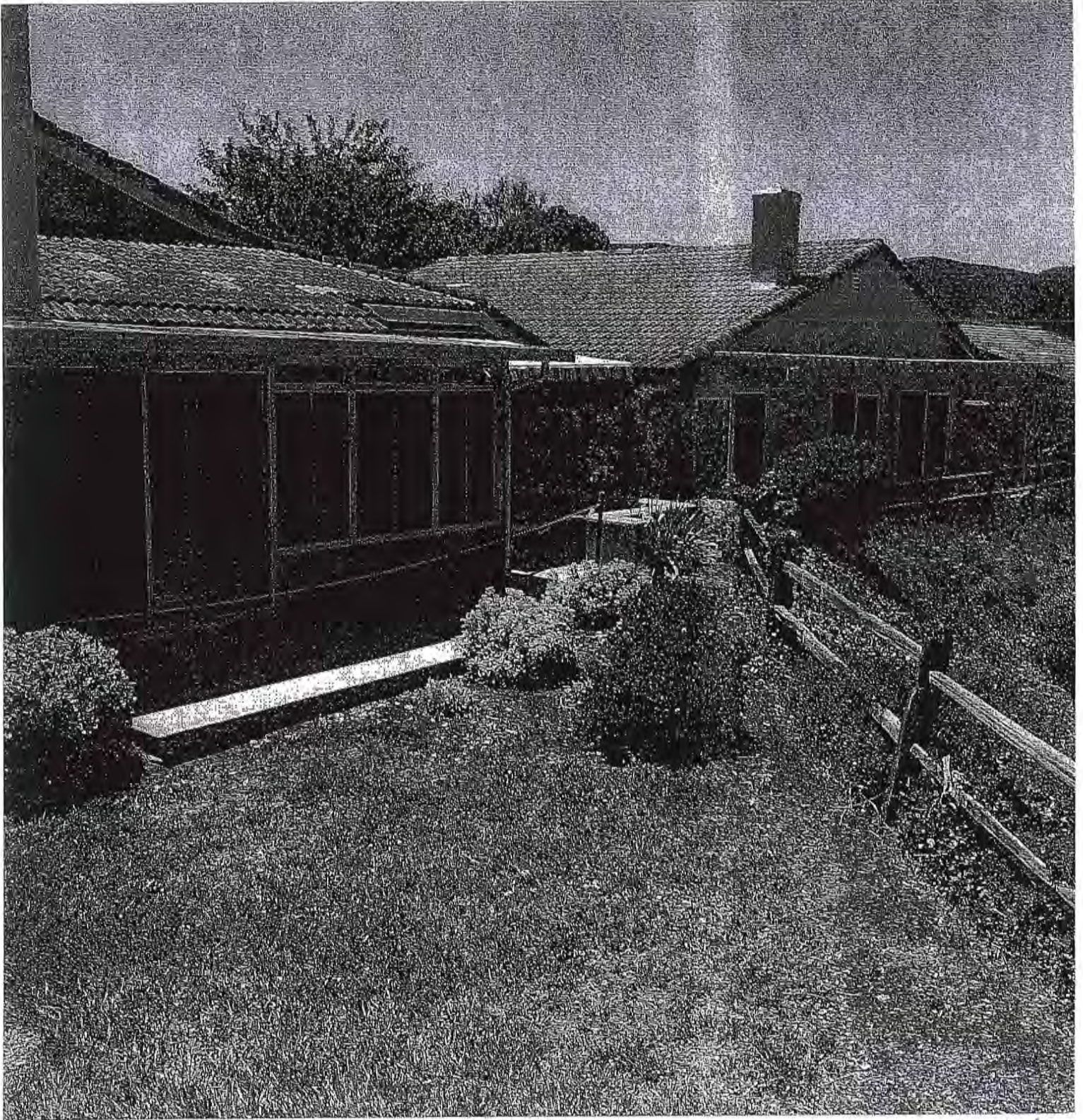
Daniel A. Nordberg, Esq.

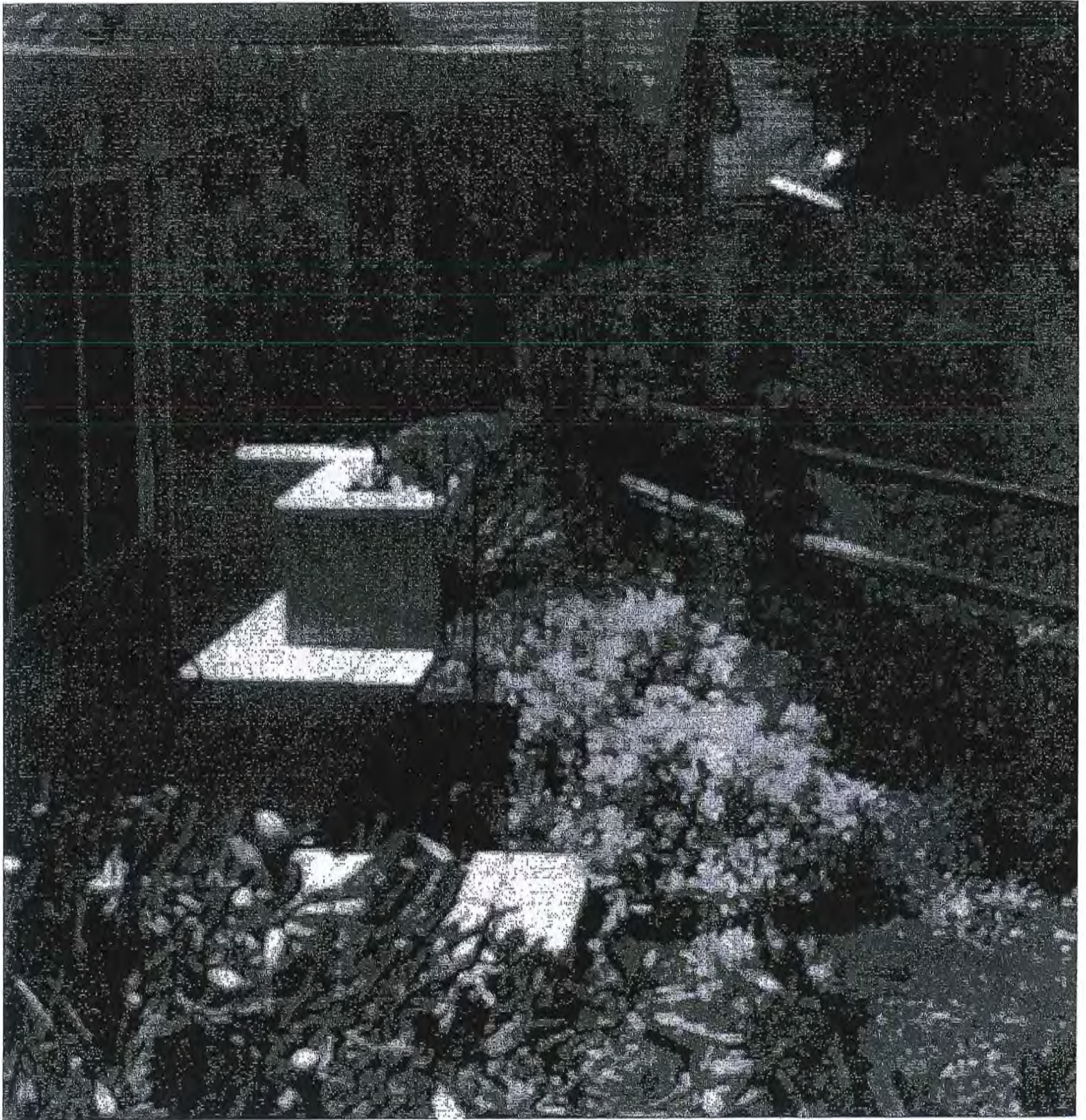
Enclosure

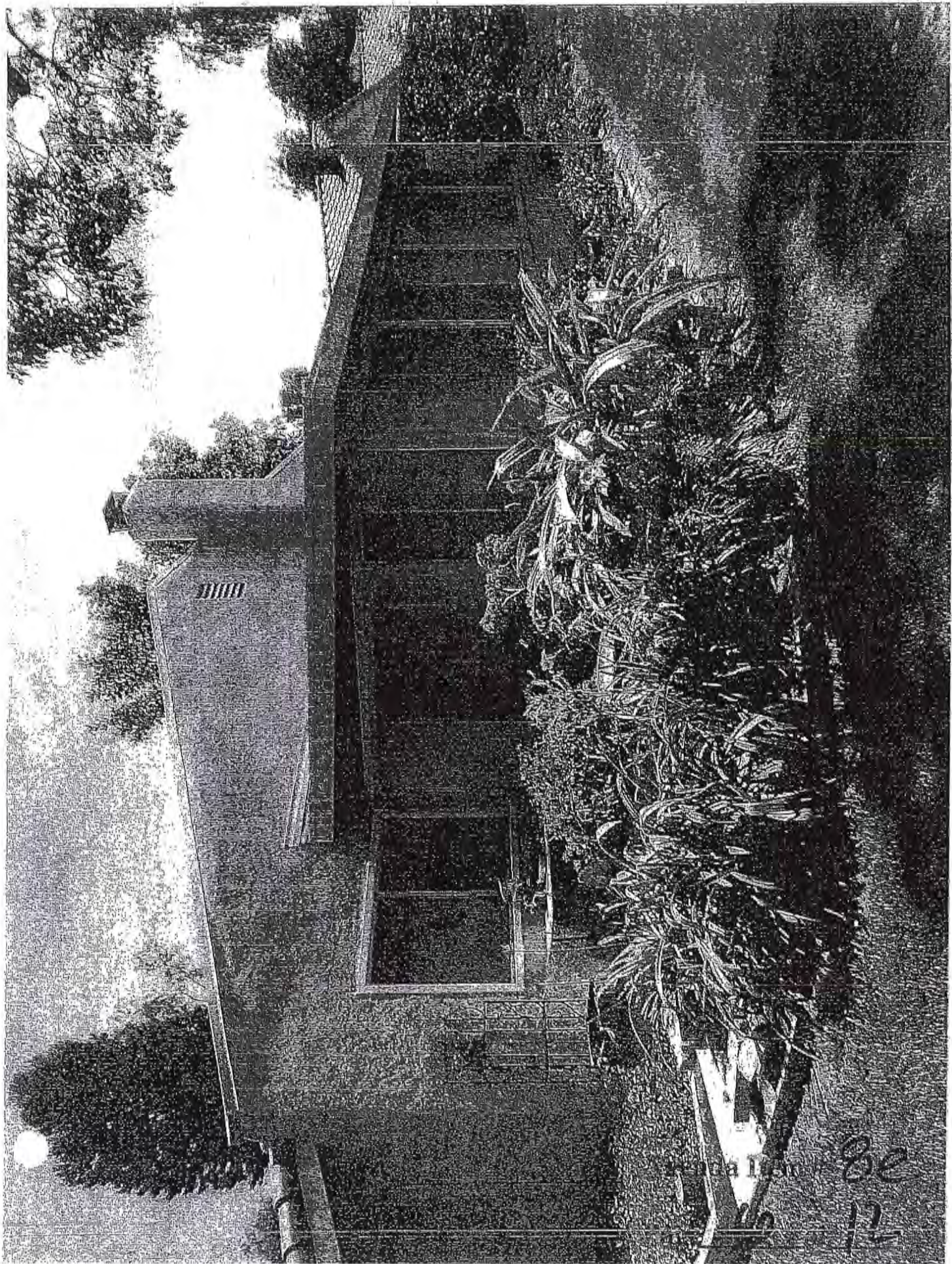
Photographs

document4

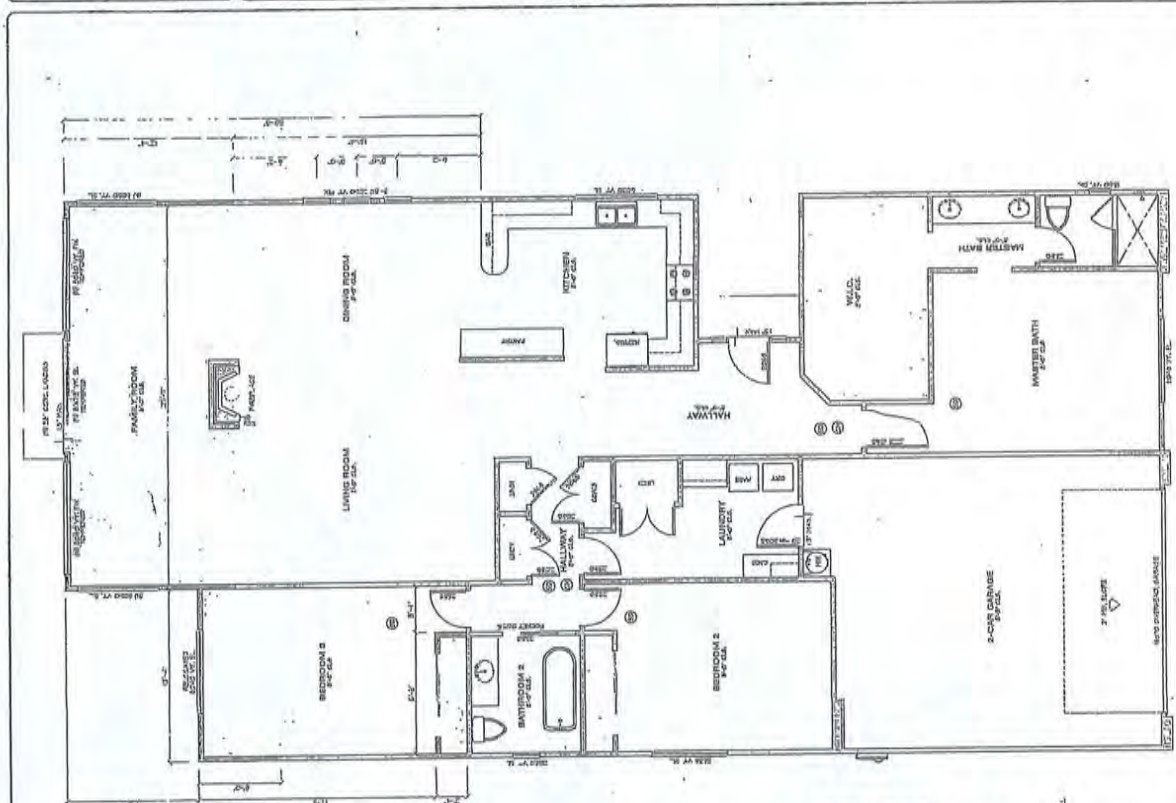










GENERAL NOTES:

- [illegible]

CHARTER MEMBER SINCE 1987
 A MEMBER OF THE NATIONAL
 ASSOCIATION OF REAL ESTATE
 BROKERS (NAREB)
 10000 N. 10TH AVE. SUITE 100
 DENVER, CO 80231
 303.751.1111
 WWW.DENVERREALTORS.COM

WALL LEGEND

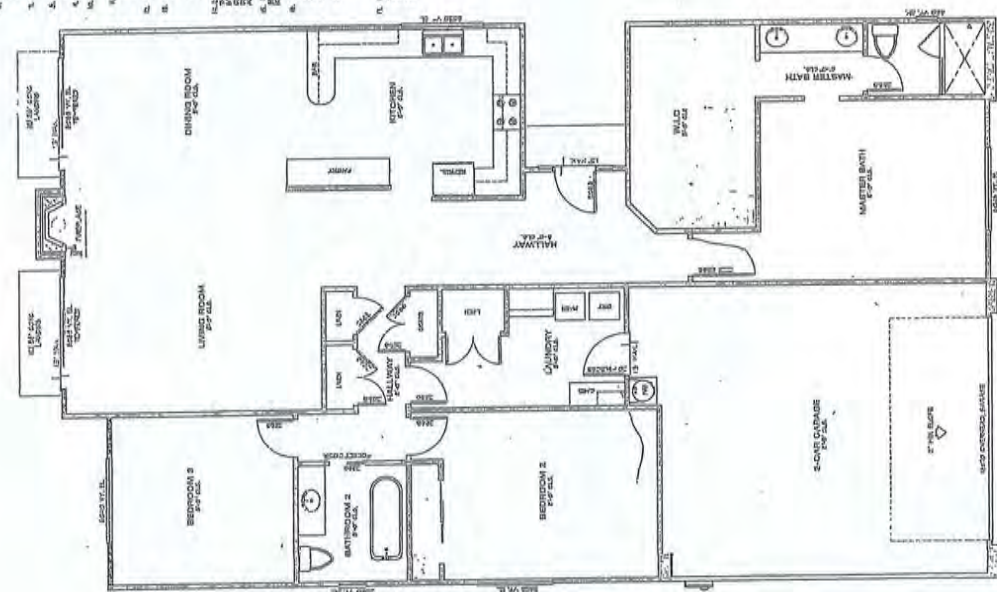
CAL-S&P 95-628-2018 & SUPPLIES

DATE: 10-17-2018

BY: 10-17-2018

SQUARE FOOTAGE

22' x 28' 6" AREA	624 SQ. FT.
20' x 28' 6" AREA	571 SQ. FT.
30' x 28' 6" AREA	857 SQ. FT.
30' x 28' 6" AREA	857 SQ. FT.



PROP. FLOOR PLAN

057

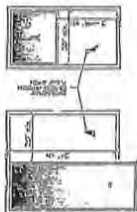
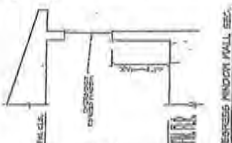
EXISTING FLOOR PLAN
1/4" = 1'-0"

PROPOSED ROOM ADDITION FOR:
SYDNEY STEPHAN
8015 AVENIDA DEL SOL LASUNA WOODS, CA. 92637

[illegible]

EMERGENCY ESCAPE NOTES

4. EMPLOYERS REPORTED MORE DUTY FOR MECHANICAL, ELECTRICAL, AND PLUMBING WORKERS THAN FOR OTHER OCCUPATIONS. PLUMBERS AND ELECTRICIANS REPORTED THE MOST DUTY, FOLLOWED BY MECHANICAL ENGINEERS AND MILL, METAL, AND PLASTIC WORKERS. PLUMBERS AND ELECTRICIANS REPORTED THE MOST DUTY, FOLLOWED BY MECHANICAL ENGINEERS AND MILL, METAL, AND PLASTIC WORKERS.



2013 CAL GREEN STANDARDS

FIXTURE FLOW RATES	
FIXTURE TYPE	MAXIMUM FLOW RATE
Showerhead	2.5 gpm @ 80 psi
Drinking	2 gpm @ 80 psi
Urinal flush	1.5 gpm @ 80 psi ¹
Other flush	1.5 gpm @ 80 psi
Other non	0.5 gpm @ 80 psi

NOTE: ALL MATERIALS, COLORS, TEXTURES, AND PATTERNS, SHALL MATCH EXISTING.

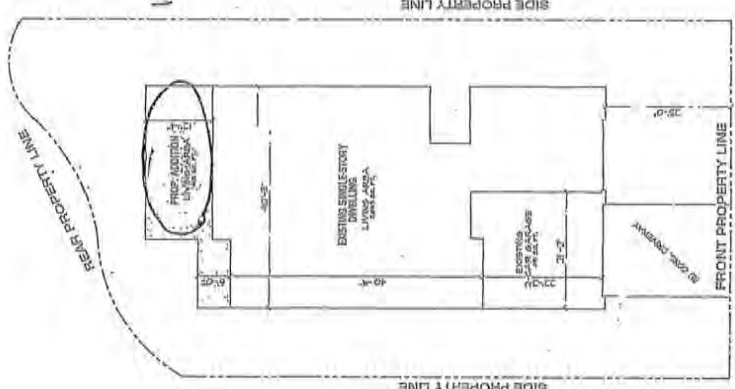
WALL LEGEND

- U.S. Department of Justice, Federal Bureau of Investigation

LEGEND

- STATIONER**

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VICINITY MAP 

SHEET INDEX

NAME _____

COVER, SIGHT & DATE PAGE _____

QUESTIONS & THOUGHTS FROM READER _____

NOTES FROM READER _____

DATE _____

BY _____

SCOPE OF WORK:

- Add 28 sq. ft. to existing building at the back on 1st Avenue.

BUILDING ANALYSIS:

- | | |
|--------------------------------|-----|
| SMALL FAMILY FOOD INCORPORATED | |
| INDIANA | W |
| CORPORATION | 8-2 |
| TYPE OF GOODS | WHS |
| FIRE ORIGINATIONS | NO |
| NUMBER OF SPECIALS | ONE |
| REMARKS: 1-2000 | |
| 2-1000 | |
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BUILDING SUMMARY:

- 001 2-640 6-1600- 478 50 176
 002 14015 4014- 2028 50 176
 003 1400000- 498 50 176
 004 14015 4014- 2028 50 176
 005 1400000- 498 50 176
 006 14015 4014- 2028 50 176
 007 1400000- 498 50 176

LEGAL DESCRIPTION:

- | | | |
|--------|---------|----------------------|
| TRACT# | | SITE ADDRESS: |
| Lot# | | 3078 ADRIAN AVE S.W. |
| APN# | | 600287000000000000 |
| CITY | GRASSIE | |

L 501
AVENIDA DE

THE PLAIN



10/10/10



VARIANCE

Rec'd 504
8/22/17
WJHail



NEIGHBOR AWARENESS NOTICE OF HEARING ON ALTERATIONS AT MANOR 5073

TIME OF HEARING:
DATE OF HEARING:
PLACE OF HEARING:

11:30 a.m. or as soon as possible thereafter.
September 7th, 2017
Laguna Woods Village Board Room
Community Center
24351 El Toro Road
Laguna Woods, CA 92637

A HEARING has been scheduled before the Third Architectural Control and Standards Committee ("ACSC") to consider a request for an Alteration/Variance as identified below:

Project Location: Manor 5073

Proposal: Master Bedroom Extension and Room Addition on existing Rear Patio
(See Attachment)

ACSC Action: The Action of the ACSC is not final. This Variance request is expected to go to Third Mutual Board at a regular meeting scheduled for September 19th, 2017. For specifics and a copy of the Third Mutual Board agenda, please visit <http://www.lagunawoodsvillage.com>.

Any Member wishing to comment on the proposed Variance may do so in writing between the date of this notice and the hearing date identified above; or, may appear and be heard at the time and place noted above. All comments must be received prior to the time of hearing. All such comments will be submitted to the ACSC who will consider such comments in addition to any oral testimony, before making a recommendation to the Third Mutual Board on the proposed Variance request. Member comments may be considered, the decision ultimately rests with the Committee/Board who will make any decision in its own discretion, but it is under no obligation to implement any suggestions.

Be advised that as a result of the hearing and any comments, the ACSC may amend, in whole or in part, the proposed project. Accordingly, the standards as adopted by the Mutual, including the Mutual's Governing Documents, design or improvements may be changed in a way other than is currently proposed.

For further information regarding the Request, please contact Gavin Fogg, at (949) 268-2345 or e-mail (Preferred) Gavin.Fogg@vmsinc.org, or go to the Laguna Woods Village web page at <http://www.lagunawoodsvillage.com>. The project file for the proposed Variance may be viewed Monday through Friday, from 8:00 A.M. to 4:00 P.M. at the Laguna Woods Village Community Center office, located at 24351 El Toro Road, Laguna Woods, CA 92637.

Please send all written correspondence to:

Laguna Woods Village, Manor Alterations Division
Attn: Gavin Fogg
24351 El Toro Road
Laguna Woods, CA 92637

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copy - PG

VARIANCE

Rec'd 504
J 22/17
W5 Hall



**NEIGHBOR AWARENESS NOTICE OF HEARING ON
ALTERATIONS AT MANOR 5073**

TIME OF HEARING: 11:30 a.m. or as soon as possible thereafter.
DATE OF HEARING: September 7th, 2017
PLACE OF HEARING: **Laguna Woods Village Board Room
Community Center
24351 El Toro Road
Laguna Woods, CA 92637**

A **HEARING** has been scheduled before the Third Architectural Control and Standards Committee ("ACSC") to consider a request for an Alteration/Variance as identified below:

Project Location: Manor 5073

Proposal: _____ Master Bedroom Extension and Room Addition on existing Rear Patio _____
(See Attachment) _____

ACSC Action: The Action of the ACSC is not final. This Variance request is expected to go to Third Mutual Board at a regular meeting scheduled for September 19th, 2017. For specifics and a copy of the Third Mutual Board agenda, please visit <http://www.lagunawoodsvillage.com>.

Any Member wishing to comment on the proposed Variance may do so in writing between the date of this notice and the hearing date identified above; or, may appear and be heard at the time and place noted above. All comments must be received prior to the time of hearing. All such comments will be submitted to the ACSC who will consider such comments in addition to any oral testimony, before making a recommendation to the Third Mutual Board on the proposed Variance request. Member comments may be considered, the decision ultimately rests with the Committee/Board who will make any decision in its own discretion, but it is under no obligation to implement any suggestions.

Be advised that as a result of the hearing and any comments, the ACSC may amend, in whole or in part, the proposed project. Accordingly, the standards as adopted by the Mutual, including the Mutual's Governing Documents, design or improvements may be changed in a way other than is currently proposed.

For further information regarding the Request, please contact Gavin Fogg, at (949) 268-2345 or e-mail (Preferred) Gavin.Fogg@vmsinc.org, or go to the Laguna Woods Village web page at <http://www.lagunawoodsvillage.com>. The project file for the proposed Variance may be viewed Monday through Friday, from 8:00 A.M. to 4:00 P.M. at the Laguna Woods Village Community Center office, located at 24351 El Toro Road, Laguna Woods, CA 92637.

Please send all written correspondence to:

Laguna Woods Village, Manor Alterations Division
Attn: Gavin Fogg
24351 El Toro Road
Laguna Woods, CA 92637

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Proposed Alternation- 5073 Avenida Del Sol

Remove the "sun room" structure and replace it with a permanent structure. The new foundation will not be any larger than the outside dimensions of the permitted sun room. ?

The flat roof will allow the neighbors a view from their home similar to what exists with the current "sun room". The existing concrete slabs outside the "sun room", which were permitted, will remain.

Bedroom #3 will be extended 7 feet using the patio slab which was permitted.

The outside of the new foundation will not be larger than the space permitted for the patio. The existing concrete slab outside the bedroom addition will remain.

No common area will be used.

Not "PERMITTED"

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[illegible]

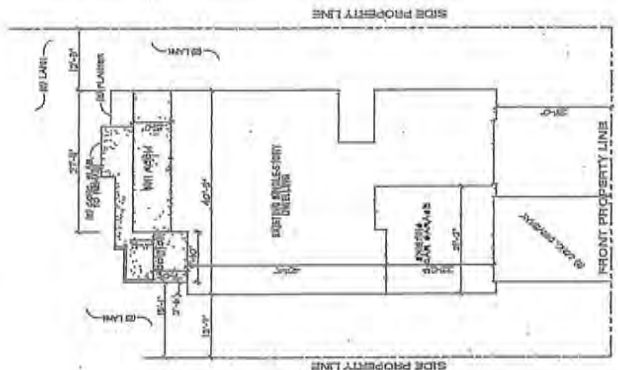
Dr. P. J. D.



PROP. FLOOR PLAN

Handwritten: New Roff

PROPOSED: SUNROOM RENOVATION FOR:
SYDNEY STEPHAN
8015 AVENIDA DEL SOL, LASUNA WOODS, CA. 92687

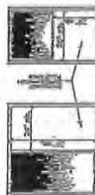


Abbreviations

[illegible]

EMERGENCY ESCAPE NOTES

140mm height (note only for individual members)
do not exceed 200mm max. (100mm max. for
steel) and 250mm max. (100mm max. for
aluminum) for the height of the member.



NOTE: ALL MATERIALS, COLORS, TEXTURES, AND PATTERN, SHALL MATCH EXISTING.

CONCLUSION



SCOPE OF WORK:

- [illegible]

BUILDING ANALYSIS:

Category	Value
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BUILDING SUMMARY:

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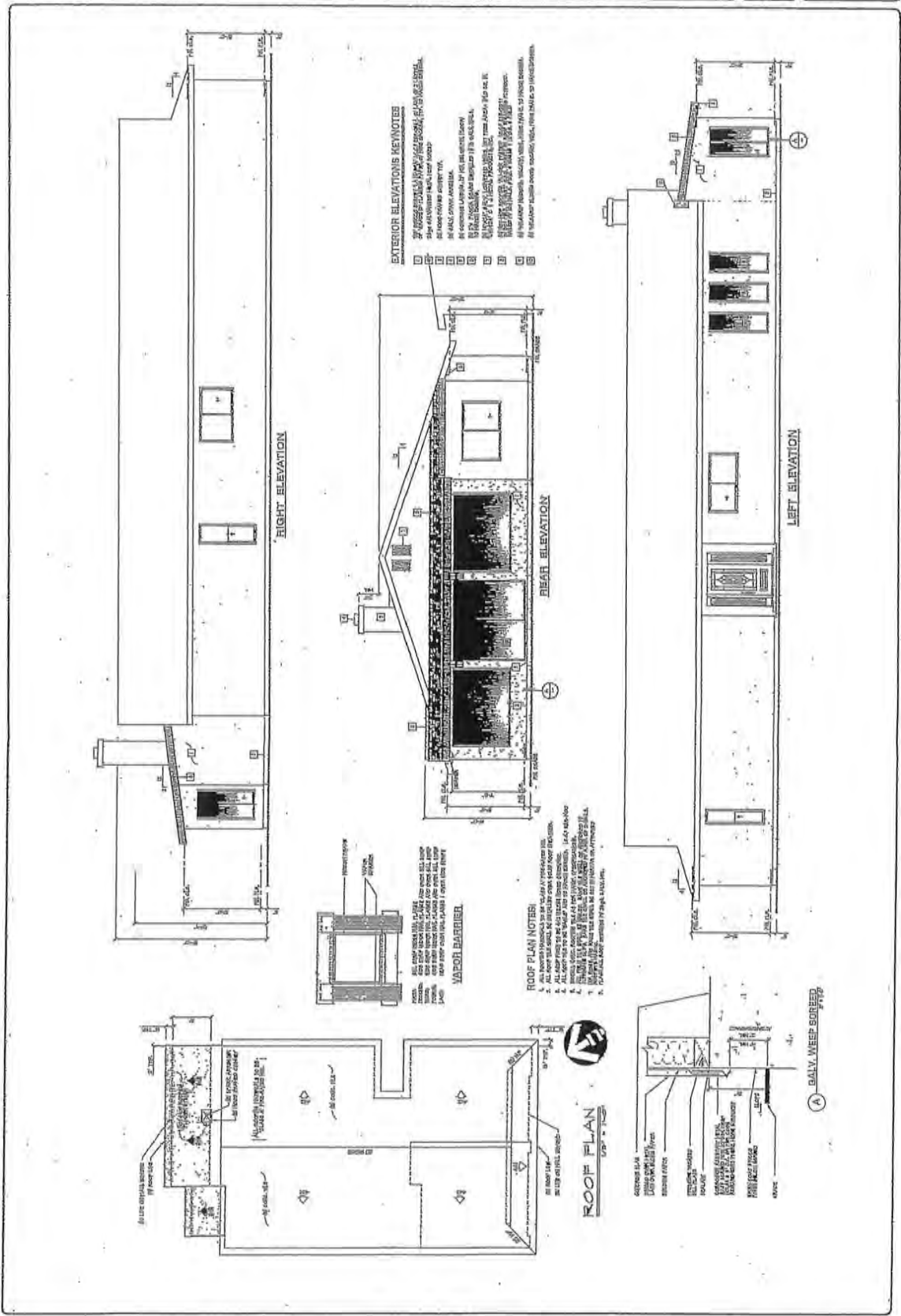
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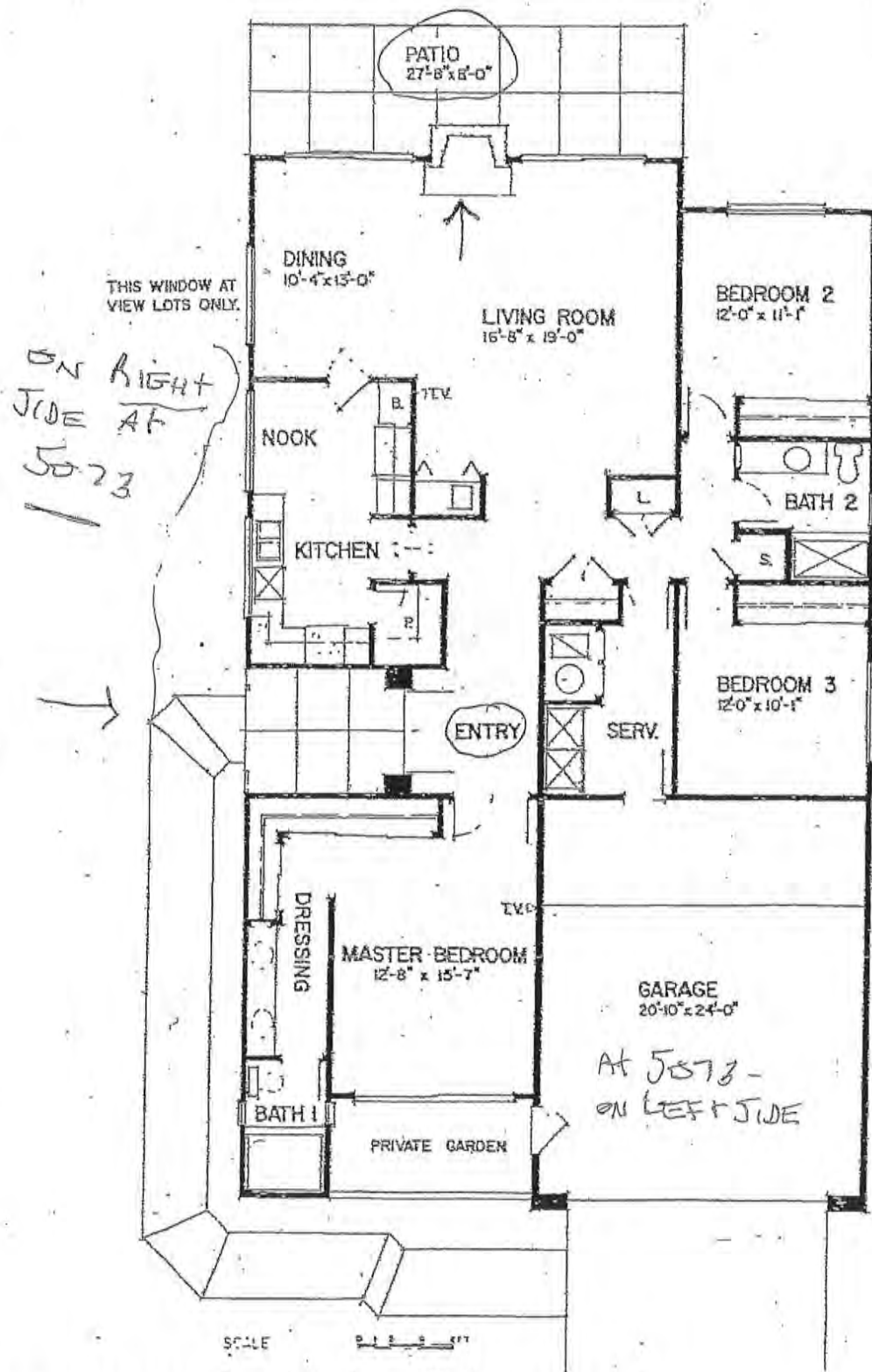
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VICINITY MAP 





VILLA PARAISA (C13r) DIMENSIONS.

Opposite
From 5073.

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IS THIS CURRENT IN 2017?

Third Laguna Hills Mutual

2016

Pursuant to the Board's approval of your request for a variance to construct an alteration that extends onto common area, the attached Agreement Regarding Permitted Alteration of Common Area ("Recordable Common Area Agreement") must be completed and signed by you, the Member(s), and your signature(s) must be notarized. Please follow this checklist to ensure a smooth and efficient submittal process.

☐ First Page of Agreement

- Enter the Assessor's Parcel Number (APN) in this format: _____ - _____ - _____
- Paragraph One
 - a. Enter the date the Agreement is signed and notarized.
 - b. Verify/Enter the Member(s) name(s), dwelling unit, and the description of improvement.

☐ Second Page of Agreement

- Member(s) sign(s) at the bottom, right hand side of the page in the presence of a notary. Signature must be signed exactly as typed in Paragraph One of the Agreement.
- Insert the Notary "Acknowledgement" Form behind the Second Page of the Agreement.

☐ Exhibit "A" Legal Description of the Property

- Attach the legal description of the property. This is a one or two page document that can be found with your Grant Deed. It appears in the following format example:
Parcel 1: Dwelling Unit _____ in Building _____ as said unit is shown on that certain condominium plan recorded September 27, 2007 in Book 195 of Official Records in the Office of the County Recorder of Orange County, California. And a 1/30th undivided interest in and to lot 5 of Tract 39547...

☐ Submit the Completed Agreement for Processing

- Please deliver your completed paperwork to the Reception Desk located at the Laguna Woods Village Community Center, 24351 El Toro Road, Laguna Woods, CA 92637.
 - The Board President will sign the Second Page of the Agreement and have it notarized. (Please allow 1-2 days.)
 - Once the Board President has signed the documents, Community Services will notify you via the telephone number provided on the Second Page of the Agreement that the package is ready to be recorded at the County Recorder's Office.

☐ Recording The Agreement

- Take your completed package to the Orange County Recorder's Office. The South County Branch office is located at Laguna Hills Civic Center, 24031 El Toro Road, Suite 150, Laguna Hills, CA 92653.
 - You will be informed of the cost of recording by the Orange County Recorder's Office. The fee varies depending on the number of pages in the package. Keep a copy of the recorded Agreement for your records.

☐ Returning The Agreement to Laguna Woods Village Community Services

- Please deliver your completed, recorded paperwork to the Reception Desk located at the Laguna Woods Village Community Center, 24351 El Toro Road, Laguna Woods, CA 92637.
 - Your permit will be issued upon receipt of the properly recorded Agreement.

Please contact Community Services at 949-268-2337 with any questions or comments. Thank you.

Fogg, Gavin

From: Hsin-Hong Huang [REDACTED]
Sent: Tuesday, August 29, 2017 5:48 PM
To: Fogg, Gavin
Cc: Oliver Lin
Subject: Re: Notice of Hearing for Manor 5073

Hi Gavin:

I sincerely apologize for my misunderstanding of the procedure. After reviewing the document that you kindly e-mailed me, I have no objection to my neighbor's (5073 Avenida Del Sol) alternation proposal.

Your patience is greatly appreciated.

May God bless you and your family.

Sincerely yours,
Hsin Huang

From: Fogg, Gavin <Gavin.Fogg@vmsinc.org>
Sent: Friday, August 25, 2017 2:17 PM
To: Hsin-Hong Huang
Cc: Oliver Lin
Subject: RE: Notice of Hearing for Manor 5073

Good Morning,

If it would be possible to send me (ideally via e-mail) your copy that states 2073 as the location.

I have attached the copy of the Notice that was printed and sent out to you and surrounding neighbors that states 5073. I have also attached a copy of the site plans for the proposal that state 5073 on the plans, please use this as notification of the proposed alteration.

Should you have a dispute with the proposal, please respond via mail or e-mail prior to the Meetings listed on the Notice of Hearing or attend either open meetings.

I would recommend e-mail above regular mail due to providing a timestamp and faster means of communication.

Please let me know if you have any questions.

Regards

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Gavin

Gavin Fogg

Manor Alterations Inspector

949-268-2345

Gavin.Fogg@vmsinc.org

Laguna Woods Village

Where new adventures begin



From: Hsin-Hong Huang [REDACTED]
Sent: Friday, August 25, 2017 9:34 AM
To: Fogg, Gavin
Cc: Oliver Lin
Subject: Notice of Hearing for Manor 5073

Hi Gavin:

The "Neighbor Awareness Notice of Hearing on Alternations at Manor 5073" document was sent to me incorrectly. The notice is for "Manor 2073". My property is 5072 Avenida Del Sol. Since I am in Michigan, do you want me to send the document back to you or do you want me to shred it and you will send a fresh copy to Manor 5073? Please advise.

May God bless you and your family.

Sincerely yours,
Hsin Huang

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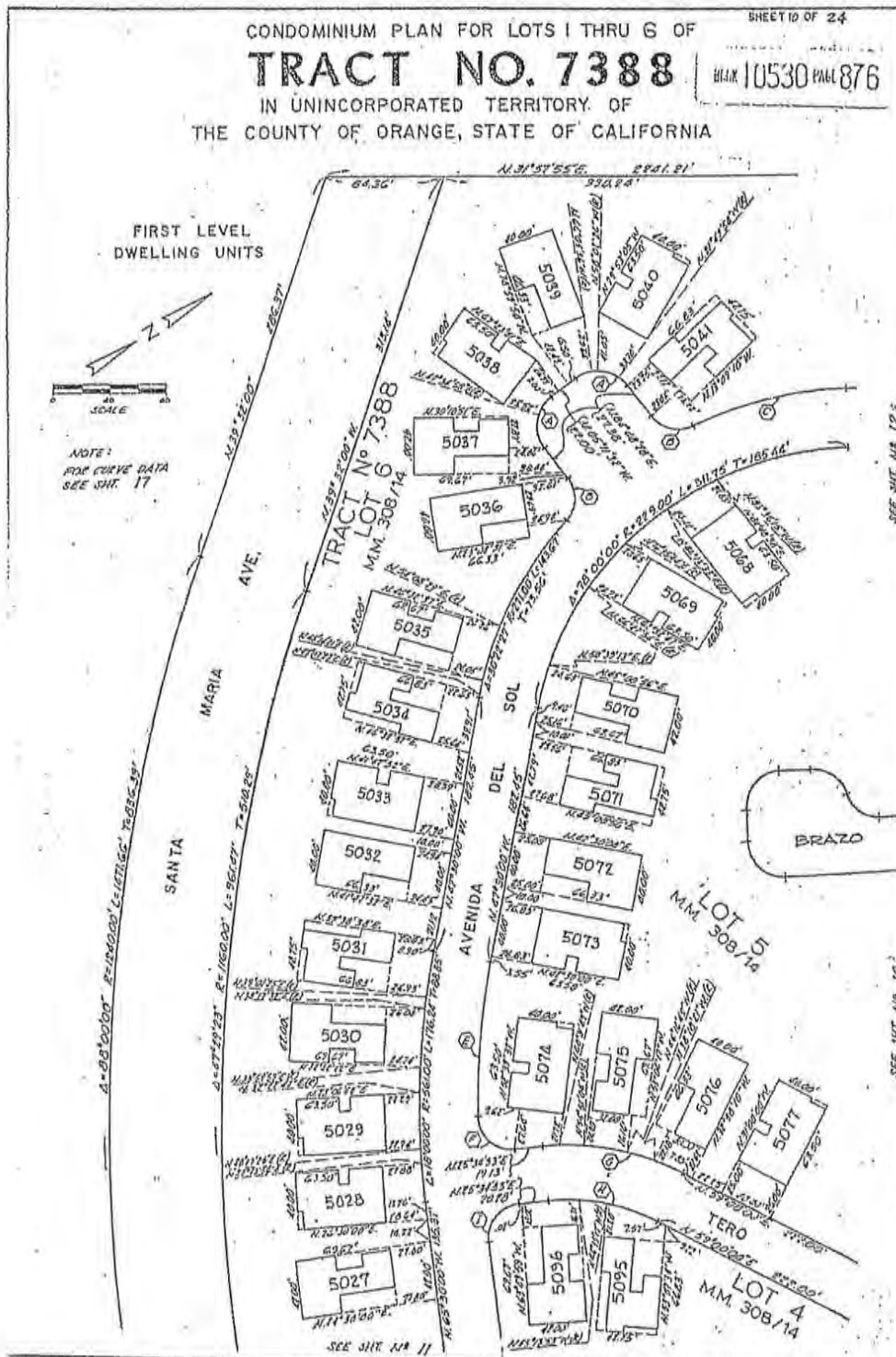




Mutual Consents 5073

Description	Install Dt	Mutual Permit
C13BPCAPW	11/26/1973	4185a
C13SWS	2/5/1974	4394a
C13GARD	6/6/1989	3428c
Garage Door	6/6/1989	3428c
Extend Laundry Room into Garage	12/8/1997	97994
Central Air Conditioner (Change-out)	3/27/2002	020482
Wrought Iron Gate	3/20/2003	030517
Tile in Entry	3/20/2003	030517
Tile on Back Patio	3/20/2003	030517
Garden Room	6/20/2003	031052
Retrofit All Windows	5/30/2008	080794
Retrofit All Sliding Glass Doors	5/30/2008	080794
14" Solatube in Living Room	6/2/2008	080867
10" Solatube in Bathroom	6/2/2008	080867
10" Solatube in Master Bedroom	6/2/2008	080867
10" Solatube in Closet	6/2/2008	080867
10" Solatube in Laundry Room	6/2/2008	080867
Patio Slab (Variance)	8/5/2008	081391
Bedroom Extension (Variance)	8/5/2008	081391
Glass Block Window in Kitchen	8/5/2008	081391
Gable Vent	8/5/2008	081391
Solar Attic Exhaust Fan	8/3/2009	091302
Central Air Conditioner and Heat Pump (Change out)	10/20/2014	142162

60



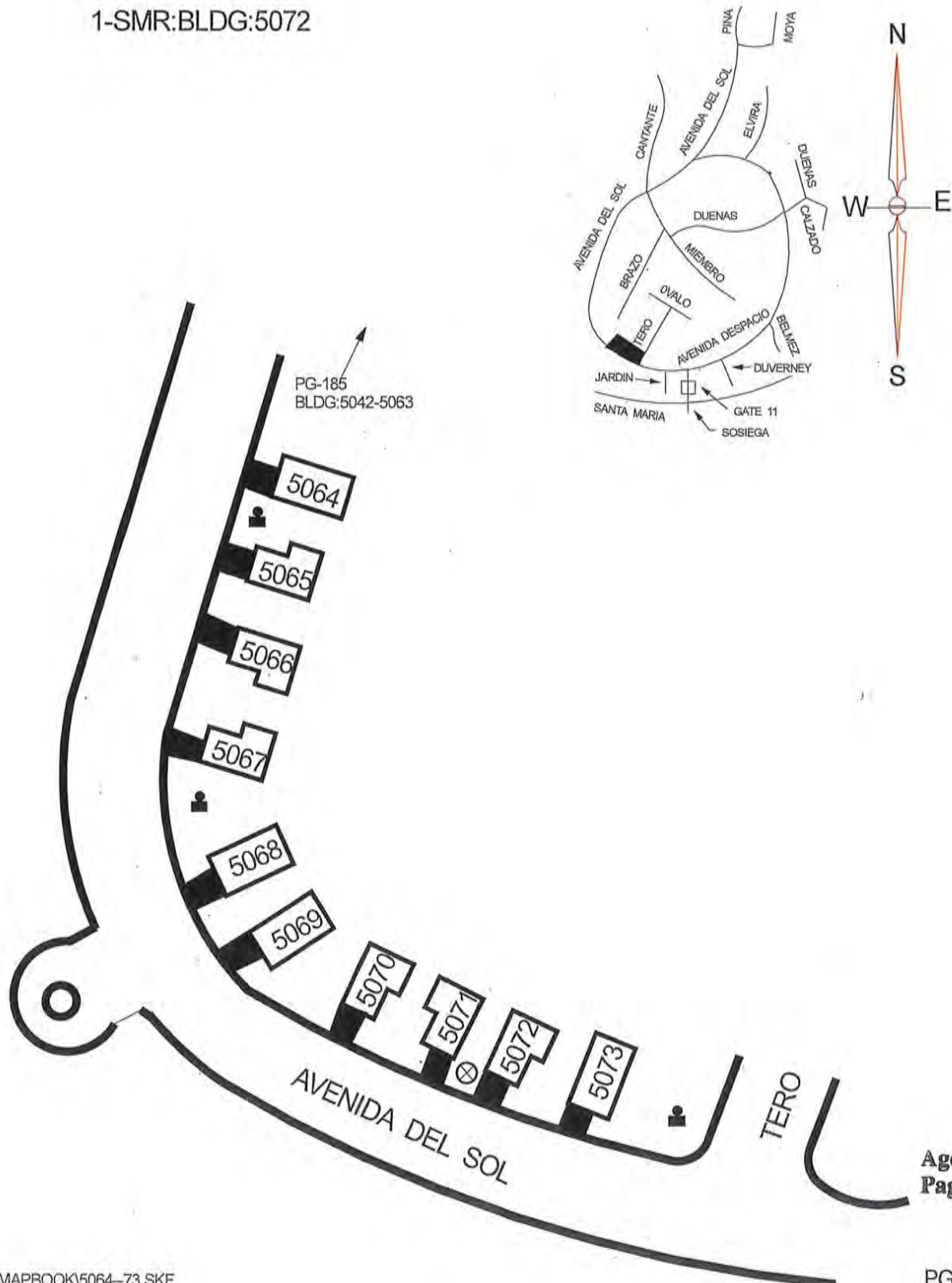
L/R: N/A

BLD: 5064-5073

C/P: N/A

PG-186

1-SMR:BLDG:5072



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STAFF REPORT

DATE: September 7, 2017
FOR: Architectural Standards and Control Committee
SUBJECT: Variance Request
Ms. Irene S. Chen 5448 Alta Vista – Install Room Addition on Back Patio

RECOMMENDATION

Staff recommends the Board approve the request to install a room addition on back patio with the following conditions:

1. No improvement shall be installed, constructed, modified or altered at Manor **5448**, ("Property") within the Third Laguna Hills Mutual ("Mutual") unless and until a Mutual Consent for Manor Alterations application for the improvement has been made to, and approved, in writing, by, the Village Management Services, Inc. ("VMS, Inc."), Manor Alterations Division ("Division"), or, in the event of a Variance from the Mutual's Alteration Standards, the Architectural Control and Standards Committee ("ACSC"). In the event written permission is given for the installation, construction, modification or alteration of any improvement(s) upon the Property, the Member Owner or Owners ("Member Owner") agrees to comply with the Mutual's Governing Documents and any specific terms or conditions imposed, and that the installation, construction, modification or alteration shall be in strict compliance with the terms of the approval.
2. A Mutual Consent for Manor Alterations has been granted at **5448** for **installing a room addition on back patio**, subject to the attached plans stamped approved and is subject to the final inspection by the Division. Any variations to the approved attached plans are not allowed and could result in a stop work notice and/or severe fines to the Member.
3. Member Owner hereby consents to and grants to the Mutual and the Division, and their representatives, a right of entry upon the Property at any time to be used to inspect the Property and the improvements thereon and for the Mutual and the Division, and their representatives and contractors to remedy any violation upon the Property, including, but not limited to, removing trash, removing any improvement installed without approval or modifying an improvement to bring the same into compliance with the terms of the approval.
4. All costs for maintenance, repair, renovation, replacement, or removal of the improvement, present and future, are the responsibility of the Property's Member Owner at 5448 and all future Mutual members at 5448.

5. Member Owner shall be responsible for all activity by contractors, subcontractors, material suppliers and their employees and agents and any others who perform work on the Property, including any violation of the Mutual's Governing Documents, including, but not limited to, traffic and parking violations, maintenance of a clean job site at all times, and use of Mutual property for storage of equipment or materials without prior approval. Member Owner acknowledges and agrees that all such persons are his/her invitees. Member Owner shall be responsible for informing all his/her invitees of the Mutual's Rules and Regulations. Member Owner shall be liable for any violation of the Mutual's Governing Documents by any invitee, including any fine, assessment or other charge levied in connection therewith.
6. Member is responsible for following the gate clearance process (<http://www.lagunawoodsvillage.com>) in place to admit contractors and other invites.
7. Member Owner's contractors and other invitees shall travel to and from the job site by the most direct route available and are not authorized to use Mutual recreational facilities or other amenities while they are in the Village for performance of work in connection with the Property.
8. Parking of contractors or other invitees' vehicles is prohibited in covered resident parking, open resident spaces, handicapped spaces or fire lanes. Contractors or other invitees must park on the street. To the extent possible contractors' or other invitees' vehicles should be limited in number.
9. Member Owner(s) of the Property must sign and submit to the Mutual, c/o VMS, Inc., at the Division office located in the Laguna Woods Village Community Center, an executed and notarized "Recordable Common Area Agreement" for a proposed improvement that would utilize any portion of the Mutual's Common Area. Prior to the issuance of a Mutual Consent for Manor Alterations, that "Recordable Common Area Agreement" must be filed with the Orange County Clerk/Recorder.
10. A City of Laguna Woods permit is required, which may include the requirement to obtain clearance from the South Coast Air Quality Management District (Asbestos Hot Line at (909) 396-2336). Prior to the issuance of a Mutual Consent for Manor Alterations, the appropriate City of Laguna Woods permit number(s) must be submitted to the Division office located in the Laguna Woods Village Community Center. The City permit must be finalized within the prescribed timeframe, and a copy of the final permit must be submitted to the Division within two weeks.
11. Prior to the issuance of a Mutual Consent for Manor Alterations, a complete set of unit specific plans prepared by a licensed architect or structural engineer depicting the proposed improvement must be submitted to the Division office located in the Laguna Woods Village Community Center. The plans must depict any required structural

modifications ensuring the structural integrity of the building is maintained upon completion of the proposed improvement.

12. Prior to the issuance of a Mutual Consent for Manor Alterations, if required, a Mutual Roof Alteration Notification ("Tie-In Form") must be submitted to the Division. All roof tie-ins must be performed by a C-39 Licensed Contractor. The Member Owner may hire a C-39 Licensed Contractor of his/her own choice to perform roof tie-ins for the installation of solar panels on all roof types except PVC Cool Roofs. For PVC Cool Roofs, regardless of the roof type, all tie-ins must be performed by the Mutual's roofing contractor at the Member Owner's expense. All tie-ins may only be made to sound structural elements. Existing structural elements proposed to be tied to, which exhibit signs of dry rot or other structural defects, must first be replaced or repaired at the Member Owner's expense during construction of the improvement.
13. Prior to the issuance of a Mutual Consent for Manor Alterations, the Member Owner shall request a Landscape Department inspection in order to assure all landscape, irrigation, and drainage modifications associated with the improvements are identified and completed by the Landscape Department at the expense of the Member Owner. All gutter drainage shall be directed away from structures, free standing walls, foundations, and pedestrian walkways.
14. Prior to the issuance of a Mutual Consent for Manor Alterations, any altered exterior surface should match the Building color; vinyl fence/gate will be either white or taupe, tubular steel or wrought iron fence/gate will be black or white; the approved colors and materials are identified at Resident Services located at the Community Center first floor.
15. All improvements must be installed in accordance with the California State Building Code, and the published Mutual Architectural Alterations Standards. See <http://www.lagunawoodsvillage.com>.
16. During construction, work hours established by the Mutual and the Noise Ordinance set forth in the City of Laguna Woods Municipal Code must be adhered to at all times.
17. During construction, both the Mutual Consent for Manor Alterations and the City Building Permit must be on display for public view at all times in a location approved by the Division.
18. It is mandatory that no waste or materials associated with the construction be dumped in the Village trash bins; such waste or materials associated with the construction must be disposed of offsite by the contractor.

19. The Mutual Consent for Manor Alterations expires six months after the date of approval, unless an application is submitted with fees and approved by the Division for an extension. Only one extension for a maximum of an additional six months may be granted.
20. Violations of the forgoing conditions or the Mutual's Governing Documents (See <http://www.lagunawoodsvillage.com>), including, but not limited to, work outside the approved plans, excessive noise, illegal dumping, or working after hours, will result in disciplinary action, which could result in a stop work notice, loss of privileges and/or severe fines to the Owner Member. Such fines left unpaid will result in forfeiture of a portion or all of the Conformance Deposit required above or other legal remedy.
21. Mutual member shall indemnify, defend and hold harmless Third and its officers, directors, committee members and agents from and against any and all claims, demands, costs, fines, judgments, settlements and any other costs, expenses, amounts and liabilities arising from Mutual member's improvements and installation, construction, design and maintenance of same.
22. The Mutual Consent Applicant or agent must contact the Manor Alterations Division as soon as the project is complete and has received a Final City of Laguna Woods permit approval in order to arrange a final inspection for Mutual Consent.

BACKGROUND

Irene S. Chen of 5448 Alta Vista, a San Marco style manor, is requesting Board approval for installing a room addition where currently there is a covered back patio with block wall.

A Mutual for Consent for a patio slab revision and block wall installation was granted in 1979 via Mutual consent # 2797b. A copy of the Consent is not available to confirm any additional conditions of the Mutual Consent. A Standard Mutual Consent form in 1979 did not contain restrictions on future Alterations.

DISCUSSION

The existing patio has a low block wall that borders an area approximately 42' by 12'6". The proposed alteration would take place within this existing walled area. As part of the alteration, the existing block wall will be demolished and new footings with a new concrete slab constructed to support the new wood frame structure.

The proposed room addition will have six windows on the rear elevation. Five lower windows measuring 6' by 5' and a sixth window measuring 3' by 6' will be located above the center window.

The left elevation will have two 5' by 4' windows (west elevation on site plan A-4). The sliding glass door on the right (east) elevation will measure 6' by 6'8", will need to be set back between

24"-36" to meet building code for an exterior landing and stay within the footprint of the previously approved patio. At the time of writing this report, the applicant's contractor is having the landing dimensions verified by the City of Laguna Woods for building code requirements. Upon City verification, a revised site plan will be required to be submitted to the Manor Alterations office on condition of approval.

In order to meet emergency egress requirements, an additional window is to be added on the east side in the master bedroom, measuring 4' by 2'. This window addition may be issued as an over-the-counter Mutual Consent.

All windows will be of white vinyl to match the existing Mutual Standards.

The proposed room addition will extend the existing roof line to the end of the patio using materials to match the existing roof appearance. Standard size (2' by 4') skylights are being proposed to be added on both sides of the alteration roof and a third above the Living Room.

Pursuant to the previous Decision Tree, five (5) criteria must be considered when reviewing applications for Common Area alterations. If the proposed alteration does not meet all criteria, the request should be denied. Alternately, of course, if the proposed alteration meets all criteria, the request should be approved.

1. Compliance with Community Standards. Each Application must comply with all Mutual governing documents, including but not limited to the architectural and building rules, whether the proposed alteration is entirely within the Member's manor, on Exclusive Use Common Area, or on Common Area.

The proposed alteration complies with Community Standards.

2. Neighbor Awareness Forms, required to be submitted from affected neighbors prior to approval. If the Mutual determines the proposed alteration will cause an unreasonable burden to other Manor residents, then the Application for Manor Alteration(s) should be rejected.

Neighbor Awareness Notices have been mailed to manors 5446, 5447, 5449, 5450, and 5446 for notification of the proposed alteration, Committee and Board Meeting dates and times. The Board shall make the determination regarding an unreasonable burden.

3. Determine whether the area of the proposed alteration is located in Common Area or Exclusive Use Common Area. If the Mutual determines the proposed alteration will be located entirely on Exclusive Use Common Area, proceed to Step 5, Recordable Agreement Requirement.

The proposed alteration would be located partly on Limited Common Area and partly on Common Area previously granted exclusive use to the member applicant. Approval will require a Recordable Common Area Use Agreement.

4. If a proposed alteration is to be located entirely or partially on or over Common Area, the Mutual should first determine if allowing the alteration would relieve the Mutual of the burden of management and maintenance of an area which is generally inaccessible and not of general use to the other members of Third. [The alteration should relieve burden and not create or

increase others]. If the proposed alteration does not meet these conditions, it must be denied. If the application meets this test, proceed to Step 5 below.

The proposed alteration meets this criteria listed above, as the room addition would be located where a previously granted block wall already encloses the area and makes the area not of general use to other members of Third Mutual and therefore transfers the burden of maintenance from the corporation to the Manor Owner.

5. Recordable Agreement Requirement. This agreement, among other things, requires the Member to acknowledge the Alteration shall be Common Area and will not be separately owned by Member, and shall not construed to change or expand the Member's separate interest as documented in the applicable Condominium Plan.

The Member will be required to complete the "Recordable Common Area Agreement" prior to issuance of a Mutual permit.

At the time of preparing this report, there are no open Mutual Consents for this manor.

A previous request for room extension onto the back patio was approved for Manors 5446 in November 2014 and 5445 in May 2017.

Staff is of the opinion that the proposed alterations would not create a negative visual imbalance to the building or surrounding area due to similar existing approved room additions on neighboring units.

Prepared By: Gavin Fogg, Manor Alterations Inspector

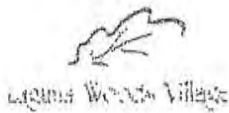
Reviewed By: Brett Crane, Manor Alterations Supervisor
Kurt Wiemann, Permits, Inspections & Restoration Manager

ATTACHMENT(S)

Attachment 1: Variance Request; August 3, 2017

Attachment 2: Condominium Plans and Mutual Consents

Attachment 3: Map



Variance Request Form

☐ XLWM
☒ TLHM

Model: San Marco
SA: 21134428

Name: <u>IRENE CHEN</u>	Date: <u>8/03/17</u>
Manor: <u>5448 ALTA VISTA, LAGUNA WOODS</u>	Phone: [REDACTED]

Description of Proposed Variance Request:

1. Enclose patio area of the existing patio in the backyard.
2. Inside the patio enclosed area, window, electricity, fan, and skylight will be added. New roofing will follow the existing slope and shape of the roof.
3. Patio enclosure: stucco finish for exterior and drywall finish for interior.
4. New escape window will be added to the existing wall of the master bedroom

RECEIVED

AUG 03 2017

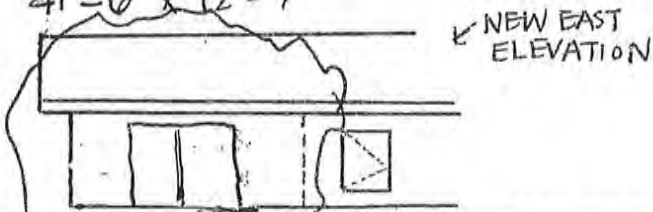
Dimensions of Proposed Alterations:

Existing dimension: ~~41'-6" x 67'-4"~~

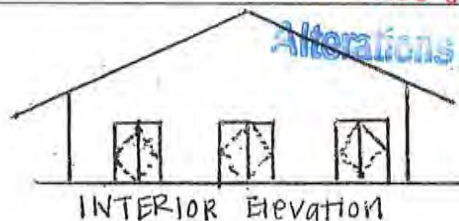
41'-6" x 67'-4"

New dimension added:

41'-6" x 12'-7"



NEW EAST ELEVATION



INTERIOR ELEVATION



NEW SOUTH ELEVATION

FOR OFFICE USE ONLY

Received by: Ivet Jones

Date Received: 8-3-17

Proposed Alteration Variance:

Check Items Received:

- ☒ Drawing of Proposed Variance
- ☒ Dimensions of Proposed Variance
- ☒ Before and After Pictures
- ☒ Payment
- ☐ Other: _____

Cut off Day: 8-04-17

Meetings Scheduled

Third AC&S Committee (TACSC): Sept 7th

United M&C Committee (UMCC): _____

Board Meeting: Sept 19th

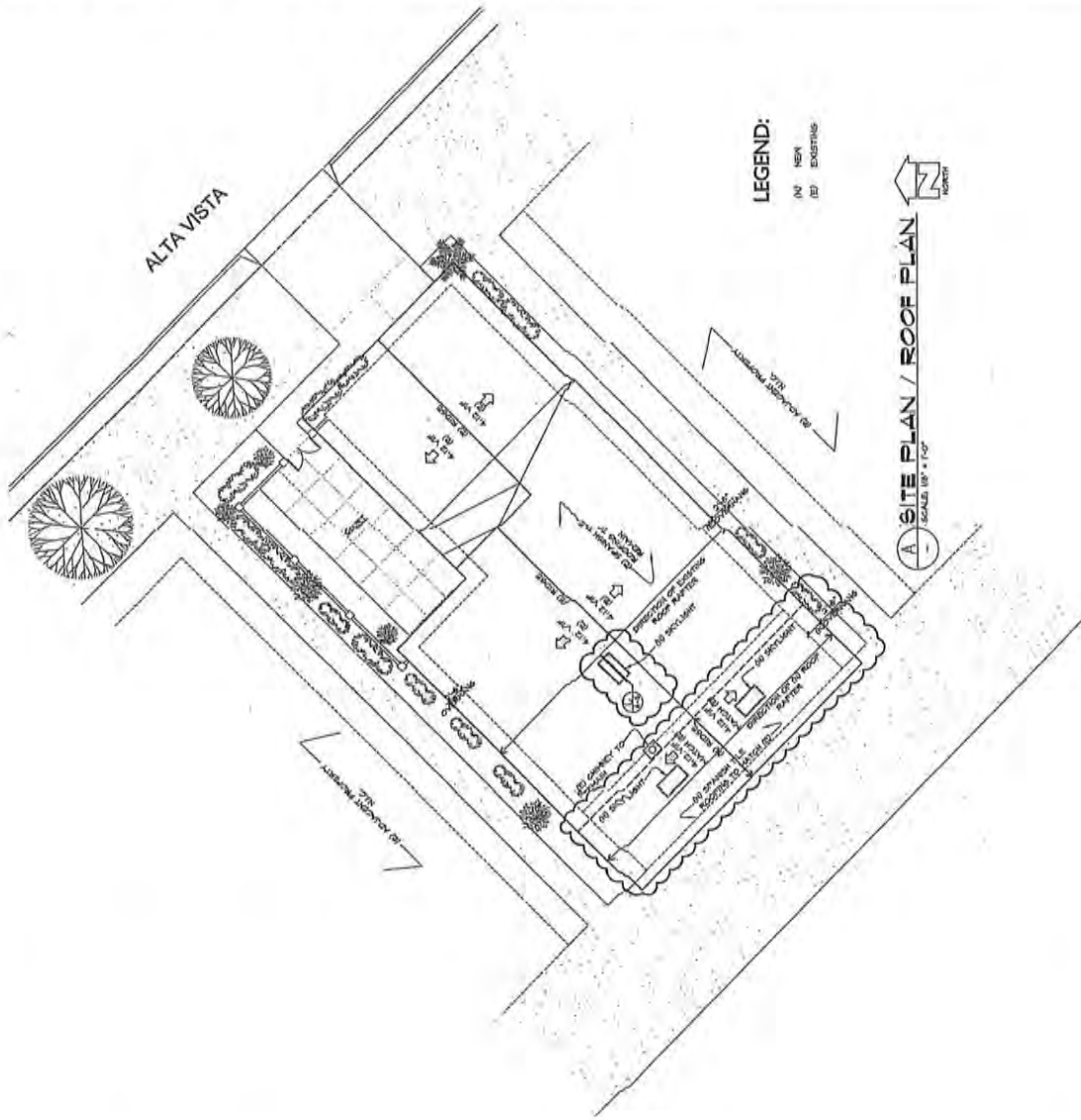
☐ Denied

☐ Approved

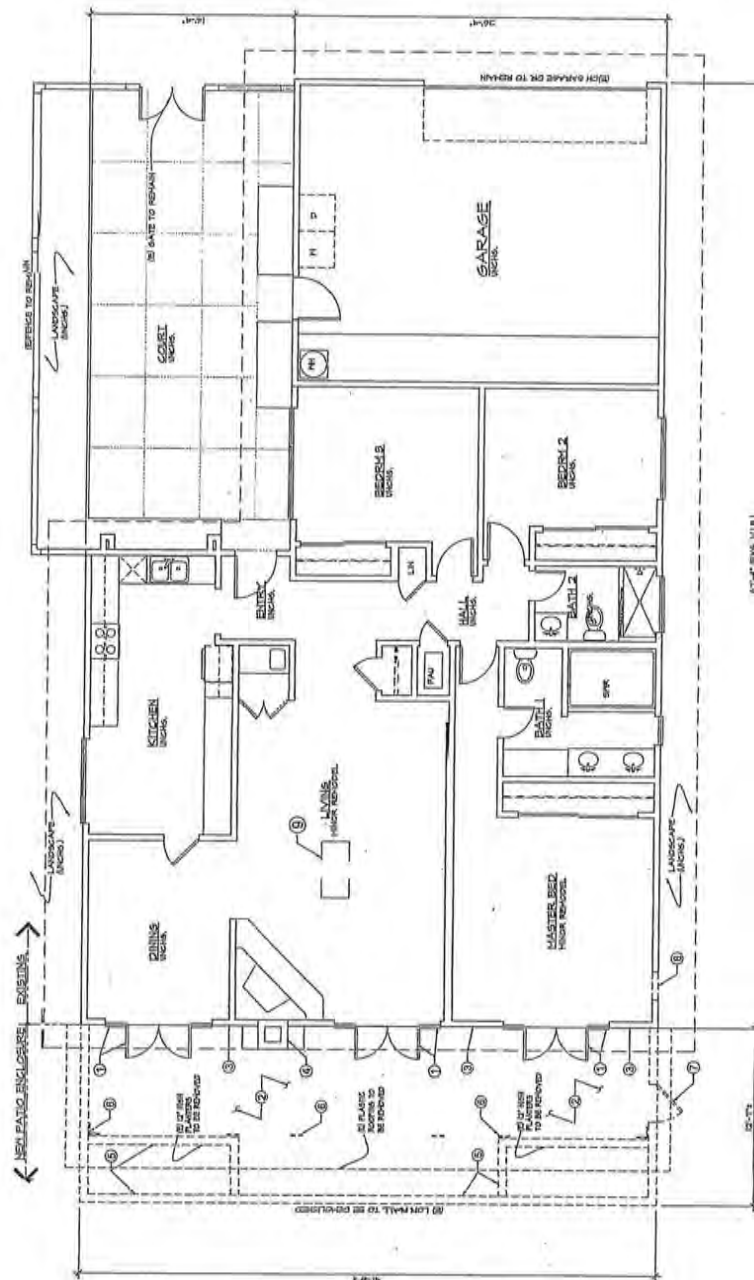
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Check # 1127

By: Y & Y Construction

[illegible]

EXISTING PATIO ENCLOSURE 5448 ALTA VISTA, LAQUINA WOODS, CA 92637 OWNER: IRENE CUON ADDRESS: 5448 ALTA VISTA, LAQUINA WOODS, CA 92637		EXISTING FLOOR PLAN PKA & ASSOCIATES ARCHITECTURE & INTERIOR DESIGN	
GENERAL NOTES 1. ALL WORK SHALL CONFORM TO THE 2015 EDITION OF THE CALIFORNIA BUILDING CODE (CBC) AND ALL APPLICABLE ORDINANCES AND REGULATIONS. 2. THE CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS IN THE FIELD AND FACILITY THE NECESSARY CHANGES TO THE DRAWINGS.		DEMO/EXG. KEYNOTES ① DEMO DOOR AND WINDOW TO REMAIN ② DEMO DOOR AND WINDOW TO BE RELOCATED ③ DEMO DOOR AND WINDOW TO BE RELOCATED ④ DEMO DOOR AND WINDOW TO BE RELOCATED ⑤ DEMO DOOR AND WINDOW TO BE RELOCATED ⑥ DEMO DOOR AND WINDOW TO BE RELOCATED ⑦ DEMO DOOR AND WINDOW TO BE RELOCATED ⑧ DEMO DOOR AND WINDOW TO BE RELOCATED ⑨ DEMO DOOR AND WINDOW TO BE RELOCATED ⑩ DEMO DOOR AND WINDOW TO BE RELOCATED	

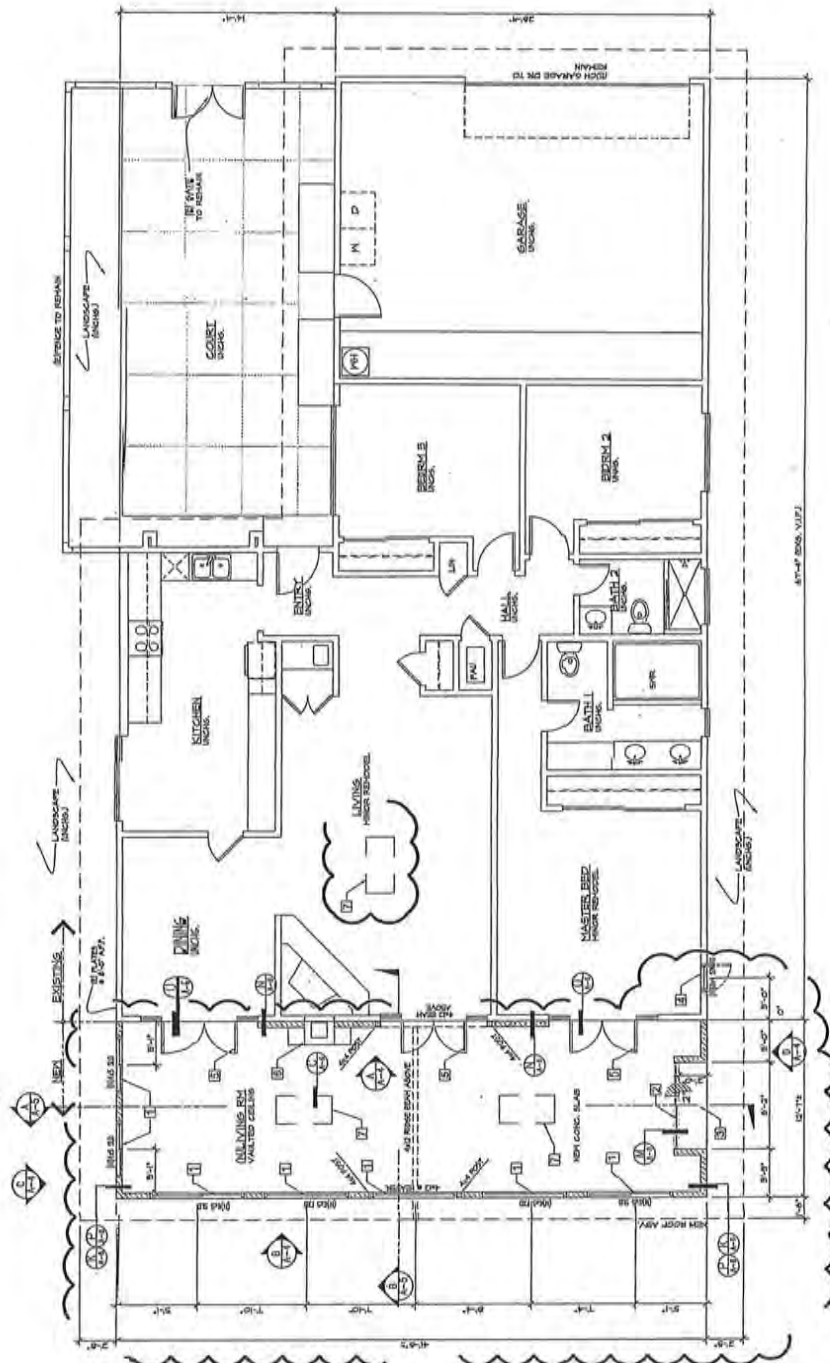


A EXISTING / DEMO FLOOR PLAN
 SCALE: 1/4" = 1'-0"

GENERAL NOTES 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODE, CALIFORNIA ELECTRICAL CODE AND THE 2019 CALIFORNIA MECHANICAL CODE. 2. THE CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS IN THE FIELD, AND ALL CONCRETE AND REINFORCEMENT OF ANY ENCLOSURE.		FLOOR PLAN KEYNOTES 1. NO REMAINING OR NEW WITHOUT DOUBLE CHECKING. 2. NO REMAINING OR NEW WITHOUT DOUBLE CHECKING. 3. NO REMAINING OR NEW WITHOUT DOUBLE CHECKING. 4. NO REMAINING OR NEW WITHOUT DOUBLE CHECKING. 5. NO REMAINING OR NEW WITHOUT DOUBLE CHECKING. 6. NO REMAINING OR NEW WITHOUT DOUBLE CHECKING. 7. NO REMAINING OR NEW WITHOUT DOUBLE CHECKING.		FLOOR PLAN LEGEND SWITCH DIMMER SWITCH OUTLET CEILING OR WALL MOUNT FIXTURE RECESSED LED FIXTURE CEILING FAN IN LIGHT FIXTURE WATERPROOF RECESSED FIXTURE HOSE BIB PUEL GAS AIR DIFFUSER NEW PARTITION WALL NEW BREAK HALL EXISTING HALL TO REMAIN (N/G) AREA OF REMODEL		FLOOR PLAN NOTES	
GREEN NOTES		EXISTING PATIO ENCLOSURE ADDRESS: 5448 ALTA VISTA, LAGUNA WOODS, CA 92657 OWNER: IRENE CUON ADDRESS: 5448 ALTA VISTA, LAGUNA WOODS, CA 92657		FLOOR PLAN PKA & ASSOCIATES ARCHITECTURE, INTERIOR DESIGN, LANDSCAPE DESIGN		Date: _____ Scale: As Noted Project: _____ Drawing: _____ Revision: _____ Date: _____	

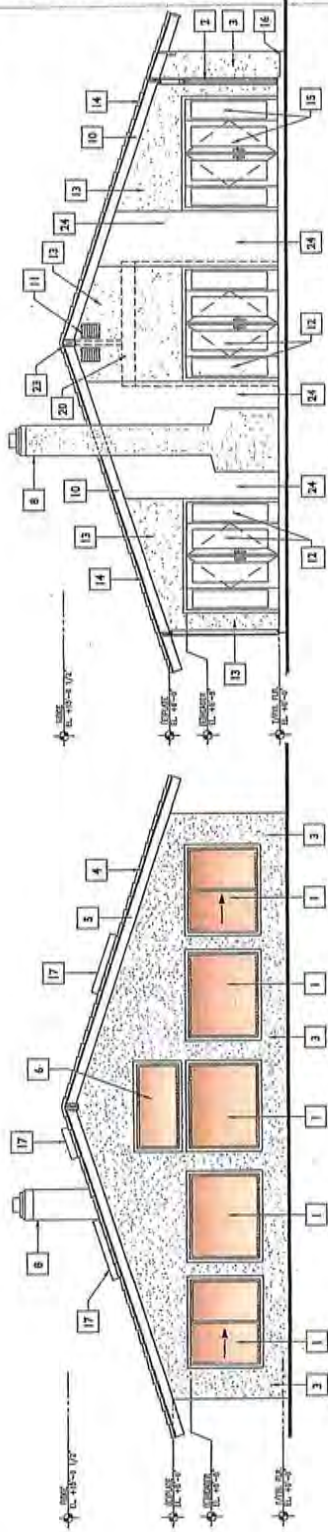
A-3

OF 1 Sheet

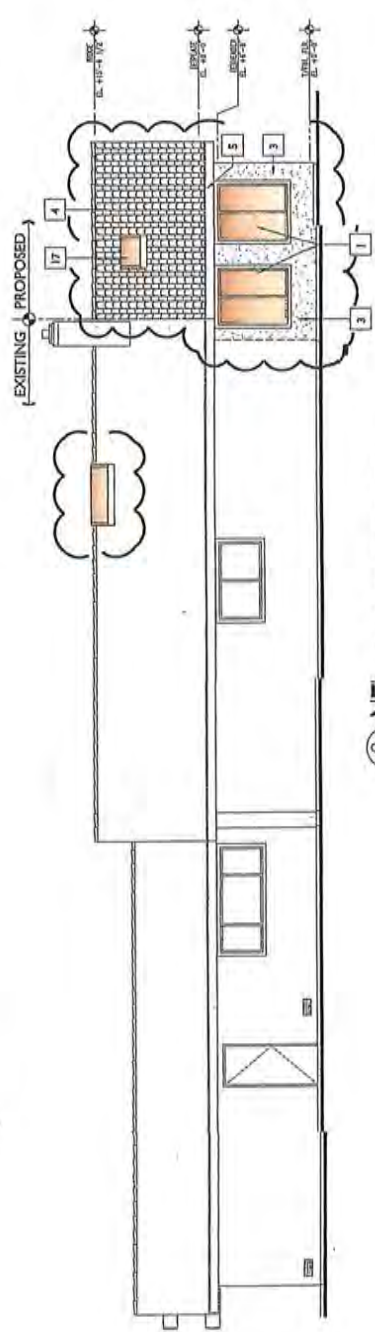


NEW FLOOR PLAN
 SCALE: 1/8" = 1'-0"

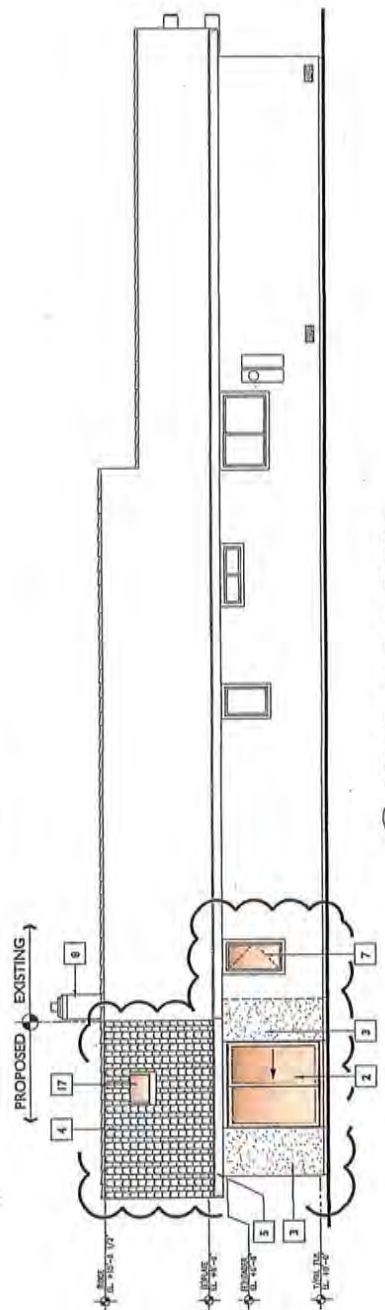
ELEV./SECT. KEYNOTES		EXISTING PATIO ENCLOSURE		EXTERIOR ELEVATIONS	
1	EXISTING OR NEW WINDOW ENCLOSURE GLAZING	OWNER: IRENE CUON	ADDRESS: 8448 ALTA VISTA, LAJUNA WOODS, CA. 92037	PKA & ASSOCIATES ARCHITECTS (P) ARCHITECTS / INTERIOR DESIGN	
2	EXISTING OR NEW WINDOW ENCLOSURE GLAZING	8448 ALTA VISTA, LAJUNA WOODS, CA. 92037			
3	EXISTING OR NEW WINDOW ENCLOSURE GLAZING			A-4	
4	EXISTING OR NEW WINDOW ENCLOSURE GLAZING				
5	EXISTING OR NEW WINDOW ENCLOSURE GLAZING			Cf. 3 Sheet	
6	EXISTING OR NEW WINDOW ENCLOSURE GLAZING				
7	EXISTING OR NEW WINDOW ENCLOSURE GLAZING			Done	
8	EXISTING OR NEW WINDOW ENCLOSURE GLAZING				
9	EXISTING OR NEW WINDOW ENCLOSURE GLAZING			Scale As Noted	
10	EXISTING OR NEW WINDOW ENCLOSURE GLAZING				
11	EXISTING OR NEW WINDOW ENCLOSURE GLAZING			Drawn: Team	
12	EXISTING OR NEW WINDOW ENCLOSURE GLAZING				
13	EXISTING OR NEW WINDOW ENCLOSURE GLAZING			Approved: PK	
14	EXISTING OR NEW WINDOW ENCLOSURE GLAZING				
15	EXISTING OR NEW WINDOW ENCLOSURE GLAZING			Date:	
16	EXISTING OR NEW WINDOW ENCLOSURE GLAZING				
17	EXISTING OR NEW WINDOW ENCLOSURE GLAZING			Sheet	
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B NEW SOUTH ELEVATION
SCALE 1/8" = 1'-0"



C NEW WEST ELEVATION
SCALE 1/8" = 1'-0"

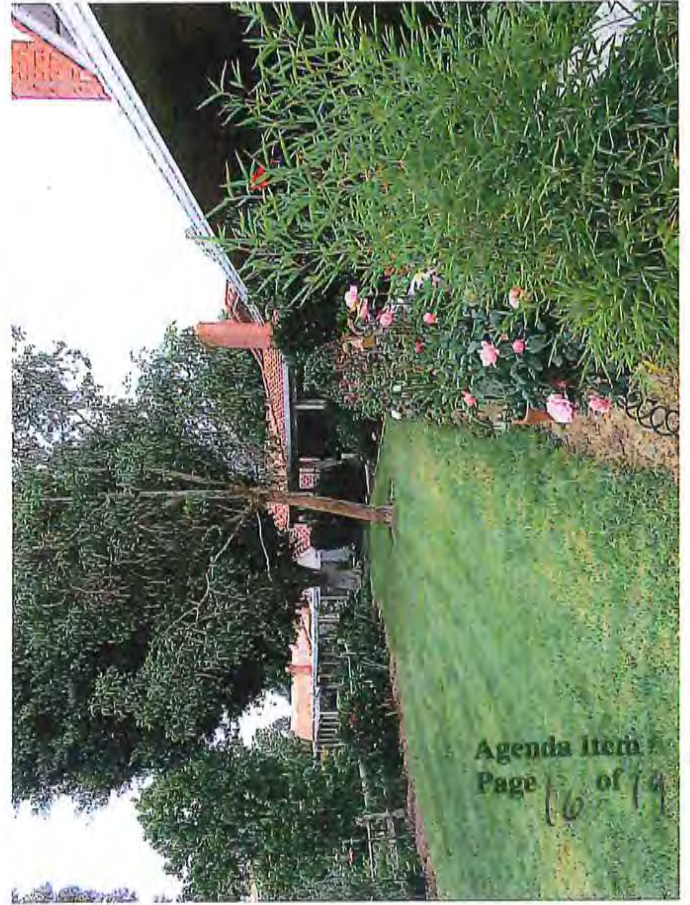


D NEW EAST ELEVATION
SCALE 1/8" = 1'-0"

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Mutual Consents 5448

Description	Install Dt	Mutual Permit
C12PCA	6/9/1978	2114b
C12SD2	2/1/1979	2756b
C12PSRPW	3/2/1979	2797b
C12PCW	3/13/1979	2828b
Door Revision (Entry)	1/4/2010	100016
Electrical in Kitchen for Lighting	1/20/2015	150118
Tile on Patio (Front)	3/13/2015	150485
Tile on Patio (Rear)	3/13/2015	150485
Retrofit all Windows	4/2/2015	150623
Electrical in Bedroom for Ceiling Fan	4/2/2015	150623
Electrical in Bedroom for Ceiling Fan	4/2/2015	150623
Electrical in Living Room for Lighting	4/2/2015	150623
Tub to Tub	4/2/2015	150623
Shower to Shower	4/2/2015	150623
Sliding Glass Doors to French Doors, All	4/2/2015	150623



9445



9445

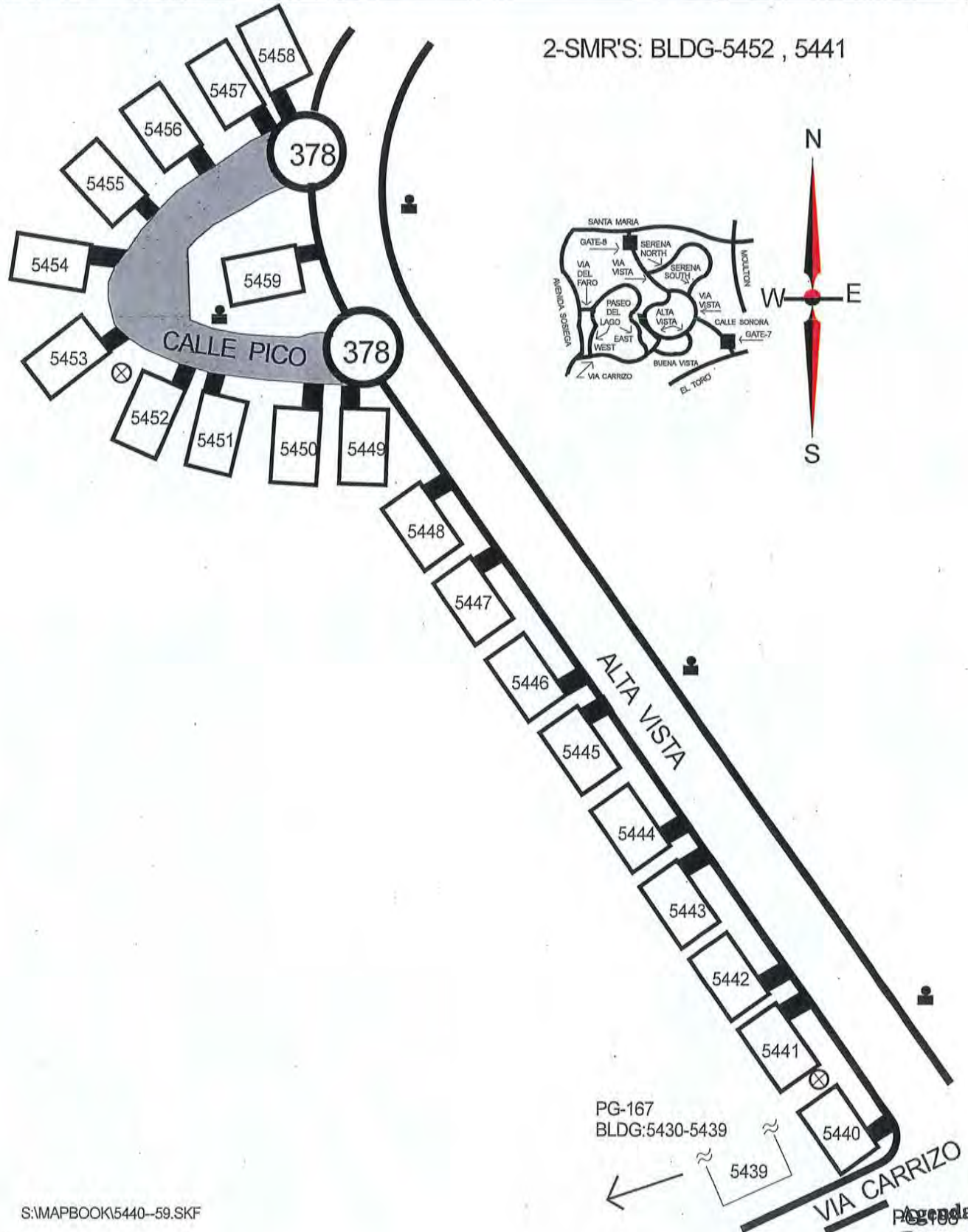


L/R: N/A

BLD: 5440-5459

C/P: N/A

PG-168







STAFF REPORT

DATE: September 7, 2017
FOR: Architectural Standards and Control Committee
SUBJECT: Variance Request
David L Gilbert of 5515-1G Paseo Del Lago West – HVAC Install

RECOMMENDATION

Staff recommends the Board approve the request for installing the proposed HVAC system with the following conditions:

1. No improvement shall be installed, constructed, modified or altered at Manor **5515-1G**, ("Property") within the Third Laguna Hills Mutual ("Mutual") unless and until a Mutual Consent for Manor Alterations application for the improvement has been made to, and approved, in writing, by, the Village Management Services, Inc. ("VMS, Inc."), Manor Alterations Division ("Division"), or, in the event of a Variance from the Mutual's Alteration Standards, the Architectural Control and Standards Committee ("ACSC"). In the event written permission is given for the installation, construction, modification or alteration of any improvement(s) upon the Property, the Member Owner or Owners ("Member Owner") agrees to comply with the Mutual's Governing Documents and any specific terms or conditions imposed, and that the installation, construction, modification or alteration shall be in strict compliance with the terms of the approval.
2. A Mutual Consent for Manor Alterations has been granted at **5515-1G** for **Installing an HVAC System**, subject to the attached plans stamped approved and is subject to the final inspection by the Division. Any variations to the approved attached plans are not allowed and could result in a stop work notice and/or severe fines to the Member.
3. Member Owner hereby consents to and grants to the Mutual and the Division, and their representatives, a right of entry upon the Property at any time to be used to inspect the Property and the improvements thereon and for the Mutual and the Division, and their representatives and contractors to remedy any violation upon the Property, including, but not limited to, removing trash, removing any improvement installed without approval or modifying an improvement to bring the same into compliance with the terms of the approval.

4. All costs for maintenance, repair, renovation, replacement or removal of the improvement, present and future, are the responsibility of the Property's Member Owner at 5515-1G and all future Mutual members at 5515-1G.
5. Member Owner shall be responsible for all activity by contractors, subcontractors, material suppliers and their employees and agents and any others who perform work on the Property, including any violation of the Mutual's Governing Documents, including, but not limited to, traffic and parking violations, maintenance of a clean job site at all times, and use of Mutual property for storage of equipment or materials without prior approval. Member Owner acknowledges and agrees that all such persons are his/her invitees. Member Owner shall be responsible for informing all his/her invitees of the Mutual's Rules and Regulations. Member Owner shall be liable for any violation of the Mutual's Governing Documents by any invitee, including any fine, assessment or other charge levied in connection therewith.
6. Member is responsible for following the gate clearance process (<http://www.lagunawoodsvillage.com>) in place to admit contractors and other invites.
7. Member Owner's contractors and other invitees shall travel to and from the job site by the most direct route available and are not authorized to use Mutual recreational facilities or other amenities while they are in the Village for performance of work in connection with the Property.
8. Parking of contractors or other invitees' vehicles is prohibited in covered resident parking, open resident spaces, handicapped spaces or fire lanes. Contractors or other invitees must park on the street. To the extent possible contractors' or other invitees' vehicles should be limited in number.
9. Member Owner(s) of the Property must sign and submit to the Mutual, c/o VMS, Inc., at the Division office located in the Laguna Woods Village Community Center, an executed and notarized "Recordable Common Area Agreement" for a proposed improvement that would utilize any portion of the Mutual's Common Area. Prior to the issuance of a Mutual Consent for Manor Alterations, that "Recordable Common Area Agreement" must be filed with the Orange County Clerk/Recorder.
10. A City of Laguna Woods permit is required, which may include the requirement to obtain clearance from the South Coast Air Quality Management District (Asbestos Hot Line at (909) 396-2336). Prior to the issuance of a Mutual Consent for Manor Alterations, the appropriate City of Laguna Woods permit number(s) must be submitted to the Division office located in the Laguna Woods Village Community Center. The City permit must be finalized within the prescribed timeframe, and a copy of the final permit must be submitted to the Division within two weeks.

11. Prior to the issuance of a Mutual Consent for Manor Alterations, the Member Owner shall request a Landscape Department inspection in order to assure all landscape, irrigation, and drainage modifications associated with the improvements are identified and completed by the Landscape Department at the expense of the Member Owner. All gutter drainage shall be directed away from structures, free standing walls, foundations, and pedestrian walkways.
12. Prior to the issuance of a Mutual Consent for Manor Alterations, any altered exterior surface should match the Building color; vinyl fence/gate will be either white or taupe, tubular steel or wrought iron fence/gate will be black or white; the approved colors and materials are identified at Resident Services located at the Community Center first floor.
13. All improvements must be installed in accordance with the California State Building Code, and the published Mutual Architectural Alterations Standards. See <http://www.lagunawoodsvillage.com>.
14. During construction, work hours established by the Mutual and the Noise Ordinance set forth in the City of Laguna Woods Municipal Code must be adhered to at all times.
15. During construction, both the Mutual Consent for Manor Alterations and the City Building Permit must be on display for public view at all times in a location approved by the Division.
16. It is mandatory that no waste or materials associated with the construction be dumped in the Village trash bins; such waste or materials associated with the construction must be disposed of offsite by the contractor.
17. The Mutual Consent for Manor Alterations expires six months after the date of approval, unless an application is submitted with fees and approved by the Division for an extension. Only one extension for a maximum of an additional six months may be granted.
18. Violations of the forgoing conditions or the Mutual's Governing Documents (See <http://www.lagunawoodsvillage.com>), including, but not limited to, work outside the approved plans, excessive noise, illegal dumping, or working after hours, will result in disciplinary action, which could result in a stop work notice, loss of privileges and/or severe fines to the Owner Member. Such fines left unpaid will result in forfeiture of a portion or all of the Conformance Deposit required above or other legal remedy.
19. Mutual member shall indemnify, defend and hold harmless Third and its officers, directors, committee members and agents from and against any and all claims, demands, costs, fines, judgments, settlements and any other costs, expenses, amounts and liabilities arising from Mutual member's improvements and installation, construction, design and maintenance of same.

20. The Mutual Consent Applicant or agent must contact the Manor Alterations Division as soon as the project is complete and has received a Final City of Laguna Woods permit approval in order to arrange a final inspection for Mutual Consent.

BACKGROUND

Mr. David L Gilbert of 5515-1G Paseo Del Lago West, an El Mirador style manor, requests Board approval for his variance to install an HVAC condenser unit under his living room window. This location is a standard location for the HVAC condenser for this style unit.

A Mutual Standard for HVAC installation exists; as part of the Standard requirement, a Neighbor Awareness Form is requested from all neighbors that may be affected by the alteration. During this process, unit 3G signed a Neighbor Awareness Form as 'Approved', however, unit 5515-2G refused to sign any document and so a Variance is required. No reason has been provided by unit 2G at the time the report was written as to why they are against the HVAC installation.

The El Mirador is a 3-story building; the living room in unit 2G is located immediately above the living room of unit 1G.

DISCUSSION

The proposed installation would follow Third Mutual Standards Section 4 (Air Conditioning Units/Heat Pumps) and meet building code regulations per a City of Laguna Wood permit. The location for the condenser is standard for a ground floor unit HVAC or Ductless Heat Pump condenser installations.

The equipment to be installed is a standard HVAC system. The outdoor unit measures 25" by 29¾" by 29¾" and the product specifications state the operating noise level is 76dba, which is normal for such a unit.

All future costs and maintenance associated with the subject alterations are the responsibility of the Mutual member(s) at 5515-1G.

A Neighbor Awareness Notice was posted in the Lobby of Building 5515 to meet notification requirements.

At the time of preparing this report Manor 5515-1G has 11 open Mutual Consents for a unit remodel. The work being performed is being regulated via Mutual Standards and City of Laguna Woods Permit.

Description	Install Date	Mutual Permit
Electrical Throughout	7/19/2017	171474
Tub to Shower	7/19/2017	171474
Tile on Balcony	7/19/2017	171474
Balcony Enclosure	7/19/2017	171474
Door Revision, Entry	7/19/2017	171474
Shower to Shower	7/19/2017	171474
Retrofit all Windows	7/19/2017	171474
Retrofit all Sliding Glass Doors	7/19/2017	171474
Electrical Panel	7/19/2017	171474
Wall Revision in Kitchen	7/19/2017	171474
Wall Revision in Living Room	7/19/2017	171474

Previous Room HVAC installations have been performed in Building 5515 (see below):
(Photo examples of these Condensers are shown in attachments)

*Description	Install Date	Location	Mutual Permit
Central Air Conditioner and Heat Pump	1/2/2015	Manor: 5515-1C	150004
Central Heating & Air	7/2/2009	Manor: 5515-1D	091072
Central Heating and Air Conditioning	1/17/2017	Manor: 5515-1F	170068
Central Heating & Air	11/18/2010	Manor: 5515-1H	102332
Central Air Conditioner	3/29/1999	Manor: 5515-3A*	99345
Central Air Conditioner and Heat Pump (Replace)	9/12/2012	Manor: 5515-3B*	121739
Central Air Conditioner	2/18/1999	Manor: 5515-3C*	99144
Central Air Conditioner	3/29/1999	Manor: 5515-3D*	99344
Central Air Conditioner	3/29/1999	Manor: 5515-3E*	99343
Central Heating & Air (replacement)	12/21/2011	Manor: 5515-3E*	112463
Central Air Conditioner	5/13/1999	Manor: 5515-3F*	99561

*Note: Units on 3rd story have Condensers on building roof.

Prepared By: Gavin Fogg, Manor Alterations Inspector

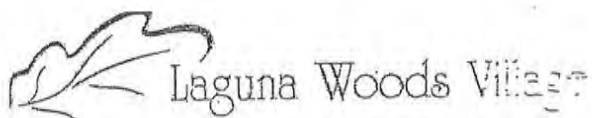
Reviewed By: Brett Crane, Manor Alterations Supervisor
Kurt Wiemann, Permits, Inspections & Restoration Manager

ATTACHMENT(S)

Attachment 1: Variance Request; July 19, 2017

Attachment 2: Neighbor Awareness Form(s)

Attachment 3: Map

MANOR # 5515-1G☐ ULWM☒ TLHM

Variance Request Form

SA 21154649

Model: <u>EL MIRADOR</u>	Plan:	Date: <u>7/19/17</u>
Member Name: <u>DAVE GILBERT</u>		
Applicant Name/Co: <u>CAVEMEN CO</u>	Phone:	Email:

Description of Proposed Variance Request ONLY:

INSTALL HVAC UNDER LIVING ROOM WINDOW
2.5 TON5515 ZG REFUSED TO SIGN NEIGHBOR AWARENESS FORM

RECEIVED

JUL 19 2017

Alterations Department

Dimensions of Proposed Variance Alterations ONLY:

34x34x36" - 2.5 TON

FOR OFFICE USE ONLY

RECEIVED BY: [Signature]DATE RECEIVED: 7/19/17Check# 1190BY: Lawmen CO, com

Alteration Variance Request

Check Items Received:

- ☐ Drawing of Existing Floor Plan
- ☐ Drawing of Proposed Variance
- ☐ Dimensions of Proposed Variance
- ☐ Before and After Pictures
- ☐ Other: _____

Complete Submittal Cut Off Date: 8-4-17

Meetings Scheduled:

Third AC&S Committee (TACSC): 9-7-17

United M&C Committee: _____

Board Meeting: 9/19/17☐ Denied☐ Approved☐ Tabled☐ Other: _____Agenda Item #
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14

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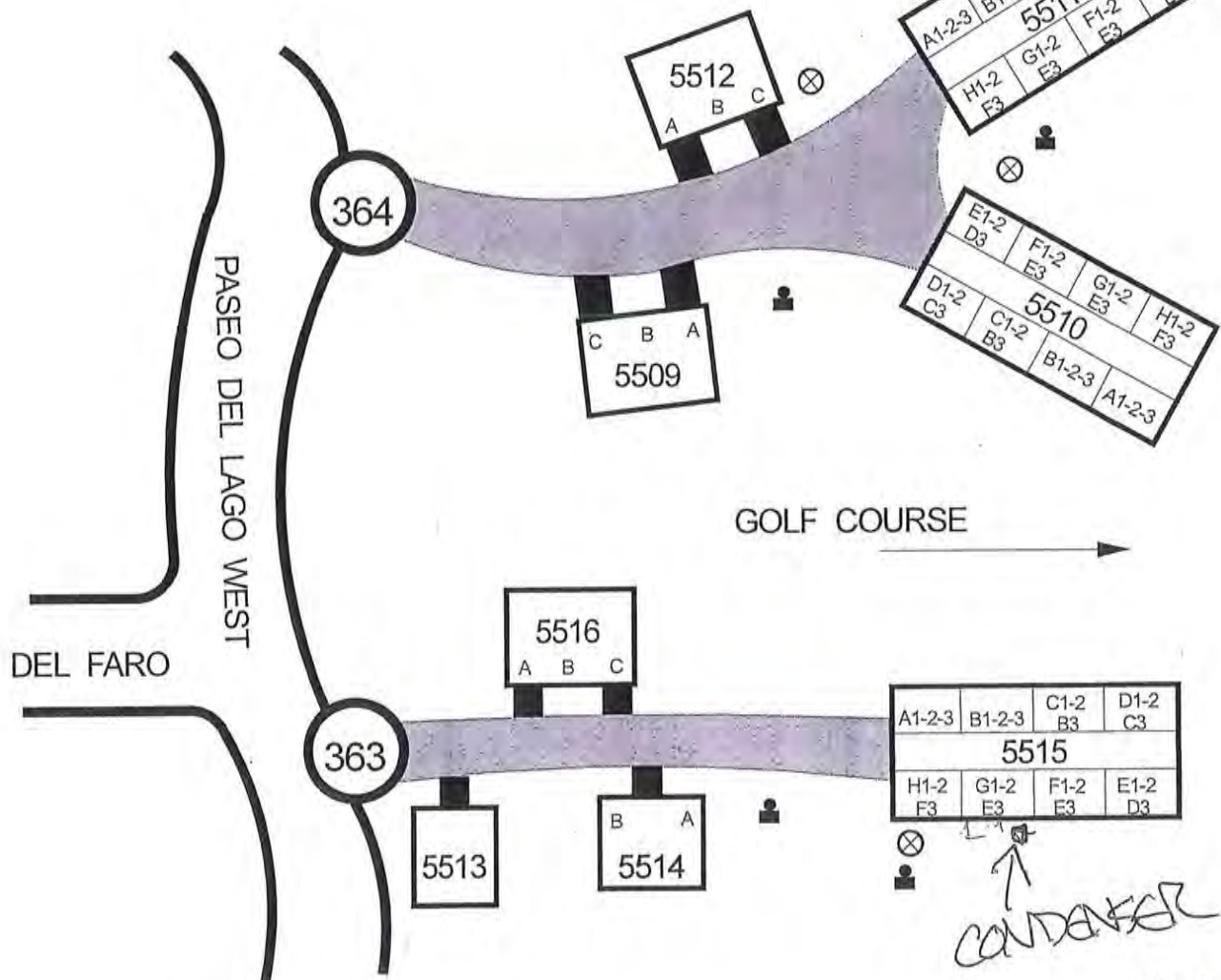
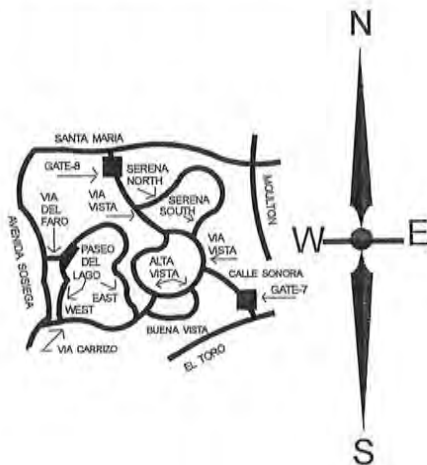
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3-SMR'S: BLDG-5512C, 5515-1H, 5516C

5515 16

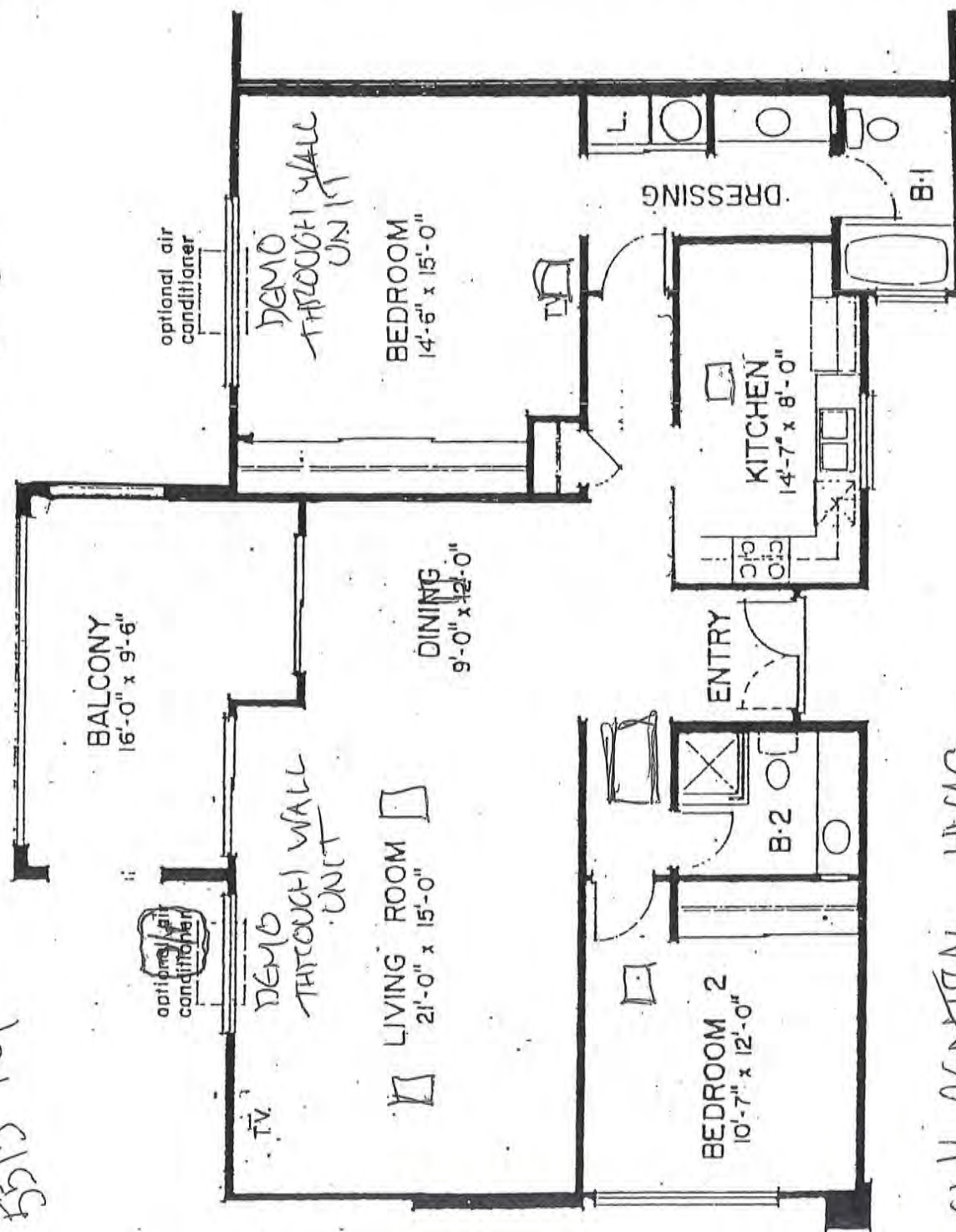


El Mirrador(SC22)

TWO BEDROOM

EXISTING FLOOR PLAN

5515 16



NEW CENTRAL HVAC

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Cart: \$0.00

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Menu



2.5 Ton 14 Seer Rheem / Ruud Heat Pump System

Model: RP1430AJ1NA - RH1T3617STANJA

Qualifies for 5% OFF Use Code: **5OFF**

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Agenda Item # **14**
Page **9** of **21**

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Line Set:

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Anonymous

8 Aug 2017

smooth so far !

George H

7 Aug 2017

Easy website

Agenda Item # **14**
Page **10** of **21**

Dave S

7 Aug 2017

Great web site. Easy to use.



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Model Number(s)	RP1430AJ1NA - RH1T3617STANJA
Brand	Rheem
Type	Heat Pump
Ton	2.5 Ton
SEER	14
HSPF	8.20
Cooling Btu	28,800
Heating Btu	27,400
Cooling Stage(s)	1
Compressor Stage	Single
Blower Application	Multi-Position
Voltage	208/230V
Electrical Phase(s)	1
Hertz (Hz)	60
Decibel Level (dB)	76
Blower	Multi-Speed
Maximum CFM	1,200
Refrigerant Type	R-410A
Suction Valve Size (Inches)	3/4
Liquid Valve Size (Inches)	3/8
Total Shipping Weight (lbs.)	272
Outdoor Unit Height (Inches)	25
Outdoor Unit Width (Inches)	29 3/4
Outdoor Unit Depth (Inches)	29 3/4
Indoor Unit Height (Inches)	42 1/2
Indoor Unit Width (Inches)	17 1/2
Indoor Unit Depth (Inches)	21 11/16
Parts Warranty (Years)	10

Compressor Warranty (Years)

10

UPC #

646341721015

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Agenda Item # 14
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THIRD LAGUNA HILLS MUTUAL

NEIGHBOR AWARENESS FORM

Requestor: You are making an Application for Mutual Consent for Manor Alteration(s) to make a physical Alteration to your Manor. This form is intended to notify your neighbors who own Manors near your Manor and who may be affected by your proposed Alteration. The neighbor's signature below indicates their awareness of your Application. No Application will be considered by the Third Laguna Hills Mutual ("Third Mutual") without this evidence that each of your neighbors has been made aware of the proposed Alteration. Further Guidelines are on the reverse side of this form.

Neighbor: You are hereby notified that the Member at neighboring Manor # 5515-16 has filed an Application for Mutual Consent for Manor Alteration(s) and/or a Variance to make the following Alteration to their Manor, which is expected to take approximately _____ weeks/months to complete:

A/C CONDENSER OUTSIDE LIVING ROOM WINDOW OF MANOR 16

A diagram or plan of the proposed Alteration is attached.

The Laguna Woods Village Manor Alterations Department, pursuant to policies and procedures established by Third Mutual, has determined that the above described proposed Alteration may affect your Manor. You are requested to review the description of the proposed Alteration, including any attached drawings or plans, and sign this form in the space provided below to acknowledge that you have been made aware of the proposed Alteration. More detailed plans of the proposed Alteration, if any, are available for review by Mutual members at the Laguna Woods Village Community Center, Manor Alterations Department.

You have a right to address the Third Mutual's Maintenance and Construction Committee regarding the proposed Alteration if you so desire. Please telephone the Manor Alterations Department at 949-597-4616 for Committee meeting dates, times, and locations when this Application for the proposed Alteration will be considered.

Name (Printed) Marcie K. Gaon / 5515-3E / _____
Manor Number Date

Name (Signature) _____
☒ For ☐ Undecided ☐ Against

Comments: Indicate by checking the appropriate box above if you have any preference regarding this Application for a proposed Alteration, and add any additional comments below.

RECEIVED

JUL 17 2017

Alterations Department

Please either return this form to your neighbor who gave it to you, or mail it to Laguna Woods Village, Manor Alterations Department, P.O. Box 2220, Laguna Hills, CA 92654-2220.

Agenda Item # 14

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Examples of Existing Condorers



Proposed location



Mutual Consents

5515-1G

Description	Install Dt	Mutual Permit
SCSD2	3/12/1979	2827b
SC22XAC	11/6/1979	3426b
SC22SCCPT	8/11/1989	3657c
SC22GW	8/20/1990	4783c
Glass Windscreen	8/20/1990	4783c
Tile in Entry	11/14/2003	031860
Electrical Throughout	7/19/2017	171474
Tub to Shower	7/19/2017	171474
Tile on Balcony	7/19/2017	171474
Balcony Enclosure	7/19/2017	171474
Door Revision, Entry	7/19/2017	171474
Shower to Shower	7/19/2017	171474
Retrofit all Windows	7/19/2017	171474
Retrofit all Sliding Glass Doors	7/19/2017	171474
Electrical Panel	7/19/2017	171474
Wall Revision in Kitchen	7/19/2017	171474
Wall Revision in Living Room	7/19/2017	171474

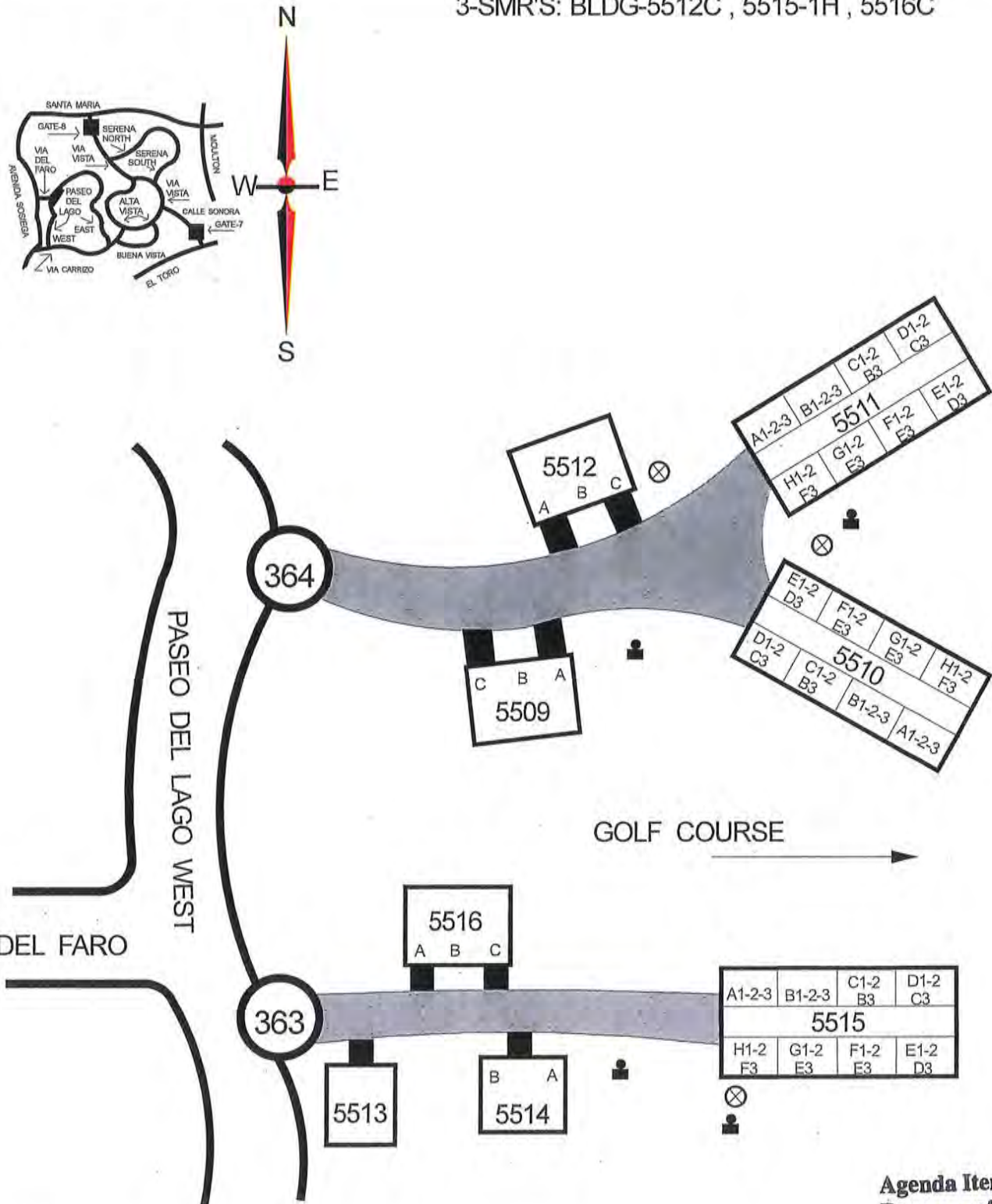
L/R: N/A

BLD: 5509-5516

C/P: N/A

PG-173

3-SMR'S: BLDG-5512C , 5515-1H , 5516C





Agenda Item 15:

Review and Finalize Decision Tree

This item will be presented under separate cover.



STAFF REPORT

DATE: September 7, 2017
FOR: Architectural Control and Standards Committee
SUBJECT: Standard Manor Alteration Conditions

RECOMMENDATION

Staff recommends approval of the attached standard forms for use by the Manor Alterations Division.

BACKGROUND

Staff has experienced several issues with manor alterations including illegal dumping in Village dumpsters, excessive noise and smoking by contractors, parking in resident spaces by contractors, damage to mutual property during construction, and working after hours. The Architectural Control and Standards Committee has met and reviewed the Amended Conditions of Approval (Attachment 1) on several occasions.

DISCUSSION

Condition #12 has been added to address the Committee's acoustical concerns.

This document now needs to be scheduled for the Third Board to approve, with a 30-day reading, because it is considered a rule change to certain members who wish to alter their manors.

FINANCIAL ANALYSIS

None.

Prepared By: Lori Moss, Community Manager

ATTACHMENT(S)

ATT 1 – Standard Manor Alteration Conditions

Standard Manor Alteration Conditions

1. No improvement shall be installed, constructed, modified or altered at Manor _____, ("Property") within the Third Laguna Hills Mutual ("Mutual") unless and until a Mutual Consent for Manor Alterations application for the improvement has been made to, and approved, in writing, by, the Village Management Services, Inc. ("VMS, Inc."), Manor Alterations Division ("Division"), or, in the event of a Variance from the Mutual's Alteration Standards, the Architectural Control and Standards Committee ("ACSC"). In the event written permission is given for the installation, construction, modification or alteration of any improvement(s) upon the Property, the Member Owner or Owners ("Member Owner") agrees to comply with the Mutual's Governing Documents and any specific terms or conditions imposed, and that the installation, construction, modification or alteration shall be in strict compliance with the terms of the approval.
2. A Mutual Consent for Manor Alterations has been granted at XXXX for _____, subject to the attached plans stamped approved and is subject to the final inspection by the Division. Any variations to the approved attached plans are not allowed and could result in a stop work notice and/or severe fines to the Member.
3. Member Owner hereby consents to and grants to the Mutual and the Division, and their representatives, a right of entry upon the Property at any time to be used to inspect the Property and the improvements thereon and for the Mutual and the Division, and their representatives and contractors to remedy any violation upon the Property, including, but not limited to, removing trash, removing any improvement installed without approval or modifying an improvement to bring the same into compliance with the terms of the approval.
4. All costs for maintenance, repair, renovation, replacement or removal of the improvement, present and future, are the responsibility of the Property's Member Owner at xxxx and all future Mutual members at xxxx.
5. Member Owner shall be responsible for all activity by contractors, subcontractors, material suppliers and their employees and agents and any others who perform work on the Property, including any violation of the Mutual's Governing Documents, including, but not limited to, traffic and parking violations, maintenance

of a clean job site at all times, and use of Mutual property for storage of equipment or materials without prior approval. Member Owner acknowledges and agrees that all such persons are his/her invitees. Member Owner shall be responsible for informing all his/her invitees of the Mutual's Rules and Regulations. Member Owner shall be liable for any violation of the Mutual's Governing Documents by any invitee, including any fine, assessment or other charge levied in connection therewith.

6. Member is responsible for following the gate clearance process (<http://www.lagunawoodsvillage.com>) in place to admit contractors and other invitees.
7. Member Owner's contractors and other invitees shall travel to and from the job site by the most direct route available and are not authorized to use Mutual recreational facilities or other amenities while they are in the Village for performance of work in connection with the Property.
8. Parking of contractors or other invitees' vehicles is prohibited in covered resident parking, open resident spaces, handicapped spaces or fire lanes. Contractors or other invitees must park on the street. To the extent possible contractors' or other invitees' vehicles should be limited in number.
9. Member Owner(s) of the Property must sign and submit to the Mutual, c/o VMS, Inc., at the Division office located in the Laguna Woods Village Community Center, an executed and notarized "Recordable Common Area Agreement" for a proposed improvement that would utilize any portion of the Mutual's Common Area. Prior to the issuance of a Mutual Consent for Manor Alterations, that "Recordable Common Area Agreement" must be filed with the Orange County Clerk/Recorder.
10. A City of Laguna Woods permit is required, which may include the requirement to obtain clearance from the South Coast Air Quality Management District (Asbestos Hot Line at (909) 396-2336). Prior to the issuance of a Mutual Consent for Manor Alterations, the appropriate City of Laguna Woods permit number(s) must be submitted to the Division office located in the Laguna Woods Village Community Center. The City permit must be finalized within the prescribed timeframe, and a copy of the final permit must be submitted to the Division within two weeks.
11. Prior to the issuance of a Mutual Consent for Manor Alterations, a complete set of unit specific plans prepared by a licensed architect or structural engineer depicting

the proposed improvement must be submitted to the Division office located in the Laguna Woods Village Community Center. The plans must depict any required structural modifications ensuring the structural integrity of the building is maintained upon completion of the proposed improvement.

12. Prior to the Issuance of a Mutual Consent for Manor Alterations, acoustical consideration shall be installed as approved on Attachment _____.
13. Prior to the Issuance of a Mutual Consent for Manor Alterations, the Member Owner must have conducted an inspection of the waste lines, by a VMS Plumber, to assure no repairs are needed. The inspection will be a chargeable service to the Member Owner. Inspection appointments are to be made with Resident Services, by authorized persons only. Findings from the video inspection will be recorded on the chargeable service ticket for Manor Alterations staff to review.
14. Prior to the issuance of a Mutual Consent for Manor Alterations, if required, a Mutual Roof Alteration Notification ("Tie-In Form") must be submitted to the Division. All roof tie-ins must be performed by a C-39 Licensed Contractor. The Member Owner may hire a C-39 Licensed Contractor of his/her own choice to perform roof tie-ins for the installation of solar panels on all roof types except PVC Cool Roofs. For PVC Cool Roofs, regardless of the roof type, all tie-ins must be performed by the Mutual's roofing contractor at the Member Owner's expense. All tie-ins may only be made to sound structural elements. Existing structural elements proposed to be tied to, which exhibit signs of dry rot or other structural defects, must first be replaced or repaired at the Member Owner's expense during construction of the improvement.
15. Prior to the issuance of a Mutual Consent for Manor Alterations, the Member Owner shall request a Landscape Department inspection in order to assure all landscape, irrigation, and drainage modifications associated with the improvements are identified and completed by the Landscape Department at the expense of the Member Owner. All gutter drainage shall be directed away from structures, free standing walls, foundations, and pedestrian walkways.
16. Prior to the issuance of a Mutual Consent for Manor Alterations, the Member Owner shall request a Broadband infrastructure inspection to assure that Mutual property is appropriately identified in order to be addressed during construction.

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17. Prior to the issuance of a Mutual Consent for Manor Alterations, the Member Owner shall request a Maintenance and Construction Department inspection to assure that Mutual property is appropriately addressed during construction.
18. Prior to the issuance of a Mutual Consent for Manor Alterations, any altered exterior surface should match the Building color; vinyl fence/gate will be either white or taupe, tubular steel or wrought iron fence/gate will be black or white; the approved colors and materials are identified on Attachment _____.
19. Prior to the issuance of a Mutual Consent for Manor Alterations, the Member Owner shall post a Conformance Deposit in an amount determined by the Division Staff, which is a percentage of the value of the improvements. See <http://www.lagunawoodsvillage.com>. The Conformance Deposit will be held until Final City Building Permit Issuance if required, to assure no damages to Mutual property occurs during construction, including, but not limited to, internet/TV, landscaping, or exterior walls/roof.
20. The Conformance Deposit shall be held by the Mutual and applied, at the Mutual's sole discretion, to any fine levied against the Member Owner or the Property, to cover and/or recoup any costs whatsoever, including, but not be limited to, administrative and legal costs, incurred by the Mutual or VMS, Inc., in connection with the Property, or to any unpaid charges or assessments on the Mutual's account for the Property. For example, the Mutual could apply all or a portion of the Conformance Deposit to cover the following: fines levied against any invitee of Member Owner; fines levied for construction violations; costs incurred by the Mutual in repairing damage to Mutual property caused by Member Owner's contractor or other invitee; costs incurred by the Mutual in curing a violation on the Property; costs incurred in removing or altering an improvement upon the Property; or to an unpaid assessment, special assessment, late charge, interest or collection costs posted to the Mutual's account for the Property. The foregoing list is illustrative only and in no way represents the only situations where the Mutual could apply all or a portion of the Conformance Deposit.
21. If at any time the amount of the Conformance Deposit falls below 3/4ths of the amount originally required to be posted, Member Owner agrees to immediately deposit additional sums with the Mutual in an amount sufficient to return the Conformance Deposit to the originally required level. Until the Conformance Deposit is so replenished, an automatic stop work order shall be in effect.

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22. Any remaining Conformance Deposit is refundable if the Member Owner notifies the Division, in writing, that the improvement(s) for which the Conformance Deposit was posted have been completed in accordance with the approval, and the Division agrees with the same. The Mutual will mail the unused portion of the Conformance Deposit, if any, to the Member Owner's address of record with the Mutual. Under no circumstances shall Member Owner be entitled to any interest on any portion of the Conformance Deposit. If no written request for return of a Conformance Deposit is made by Member Owner within two years from the date when the Conformance Deposit is posted with the Mutual, the Conformance Deposit will be deemed forfeited to the Mutual.
23. All improvements must be installed in accordance with the California State Building Code, and the published Mutual Architectural Alterations Standards. See <http://www.lagunawoodsvillage.com>.
24. This approved does not change the number of bedrooms or the original maximum occupants permitted in the Manor.
25. Paver install must be set in compacted subgrade.
26. During construction, work hours established by the Mutual and the Noise Ordinance set forth in the City of Laguna Woods Municipal Code must be adhered to at all times.
27. During construction, both the Mutual Consent for Manor Alterations and the City Building Permit must be on display for public view at all times in a location approved by the Division.
28. It is mandatory that no waste or materials associated with the construction be dumped in the Village trash bins; such waste or materials associated with the construction must be disposed of offsite by the contractor.
29. A dumpster is approved for placement at the location identified on Attachment _____. Dumpsters must be ordered from the approved City of Laguna Woods waste hauler and must be maintained at all times.
25. A portable bathroom is approved for placement at the location identified on Attachment _____.

30. The Mutual Consent for Manor Alterations expires six months after the date of approval, unless an application is submitted with fees and approved by the Division for an extension. Only one extension for a maximum of an additional six months may be granted.
31. Violations of the forgoing conditions or the Mutual's Governing Documents (See <http://www.lagunawoodsvillage.com>), including, but not limited to, work outside the approved plans, excessive noise, illegal dumping, or working after hours, will result in disciplinary action, which could result in a stop work notice, loss of privileges and/or severe fines to the Owner Member. Such fines left unpaid will result in forfeiture of a portion or all of the Conformance Deposit required above or other legal remedy.
32. Mutual member shall indemnify, defend and hold harmless Third and its officers, directors, committee members and agents from and against any and all claims, demands, costs, fines, judgments, settlements and any other costs, expenses, amounts and liabilities arising from Mutual member's improvements and installation, construction, design and maintenance of same.

