



Niguel Shores Community Association
 Architectural Committee (AC)
 EXTERIOR MODIFICATION SUBMITTAL (EMS)

CHANGE ORDER APPLICATION

____/____/____
 Date Received by NSCA Office

Owner's Name:		Tract:	Lot:
Property Address:			
Mailing Address:			
Home Phone: ()	Bus. Phone: ()	Cell Phone: ()	
Email address:			

Owner of the property requests approval for the following change to a modification currently approved by the AC:

Any item(s) not noted on the application will not be subject to consideration, even if the item(s) are listed on corresponding plans submitted with the application.

Original Approval Issued:	_____
Original Project Description:	_____ _____
<p>The following items are required at the time this application is submitted to the AC for review. Applications not submitted with the required items will not be accepted.</p> <p><input type="checkbox"/> Written description (enumerated) of change requested</p> <p><input type="checkbox"/> Two (2) sets of paper (or hard copy) revised plans with change clearly indicated via delta or cloud</p> <p><input type="checkbox"/> Revise plan set in PDF format on a CD, Flash Drive or other media</p>	
<p>Some requested changes will require the use of the Association's contracted consulting professional. The charges associated with this service are the responsibility of the applicant.</p>	

1. **CHANGES TO APPROVED SUBMITTAL:** If Owner's Submittal is approved by the AC and Owner later decides to change/alter this submittal as approved, or the City of Dana Point requires that Owner change/alter this Submittal as approved by the Architectural control committee, Owner must re-submit a new Exterior Modification Submittal and proposal, including plans, specifications and all other required materials to the AC and obtain amended approval before making the change(s)/alteration(s).
2. **UNAUTHORIZED CHANGES TO APPROVED SUBMITTAL:** If the improvements/modifications are not constructed and completed according to Owner's approved Submittal and approved plans/specifications, the Association has the right to require Owner to remove the unauthorized improvement/modification at Owner's sole expense and to reimburse the Association for all legal fees and expenses incurred by the Association to obtain
3. **COMMENCEMENT AND COMPLETION OF CONSTRUCTION:** The completion time for an approved modification project is based on the scope of work. Replacement of existing items must be completed within three (3) months of the date of approval. Improvement projects are required to be completed within six (6) months of the date of approval. An Owner with approval for a space addition, remodel, rebuild, new house, or major landscape/hardscape has one (1) year from the date conditional approval is issued to commence construction, or Owner must re-submit another complete Exterior Modification submittal for approval by the AC before commencing construction or work of improvement. These types of modification projects must be completed within eighteen (18) months of the commencement of construction. Notwithstanding the above, modification project(s) approved pursuant to the Owner's Submittal to correct a violation of the Association's Covenants, Conditions and Restrictions or Rules and regulations must be commenced and completed promptly.
4. **CITY PERMITS AND CONFORMITY OF CITY APPROVED PLANS:** Owner is responsible for obtaining any and all necessary PERMITS required by the City of Dana Point before commencing any construction of improvements/modifications to Owner's property. This includes, but is not limited to, plumbing and sewer, new installations or replacement of gas burning or electrical equipment, and any other improvement such as a fence, garden wall, retaining wall, patio cover, carport, garage, swimming pool, spa deck, etc.
 - a. By making the proposed improvement/modification, Owner may have to make other modifications to Owner's property or Owner's approved plans, as required by the City of Dana Point to obtain a City permit and final approval by the City building inspectors upon completion of the improvements. Neither the Association, nor the Architectural Committee is involved with any such City mandated requirements; however, all such City required modifications to the Architectural Committee's approved plan or Owner's property must be resubmitted to the Architectural Committee for approval before any construction or other work of improvement commences.

For specific information regarding City permits and approval requirements contact the City of Dana Point.
 - b. Owner is responsible to ensure that the actual and final plans and specifications for Owner's Submittal, as stamped "Approved" by the AC, conform in their entirety to the Submittal and plans and specifications as approved by the City of Dana Point; and, that the failure of the City's approved plans and specifications to comply with this requirement, and commencement of construction without the approval of the AC as to any such variances between the AC's and City's approved plans may result in action by the AC and/or the Association to require the suspension of any construction that has commenced on the improvements, the imposition of fees and monetary penalties pursuant to the Association's Rules and Regulations, and/or other enforcement action by the Association.
5. **CONSTRUCTION HOURS IN WHICH CONSTRUCTION IS PROHIBITED:** The hours of construction for internal and external improvements are limited to and not to exceed Monday – Friday from 7:30 am – 5:00 pm, and 8:00 am – 5:00 pm on Saturdays. No construction of any sort is allowed on major holidays. Construction passes may be obtained by submitting a contractor/subcontractor list to the NSCA Management Office.

OWNER’S ACKNOWLEDGMENTS: Based on Owner’s personal review of the information provided in this Exterior Modification submittal and in the accompanying plans and specifications, documents and other materials, Owner represents that it is complete and accurate and in accordance with the Niguel Shores Community Association Rules and Regulations. Further, Owner has read, understands and agrees to comply with the NSCA architectural rules and procedures applicable to this Submittal, and the requirements and conditions stated therein.

Owner agrees to pay the applicable fees associated with the Owner’s construction, which are for professional consultant(s) including, but not limited to: architects, landscape architects, licenses civil engineers, licensed geologists, attorneys, deemed necessary by the Architectural Committee and/or the Association’s Board of Directors to assist and advise them in the review of this Submittal. Owner will pay a deposit to the Association to draw from in order to cover consulting professional costs. In cases where the proposed modification project is large in scope, an additional deposit may be required. The deposit will be due upon submitting to the Architectural Committee (AC) any application for space addition, remodel, rebuild, new house, or major landscape/ hardscape. Owner agrees to pay any balance beyond the deposit. Owner will be reimbursed any balance of the deposit once the project is completed, has been inspected by the consulting architect or other hired professional and approved by the Architectural Committee, and it has been verified that all consultant charges have been received by the Association.

_____/_____/_____
Date

Signature of Owner