

# Bayview Manor Maintenance Corporation

## Architectural Review Committee Submission Form

Pursuant to the Deed Restrictions, Section 21, all owners desiring to install, make, alter or improve the exterior of their home or property must receive, prior to the start of work, an approval by the ARC Committee. Such improvements, alterations or changes are but not limited to, sheds or other outbuildings, swimming pools, fences, solar panels, exterior color changes, satellites or landscaping additions or changes.

*This form is to assist owners in this process. Please see the reverse side (page 2) for instructions and more information. Please return as a PDF file if emailing.*

Date:

Home Owner's Name:

(Must be a recorded deed holder)

Property Address:

Phone:

New Castle, DE 19720

E-mail:

Proposed Project:

Size:

Height:

Color:

Materials:

Location on the property:

### **\*\*A DRAWING MUST BE INCLUDED WITH ALL SUBMISSIONS\*\***

Plans must include dimensions, location with respect to existing property lines and structures on the property, shape, material type and color of all materials used on external structure (siding, roofing, etc.) Plans do not have to be professionally drawn; however, they must accurately reflect the project and be dimensionally accurate.

Signed:

Desired start date:

Is the project in harmony with structures on the neighboring properties and the outlook and view from the neighboring properties? **YES** **NO**

If **NO**, explain:

Is there or will there be any effect on the reasonable passage of light and air to the neighboring properties?  
**YES** **NO**

If **YES**, explain:

**Submissions may take up to 30 days for Approval or Denial - please plan accordingly**

### **FOR COMMITTEE USE ONLY:**

Date Submission Received:

☐ APPROVED ☐ APPROVED W/STIPULATIONS ☐ DENIED ☐ DENIED-INSUFFICIENT INFORMATION

Date Mailed:

Stipulations/Comments/Suggestions:

## **THE PURPOSE OF AND INSTRUCTIONS FOR COMPLETING AN ARCHITECTURAL REVIEW COMMITTEE SUBMISSION FORM**

The Architectural Review Committee (“ARC”) reviews all requests for modifications to homes and lots following the original lot improvements. The ARC tries to consider the impact of any improvement to the surrounding neighbors and property.

A friendly reminder before installing or completing any exterior changes, improvements or modifications (such as **–BUT NOT LIMITED TO–** installing a fence, shed or patio, planting new shrubs or installing new walks) – all changes, improvements or modifications, in accordance with the governing documents, must be approved by the ARC **PRIOR** to the work starting or being performed. *A submission is valid for one (1) year. A new submission is needed if work is not completed within that year.*

This accomplishes a few things: It ensures that the project is in compliance with the **Deed Restrictions** (you remember, those requirements you knew existed when you bought in a **DEED RESTRICTED** community and your lawyer should have given you a copy at settlement time). It ensures both the integrity of the community, that Bayview Manor property values continue to increase because the high standards of the community are maintained and helps avoid that home next to your becoming an “eyesore”.

**Failure to submit approvals can result in legal action.** By submitting and receiving prior approval, it will avoid the potential for legal action, which can increase everyone’s yearly maintenance fees, being taken for projects that have been completed and are in violation of the deed restrictions.

**Prior to planning your project – READ THE DEED RESTRICTIONS. Make sure that your project is permitted. Then read Section 21 and be prepared to provide all the information requested. A soft copy of the deed restrictions can be found at [http://www.neighborhoodlink.com/Bayview\\_Manor\\_I/pages](http://www.neighborhoodlink.com/Bayview_Manor_I/pages) under *Governing Documents*.**

**Incomplete submissions will be returned without an ARC decision.**

**The process is very simple. Use the attached form, or something similar, as long as the submission includes all the required items in accordance with Section 21 (page 6 of the Deed Restrictions), and submit the proposed project to :**

**Submission can be submitted in the following ways:**

**Email:**  
[bayviewmanor1@gmail.com](mailto:bayviewmanor1@gmail.com)

**Mail:**  
BMMC  
PO Box 12362  
Wilmington, DE 19850

**Please direct any questions or concerns to [bayviewmanor1@gmail.com](mailto:bayviewmanor1@gmail.com) Attn: ARC**

**The submission forms will be reviewed to be sure it is complete and permissible under the Deed Restrictions – *INCOMPLETE SUBMISSIONS WILL BE RETURNED TO OWNERS WITHOUT SUBMISSION TO THE ARC and if complete and permissible, forwarded to the ARC for review.***

**The ARC will review the proposal and provide and approval/rejection within 30 days of the date of receipt.**

**DRAWINGS ARE REQUIRED FOR ALL SUBMISSION:** *Plans must include dimensions, location with respect to existing property lines and structures on the property, shape, material type and color of all materials used on external structure (siding, roofing, etc.) **Plans do not have to be professionally drawn; however, they must accurately reflect the project and be dimensionally accurate.***

**Submissions should be sent no less than 45 to 60 days prior to planned start date to allow for review and approval process.**  
**No work should start *UNTIL* an ARC decision is received.**

**\*\* Submission that do not include the necessary documentation stated will be tabled until all information is received, which could delay your approval \*\***

**Please note:** *Modifications must also be in compliance with all applicable County building and zoning ordinances. Please be advised that you are responsible for obtaining any required New Castle County permits and ensuring that your plans do not violate any applicable County building codes.*

**Waiver of Liability**

The homeowner hereby understands and agrees that any and all liability caused by or arising from this modification shall not be held against the Corporation, their agents, employees, or representatives, and shall be accepted and assumed by the homeowner. Moreover, the homeowner and not the Corporation, their agents, employees, or representatives shall be held liable for any damages or hazards caused by this modification to said lot, any adjacent lot, or the common areas, as applicable. The homeowner agrees to indemnify the Corporation, their agents, employees, and representatives for any and all liability arising from this modification.

Note that approval by the Architectural Review Committee is for APPEARANCE ONLY and does not imply that any review has been made of the structural integrity, boundary lines, or other aspects of the modification, nor does it imply nor avert the necessity for approval by appropriate governmental authorities by the homeowner. Nothing may be permanently installed in any drainage, or utility easements. Any construction pursuant to the provisions of this approval shall be subject to the continuing effect of the provisions of the Declaration, and of the Rules and Regulations of the Corporation and the Architectural Review Committee.

Please be advised that any alteration must be contained within the homeowners’ property line and, if applicable, any County permits/approvals for the proposed alteration must be maintained. Work is not to start until the appropriate permits/approvals are obtained. Should the modification deviate from the plans as submitted and approved by the Architectural Review Committee, the homeowner understands and agrees that he or she may be required to correct the deviation upon demand by the Corporation at his or her cost.