

General Information For Submittals

If you are contemplating a project, including painting the exterior of your home, the Association has developed a submittal form, to be used for projects of a general nature. You can obtain forms from your District Representative.

Submittals for Association review of proposed projects are given to the Architectural Committee for review and recommendations. The Architectural Committee usually finds itself in the objective circumstance of reviewing project proposals for conformance to the requirements of the City code and the Association CC&Rs. The findings of the committee are reported to the Board with its recommendations. After discussion, and at times further review, the Board makes its decision.

The following definitions apply to terms used by the Association:

- **Back of sidewalk:** The line of the sidewalk edge furthest from the curb line.
- **Front yard:** The area from the front of the house to the curb line.
- **Side yard:** The areas at each side of the house.
- **Back yard:** The area at the rear of the house.
- **Curb line:** Line of the vertical curb at the street.
- **Right of Way:** The legally described width of street, which is located from your front property line to the property line at the opposite side of the street.
- **Plot Plan:** A plot plan is a “to scale” drawing, showing the property lines of the property, the footprint of your house, with that of the proposed project added. A good base for such a plan may sometimes be found in appraisals, assessor’s reports, and architectural plans. At times the City may have a microfilm of a plot plan for a previous project on your property. Check in person with the city Public Works Department, currently located at 250 Frank Ogawa Plaza, Dalziel Building, second floor.

The Homeowners of Crestmont setback per CC&Rs is the area from the front property line to a distance of six (6) feet into the property. The Association CC&Rs do not allow any constructed element unless such are less than 24 inches in height above the closest adjacent point of the back of sidewalk in this setback. Such elements may be constructed up to the back of sidewalk, but only if the submitting owner is fully aware that such may infringe upon the right of way, and is willing to remove them if so required by the City. (See following discussion on property lines.)

The Association CC&Rs allow no element such as a fence or wall to be over six (6) feet high above the closest adjacent point of the back of sidewalk, such elements must be more than six (6) feet from the front property line.

Property Line:

Please be advised: Your front property line is NOT at the curb line. It is NOT at the inner boundary of the sidewalk. Those areas belong to the City. Your property line begins some distance between the inner boundary of the sidewalk and the house. You need to check with the City of Oakland, or a surveyor to determine the exact location of your property line. Neither the Homeowners Association, in accordance with the CC&Rs, nor the City will give

permission to build on those areas. Therefore, you may not build any walls, fences, or other structures on those areas owned by the City. You MUST first establish where your specific property line begins to understand how you may fit into the set back and height requirements for new structures, as detailed in the CC&Rs. Homeowners are, however, required to maintain not only their own property, but also the property from sidewalk to the property line in an aesthetically pleasing manner.

Please note that on the submittal form you are required to release the Homeowners Association from any liability for allowances it may make regarding permission to build structures on your property.

Legal Survey:

If exact incontestably accurate locations are needed, the only way to obtain such is through a survey certified by a State of California licensed surveyor.

Zoning and City Regulations:

Crestmont homes are in the City designated R-30 zone. The Association requires all homes to be in conformance with City regulations and codes.

In the R-30 zone of Crestmont, the side yard setback is five (5) feet, resulting in a minimum ten (10) feet separation between homes, for open space and fire safety. The front yard setback line is twenty (20) feet back of the front property line.

City regulations and the Association CC&Rs do not allow structures such as building additions, trellises, overheads, swim pools, carports, etc. in setback areas.

In Conclusion:

The association hopes its submittal procedures impose no unreasonable burden. The requirements of the submittal provide information that enables the Association to make informed, equitable, fair, intelligent, and most importantly, non arbitrary decisions.