

Design Review Frequently Asked Questions, Best Practices and Current Guidelines

The following does not amend or replace the existing approved document posted to our website: "THE HOMESTEAD OWNERS ASSOCIATION INC. GUIDELINES, COMMUNITY STANDARDS, DESIGN STANDARDS, & CONSTRUCTION REGULATIONS". The purpose of this document is to provide guidance on frequently asked questions and issues seen by the current Design Review Committee for Homestead, and it is subject to change.

Generally speaking, Design Review guidelines are in place to protect all homeowners in Homestead, and are meant to address exterior changes to homes and landscaping. One owner may feel that removing all trees from one side of their home is a simple request, but an adjacent property owner may feel it negatively impacts their privacy, shade, etc. With that said, we know upgrades and changes to one's home are common and necessary, and we want to try to simplify the current process.

When do you do NOT need to apply for DRC approval for exterior changes*:

1. Repainting or touching up the paint on your home with the exact same color as before.
2. Replacing 'like with like' - for example, replacing windows that will result in no change of appearance from the outside of the home. Another example would be replacing your front deck with the same materials and no change in dimensions.
3. Trimming trees and bushes on your own property to maintain appearance or safety, or after damage from a storm if a tree is falling into a neighbor's yard or into the street or common areas. Please note: Any more extensive trimming or removal should be presented for approval prior to removal. We want to support any maintenance required for a defensible space for fire safety, but would recommend you present your landscaping plans together with a certified plan from Eagle County Wildfire or other governing authority if you want to remove bushes or trees on your property for stated fire safety reasons. Any tree removal requires neighbor notification so having documentation to back up why it is necessary for fire safety will facilitate the process.
4. Other common outdoor items that can easily be moved, such as grills, smokers, deck chairs, tables, umbrellas, trampolines. Homestead reserves the right to notify a homeowner if the outdoor items are considered excessive and appear to be permanent outdoor storage of items that should be stored inside, such as extra trash cans or toys. Also, if a neighbor complains about an outdoor item such as placement of a trampoline, it will be reviewed by staff and possibly DRC and the homeowner may be contacted to remove an item.
5. Garage doors if same size/material. If material change to exterior appearance, this will require DRC approval.
6. Satellite dish installed on roof for tv.

*A good rule of thumb for these types of changes would be to take "before and after" photos and save them. That way, if the DRC is notified that you doubled the size of your deck without neighbor notification or approval, you can quickly prove that you simply replaced like with like and the issue can be resolved quickly.

Items that require a change application and neighbor notification, but are generally staff-approved:

These are items for which you need to apply and receive Homestead approval PRIOR to starting the work, but may be able to receive staff approval versus waiting for DRC approval at a monthly meeting.

You will complete a DRC General Change Application Form and follow the neighbor notification process and submit to DRC Administrator. They will review, and if a straightforward change and no neighbors raise issues that can't be easily answered/resolved, the staff will approve. If any of the required notified neighbors have unresolved questions or concerns, the item will automatically require DRC review/approval prior to work beginning. The \$25 fee for this process has been discontinued as of Spring 2020.

Common items that are staff-approved:

1. Garage Doors with minor changes to materials/windows
2. Minor changes to items previously already reviewed/approved by DRC
3. Repair or replacement of section of an existing fence
4. Minor landscaping changes
5. Hot tubs on existing decks
6. Solar panels
7. Exterior paint color changes

Items that require DRC Approval:

Please note, this list is not exhaustive, just examples of commonly requested items. Please contact DRC Administrator if you are unclear about whether approval is required or not. Getting appropriate approval prior to starting any work is the sole responsibility of the homeowner.

1. Exterior changes, including but not limited to: air conditioning, deck addition/expansion, install of exterior stairs, change of window placement, changes to driveway size/placement, install or changed location of walkways/steps, snowmelt systems in driveway/walkway, permanent outdoor cooking surfaces, outdoor speakers, playhouse structures (aside from small movable children's toys), landscaping changes such as tree removal or planting new trees.
2. All new construction or remodels that have exterior components.
3. Fences. A professional survey of the property will be required for any new fence requests.
4. Square footage increase of any amount. DRC guidelines require that the homeowner requesting the changes provide proof of how current and proposed square footage was calculated to ensure home remains within allowable maximum square footage. DRC reserves the right to require this be prepared by a licensed professional before approval can be granted.
5. Any changes to grading on the property. These may change drainage patterns and unintentionally impact neighboring properties, so any change in grading must be carefully presented and outlined. An engineering report will likely be required as part of submittal.
6. Please note that Homestead does not allow sheds of any kind, or any additions that have the appearance of a lock-off.
7. Please note that although outdoor cooking surfaces have been approved in the past, this is being evaluated into 2021 due to increased fire hazard.

Process for application and approval:

1. **Prior to starting** any exterior work, determine if your change requires neighbor notification and DRC approval. If so, completed DRC Change Application Form and proof of neighbor notification must be submitted to DRC Administrator at least 15 days prior to the next board meeting. Board meetings take place on the second Friday of each month at 9:00 a.m. The 15-day period

allows time for appropriate staff review and/or architect or other DRC representative review ahead of time so DRC can make an informed decision at the regularly scheduled meeting.

2. Neighbor notification – all adjacent property owners within 60 feet of your lot must be notified of the application 15 days prior to meeting and proof of that notification and receipt must be provided together with the DRC Change Application or the DRC New Construction/Remodel application. The burden of proof is on the applicant. We now allow this notification to take place by either certified mail or e-mail- if by e-mail, the other homeowner must acknowledge receipt of the e-mail. This is solely for proof of notification- it is not the applicant's responsibility to get approval from all neighbors notified. Notified neighbors can and should contact the DRC Administrator with questions or concerns. If you have questions about what neighbors you need to notify, or need to request addresses, you may contact the DRC Administrator.
3. Fees for architectural or other professional review- per the application form, any fees that require architectural review will have the hourly rate passed along. This will be done by having the bill assessed to the applicant's account and also e-mailed to them.
4. If DRC approval is required, either the homeowner or a representative should plan to present at the next board meeting. If the homeowner is unable to attend, DRC Administrator is generally willing to present on behalf of the homeowner, but the DRC may require mitigating items, so the homeowner or owner's rep should attend if possible so a reasonable plan and timeline can be discussed.

Process if proper approval is not obtained:

Starting as of October 9, 2020, based on board approval at that meeting, this will be the process if changes are made without proper approval. This approval process is in place to protect all homeowners from a neighbor making changes that could negatively impact them, without proper consideration and discussion.

- 1st Offense: Homeowner will be notified of the unapproved change via certified letter and will be scheduled for a hearing in front of the DRC for owner education.
- 2nd Offense: Homeowner notified of ongoing issue, DRC Hearing scheduled and automatic \$250 fine charged to homeowner
- 3rd Offense: Homeowner notified of ongoing issue, DRC Hearing scheduled and automatic \$500 fine charged to homeowner
- 4th Offense: HOA attorney will be engaged and homeowner will be billed for any legal costs
- This will apply to all violations within a 12-month period.

What to do if you have issues with changes proposed/made by other homeowners:

- You will only be notified of a change if you are an adjacent property owner within 60 feet of the lot where work is being proposed. If you receive notification and have any questions or concerns about the proposed work, you should contact the DRC Administrator. If they can answer your questions and you are satisfied, no other action will be taken, but if you are in any way still concerned, you have the right to present your concerns at the following DRC meeting. DRC Administrator can present on your behalf if you are not available, but we recommend you attend the meeting if possible. Often a compromise can be reached during the meeting so that all parties are satisfied. We want to promote neighborly behavior so having a transparent conversation about concerns and possible mitigants is usually the best way forward.

- If work is done outside of the 60-foot notification area, but you believe it violates our guidelines, you can and should report it to DRC Administrator so that it can be addressed.
- If work is being done by a neighbor within the 60-foot notification area and you did not receive notification, you can and should report it to DRC Administrator so that we can ask that homeowner to follow necessary steps.
- The DRC and Homestead staff do not openly drive around looking for violations. It is up to other homeowners to report violations or raise concerns, which will then be addressed by the DRC as needed.

Please do not hesitate to contact the DRC Administrator at terickson@homesteadcourtclub.com with questions.