

Policy for Architectural Review of Unit Modifications (“Work”)

Purpose: The purpose of this document is to provide Unit Owners the guidance they need consistent with existing HOA governing documents:

- To plan Unit Upgrades, Modifications, or Expansions,
- To properly submit them to the Board for review, comment and approval, and
- To understand Owners personal liabilities for those changes

When an Owner makes any structural modification to their unit, the Work must be prior approved by the Lagoon HOA Board, which will ask the Architectural Review Committee (ARC) to review the submission and report back to the Board. Any application must be in writing, include the needed sketches or photographs. The required Application Form is attached as Attachment 1.

This process takes time, and work cannot begin until formal approval is received from the Board and any required Frisco building permits are obtained. The obtaining of Frisco Building permits alone IS NOT SUFFICIENT TO BEGIN WORK.

1. Defined Work: “Work” requiring prior approval DOES NOT include any interior cosmetic changes such as painting, recarpeting, installation of hardwood floors, changing of appliances, tiling of floors, etc. Any Work that impacts “common elements” (walls behind the paint and floors below the carpet/tile or ceilings) is considered Work requiring proper prior approval.

2. Approval Process/Package: Owners must submit a formal written request to the Board before any Work is begun. The Request must include both narrative and drawings to ensure it can be properly reviewed. The Request should be submitted with as much lead time as possible to allow the Board (and the ARC) sufficient time to review it. The formal decision is normally made as part of a scheduled monthly Board meeting. For complex projects, it is not unusual for this to be an iterative process requiring more than one Board meeting. Although formal architectural drawings are not normally required, readable drawings must be submitted showing the impact of the Work on floor plans and building elevations. Normally, clean “single-line” drawings are sufficient.

3. Special Issues: The ARC reviews submissions with several key issues in mind. In order to help the Owners understand what this process includes, several special issues are highlighted here. Any variation will normally require a Professional Registered Engineers “sealed” analysis and design submission:

- a. Roof Penetrations: The ARC does not generally allow any new roof penetrations to be made as part of the Work. This includes piping, vents, chimneys, etc; particularly vents thru front walls. There is one exception to this policy.
- b. Exterior Wall Penetrations: The ARC does not generally allow any new penetrations of exterior walls. This includes vents, windows or doors. Owners with existing gas fireplaces that utilize a “B Vent” may convert them to a “Direct Vent” system for safety reasons, IF the wall vents are painted with fireplace paint matching the color of the penetrated wall and the vent is placed so as not to create a burn hazard.
- c. Interior Wall Changes: The ARC does not generally allow the demolition or alteration of interior “load bearing walls” or structures. These type changes alter the load bearing nature of adjacent structures and can result in shifts in the building with resulting cracks and/or settlement.
- d. Illegal Rooms: The addition of formal or informal rooms (habitat or storage) in crawl spaces or garages is generally not allowed. All Units are subject to existing HOA Occupancy limitations and the addition of additional rooms (cloaked as storage or any other reason) will not be approved.

Any new Work where illegal rooms may already exist may require those rooms to be removed as part of the approval process.

e. Decks/Patios: No new decks and/or patios will be allowed as they are effectively a conversion of Common Elements. On a very limited basis, the Board will allow short steps to be added to existing decks that are located on the driveway side of a Unit.

f. Ceilings/Insulation: The conversion of existing flat ceilings to raised ceilings or the conversion of open ceilings into lower closed ceilings will generally not be allowed due to the impact of such changes on other parts of the building. The removal of exterior insulation will generally not be allowed due to the problems created by winter freezing.

g. Glass Block: The conversion of clear windows to glass block windows will be reviewed on a case by case basis.

4. Inspection: The HOA reserves the right to have its maintenance staff inspect any Work being accomplished at Lagoon. This includes “no notice” inspections.

5. Permits: Owners must receive formal written approval from the HOA Board before proceeding with any Work. In many instances, Work will also require the Owner to obtain Building Permits from the Town of Frisco. Building Permits do not authorize an Owner to begin work before obtaining Board approval.

6. Owner Liability: When an Owner modifies his unit, he incurs liability for that work regardless of it having been prior approved by the Board or a Permit from the Town of Frisco. The liability includes damages that result from the Work to the Owner’s Unit and/or to adjacent Units. Examples of this include:

- a. A bathroom or kitchen is upgraded and the new tub leaks into the Unit or adjoining Units.
- b. A new stone fireplace is installed which causes cracks in walls or ceilings in the Unit or adjoining Units.

7. Construction Noise/Trash: The Owner is responsible for controlling construction noise and ensuring that no work is done before 8am or after 5pm. The Owner is also responsible for the proper disposal of all construction material and demolished materials (old carpet, appliances, etc.). These cannot be disposed of in the existing HOA dumpsters.

8. Approval/Disapproval Letter: Owners will receive an Approval/Disapproval/Tabled action notification from the Board generally in the form attached here at Attachment 2.

Approved by the Board

President

Attachment 1
Work Application Letter

Date: _____

Lagoon Townhomes
P.O. Box 2590
Dillon, CO 80435

I, _____, am the legal owner of Unit _____ in the Lagoon complex.

This Application requests approval to perform the following "Work" in this Unit:
[Overall Description of Work]:

I have attached the following sketches, drawings, photo's and/or equipment specifications which may be required to complete this application (must include plan view single or double line sketches, elevation sketches where appropriate):
[List/Title]:

I acknowledge that I am responsible for obtaining formal written Board approval and any required Town of Frisco building permits before proceeding with any of the Work. I also understand that I will be held liable for any damage to adjoining Units or Common Elements that result from the construction, operations or maintenance of any part of the Work, to include but not be limited to: any damage to walls/floors/ceilings/roofs, freeze damage or water leakage, or construction damage, and that I will be responsible for the removal of all demolition or construction materials and that they will not be placed in Lagoon dumpsters.

I understand that if this Work is deemed by the Board to require additional engineering reviews or physical inspections by Lagoon personnel or contractors, additional Application Fee's may apply.

My contact information is: Address _____, Home/Cell Phone _____

Sincerely,

Owner signature

Attachment 2: HOA Board Action Notification

Dear _____ Unit Owner
[mailing address]

In a formal meeting of the HOA Board, held on _____ your written request for new Work in Unit _____, submitted by you to the Board on _____, was formally **Approved** / **Disapproved** / **Tabled** (circled) by a vote of the Board.

If your request has been “Approved” above, you are reminded that all of the Work must be completed to professional standards and is subject to unannounced inspections by HOA representatives. You are further advised that you should not commence any Work until you have obtained any required Town of Frisco permits. If you make any material changes to the Work plan that you submitted to the Board, you must obtain Board consent for those changes before the changed Work is done.

If your request has been “Disapproved” above, you are advised of the following reasons for disapproval:

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

If your request has been “Tabled” above, you are advised that the Board requires the additional information, detail, or changes regarding the Work before it can make a final decision:

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

Other comment or instructions:

Respectfully,

Board President