

## Towers at Lakepoint Association Policy Regarding Architectural Review for Unit Modifications

The following procedures have been adopted by The Towers at Lakepoint Association (“Association”) pursuant to the provisions of C.R.S. 38-33.3-209.5 and The Towers at Lakepoint Association Policy Regarding the Adoption and Amendment of Policies and Rules as adopted August 7, 2014, at a regular meeting of the Board of Directors.

**Purpose:** The purpose of this document is to adopt a policy setting forth procedures for making modifications to Unit Owner’s property (“Work”), and to provide Unit Owners the guidance they need consistent with existing Association governing documents:

- To plan Unit Upgrades, Modifications, or Remodel,
- To properly submit plans and applications to the Board for review, comment and approval, and
- To understand Owners’ personal liabilities for those changes.

NOW, THEREFORE, IT IS RESOLVED that the Association does hereby adopt the following policy governing application to make modifications of any unit and the process to review such application.

1. When an Owner makes any structural modification to their unit, the Work must be prior approved by Towers at Lakepoint Association 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, and application. 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 building, electrical, and other permits are obtained. The obtaining of Town of Frisco Building permits alone IS NOT SUFFICIENT TO BEGIN WORK.

2. **Defined Work:** “Work” requiring prior approval DOES NOT include any interior cosmetic changes such as painting, re-carpeting or retiling of floors with the same type of flooring as original to the building, , changing of appliances, , 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. Changing the type of floor covering from a soft surface (carpet) to a hard surface (tile, hardwood, laminate, etc.) is considered Work requiring proper prior approval.
3. **Approval Process/Package:** Owners must submit a formal written request to the Board before any Work is begun, including the Work Application Request (Attachment A). 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 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. When approved, the Association Board will provide the Owner with HOA Board Action

Notification (Attachment B) The Owner must then provide the Association with a signed copy of the Contractor Guidelines (Attachment 3) prior to the start of the project.

4. **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.
- b. **Exterior Wall Penetrations:** The ARC does not generally allow any new penetrations of exterior walls. This includes vents, windows or doors. **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.
- c. **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.

- d. **Decks/Patios:** No new decks will be allowed as they are effectively a conversion of Common Elements.
  - e. **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.
  - f. **Glass Block:** The conversion of clear windows to glass block windows will be reviewed on a case by case basis.
5. **Inspection:** The Association reserves the right to have its maintenance staff inspect any Work being accomplished at the Towers. This includes “no notice” inspections.
6. **Permits:** Owners must receive formal written approval from the Association 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.
7. **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.
  - c. Nailing or screwing into existing interior unit walls. (pictures, mirrors, lighting, wall mounted TV, wall mount closet organizers)
8. **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 Association dumpsters.
9. **Approval/Disapproval Letter:** Owners will receive an Approval/Disapproval/Tabled action notification from the Board generally in the form attached here at Attachment 2.

**The Towers at Lakepoint Association**

\_\_\_\_\_  
President

\_\_\_\_\_  
Dated

**This Policy Regarding Architectural Review of Unit Modifications was adopted by the Board of Directors on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, and is attested to by the Secretary of The Towers at Lakepoint Association.**

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Dated

## Attachment 1 Work Application Request

Date: \_\_\_\_\_

Towers at Lake Point Association Board  
Architectural Review Committee  
P.O. Box 105  
Frisco, CO 80443

Email: towersbod@gmail.com

I, \_\_\_\_\_, am the legal owner of Unit \_\_\_\_\_  
in the Towers at Lake Point complex.

This Application requests approval to perform the following "Work" in this Unit:

[Overall Description of Work]:

I have attached the following sketches, drawings; photos 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 Towers at Lake Point dumpsters.

I understand that if this Work is deemed by the Board to require additional engineering reviews or physical inspections by Towers 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

Date \_\_\_\_\_

Dear \_\_\_\_\_ Unit Owner

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.

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.

Other comment or instructions:

Respectfully,

\_\_\_\_\_

Association Board President

**The Towers at Lakepoint Association**  
**Attachment 3: CONTRACTOR GUIDELINES**

**The following guidelines must be observed by Owners and Contractors when performing renovation, routine repair service in Towers at Lakepoint units, regardless of whether the project scope requires Architectural Approval by the Board. These guidelines are in place to protect common areas and the comfort of all who reside at the complex while work is being done. Please also refer to the Association's Declarations and Policies for requirements and applications for approval. The Property Manager for the Towers represents the interests of all owners. Prior to starting renovation or repair work requiring Board Approval, Owners and Contractors must certify that they have read and agree to comply with these guidelines. For more routine repair or service work, the guidelines still apply. Note particularly Guideline 1 saying Owners are ultimately responsible for damages by contractors/service/repair people not covered by insurance.**

**A. General Guidelines for Projects**

- 1. Owners are ultimately responsible for any damage caused while renovating or repairing their units, this includes failure of the contractor to have sufficient insurance to cover their work or damages arising from it or any deficiency between the total cost of repairs insured by the HOA and any amounts recovered by the HOA from an insurance claim.**
2. Projects should be planned during slow occupancy times to minimize the impact on other owners and guests.
3. Owners should make certain contractors have required liability and workers' compensation insurance and file copies with the Property Manager naming the Association as additional insured.
4. Building permits and other permits, if required, are to be obtained and a copy of display at unit.
5. Please refer to the Floor Policy adopted by the Association. Any replacement of flooring must have sound-reduction pads underneath these pads must be rated to a minimum of STC70, whether it be wood, tile, or carpeting (carpet padding), or any other material.
6. Any entry into drywall, including walls or ceilings, or entry into concrete floors or ceilings needs prior approval of the Association and Property Manager.  
**Contractors should be advised that there are both recirculating glycol heating system and domestic hot water pipes throughout walls of the condominium units. Architectural drawings are available which show general locations of piping. These should be carefully reviewed when planning unit modifications before making any penetrations. BUT the drawings are not always accurate and careful exploratory penetrations should be done to verify pipe locations. This includes making multiple inspections points along walls, as pipes change elevations. The Towers has a camera endoscope which can be signed out by contractor for confirming pipe/ wiring locations.**
7. Proper connections of venting systems to the deck; including range hood, both bath exhaust fans, and clothes dryer venting, must be maintained.
8. All water supply lines must be braided flexible steel, including all kitchen and bath sinks, dishwashers, clothes washers, ice makers, and toilets.

## **B. Impact on Common Elements:**

1. Daily Cleanup of all common areas is absolutely required. Contractor and Owners are responsible for keeping and restoring all common areas to the same condition of cleanliness as before remodeling began. Costs of additional cleanup will be charged to the Owner.
2. Contractors and Owners should take care to not damage common areas, including entrance doors, windows, walls, furnishings, and elevators. Entrance doors and elevator doors may not be propped open for any extended time. Building security must be maintained. Temporary moving of furnishings in lobby area is permitted with prior coordination with Property Manager.

## **C. Coordination with Property Manager**

1. The Property Manager should be provided with the following information the Owner or the Contractor completing the work within the unit prior to any work commencing:
  - a. A description of what is planned, dates of construction, who is involved, delivery of supplies, and responsibility of oversight of the areas must be provided to the Property Manager prior to the beginning of construction.
  - b. A copy of any applicable blueprints, architectural drawings, contractor drawings and plans, electrical, plumbing or utility plans, if any, must be provided to the Property Manager prior to work commencing.
2. Contractor is advised to consult with the Property Manager and review the building blueprints to verify where electricity and plumbing are located inside walls. The Towers has pipes and wiring in unusual locations so even nailing into baseboard and backsplash areas can create major problems. The Property Manager may provide access to copies of building blueprints, including electrical, plumbing, and structural drawings, upon request to provide the Owner and their Contractors with applicable information.
3. Notify the Property Manager daily during work with the name of responsible Contractor type of work, names of employees, hours of work, locations and contact information including cell phones.
4. Reasonable notice of any need to turn off any of the buildings utilities such as electric, water or gas must be planned ahead of time with the Property Manager and schedule to minimally affect the other residents of the building. Owners and Contractors are responsible for shut-off of unit specific utilities, including water and electricity.
5. Use of common areas for temporary staging including trash must be approved by the Property Manager.
6. Cleanup of common areas, include construction-related dust or debris resulting from passing through those common areas, must be completed daily and the level of cleanliness accepted by the Property Manager.
7. Extra dumpsters or hauls may be arranged in advanced with the Property Manager, at the Owner's expense. Dumpster locations must be approved by the Property Manager.
8. The cost of any additional time incurred or work done by the Property Manager in connection with the construction will be billed directly to the Owner. Owners are responsible for all coordination in advance with the Property Manager. Please note that the property Manager is not onsite on a full-time basis.

**D. Contractors**

1. Hammering, sawing, and other construction activities that generate noise may not begin before 8 AM nor continue past 5 PM. Boom boxes, radios, etc. are not to be played at a volume that they can be heard in other units. Volume of such items to be heard over the noise of saws, hammering, etc. is clearly unacceptable.
2. Materials and tools such as power saws, air tools, etc. should not be set up and left unattended in common areas in a condition that passerby might operate and be injured by such materials, equipment and tools.
3. Contractors and their employees are asked to leave their children and pets at home.
4. Contractors must dispose of construction debris off site. Disposal of minor construction debris less than four cubic feet may be allowed in the Association's dumpster only with advance approval. Disposal of construction debris may not at any time exceed the capacity of the dumpster and may not extend above the top of the dumpster or be placed around the dumpster. Contractors must haul away old carpet and pad or other flooring, plumbing fixtures, cabinets, and other debris that exceeds four cubic feet and shall not dispose of such waste in the Association's dumpster.

**E. AGREEMENT:**

I have read and agree to the above guidelines

Homeowner \_\_\_\_\_ Date \_\_\_\_\_

Contractor \_\_\_\_\_ Date \_\_\_\_\_

Manager \_\_\_\_\_ Date \_\_\_\_\_

\*Please return a signed copy of this agreement to the Towers at Lakepoint Association Board prior to the start of the project.