



## ARCHITECTURAL REVIEW COMMITTEE

Minutes of the ARC meeting held 7/13/13 at Roy's house, 12:00 PM

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Agenda: Lot 34 construction issues that have not been resolved

People present:

ARC members: Roy Nelson

Lot owner: Jerry Valencia

The purpose of this meeting was to resolve some issues that have been ongoing since the home was built. No other ARC members were in attendance as they would not serve unless Jerry gave them a waiver of legal liability, which he elected not to do. (Note: When the original plans were approved, Roy was the only member as well, because the present and past members of the ARC would not serve due to concerns about exposure to litigation.)

When Jerry built the house, he made changes to the planned design that were not approved in advance by the ARC. The ARC's policy is that generally, when retroactive changes to approvals are requested, if the new design would have been approved if it had been originally submitted, the change will be approved. However, if the new design would not have been approved originally, then the change will be denied.

Listed below are changes made without ARC approval and retroactively approved:

Originally Approved

Concrete stairs to front door

Electric meter box size 15" x 34"

Olive green trim color

No wall in backyard

Actually constructed

Wood stairs

Meter box & exterior panel twice as large\*

Cream trim color

Concrete retaining wall in back yard

*\* Note: The oversized meter box would not have been allowed, if originally approved.*

At today's meeting, the remaining issues were discussed. They are:

**Issue #1:** The existing colors of the downspout and gutter will not be retroactively approved. ARC policy is that all downspouts and gutters must be painted the same

color as the part of the house they are attached to. Jerry agreed to repaint the downspouts and gutters to meet the ARC's standard by Oct. 1, 2013.

**Issue #2:** The ARC originally approved a wood railing, but Jerry installed a cable railing instead, with posts painted black. This would not have been approved, had it been proposed originally. Jerry and Roy discussed the metal post treatment at length and could not come to an agreement to resolve the issue. After Jerry left the meeting, Roy decided that the ARC would retroactively approve the black posts on the cable rail system, as a concession made in the interests of resolving the other issues.

**Issue #3:** The bright metal flashing at edge of deck was not on the approved plans. Because it is obtrusive, it will not be retroactively approved. The ARC approved covering the flashing with a piece of cedar fastened in front of the metal flashing and stained the same color as the rest of the cedar on the house.

**Issue #4:** The entrance to garage people door is surrounded by a concrete retaining wall. The original 4/30/08 ARC-approved plans stipulated that the concrete wall would be faced with the same faux stone used on the front of the garage – Carolina Ledge stone Onyx Brown.

In an effort to resolve the issue, on 9/30/09 the ARC approved an alternate approach: a cedar fence with a gate that would be installed on top of the existing wall blocking the view from the public. In addition to the shielding it would be a protective barrier on the up hill side to help prevent someone from falling into the seven foot deep pit.

At the meeting today, Jerry proposed a stucco coating on the concrete. Roy explained that would not be approved by the ARC unless the house is stuccoed also. Jerry did not propose any other options.

Past ARC practice has been that visible concrete retaining walls are not allowed, and that any coverings must match the house. In addition, there are already at least four other materials visible on the front elevation – which is already more than ARC policy generally allows. Stucco would add another element. Therefore, the exposed concrete wall will not be retroactively approved, nor will other coverings be approved, other than the faux stone already on the house.

No changes were made to the ARC approvals for the wall. A concrete or stucco wall violates the ARC-approved plans. Only the approved faux stone option, or the approved fence/gate option, are approved by the ARC.

Meeting was adjourned around 12:45

Jerry has agreed to correct the retaining wall issue on the SE corner of the house by doing the following by Oct 1, 2013.

Install 1 X 6 and narrower vertical western red cedar boards on the concrete wall, then capping the top with flat native basalt rock.

The concrete wall and metal fastening strips will be painted flat black to create a shadow line.

The boards will be spaced so that after drying/stabilizing the gap will not exceed  $\frac{3}{4}$ ".

Roy Nelson  
Sunridge ARC