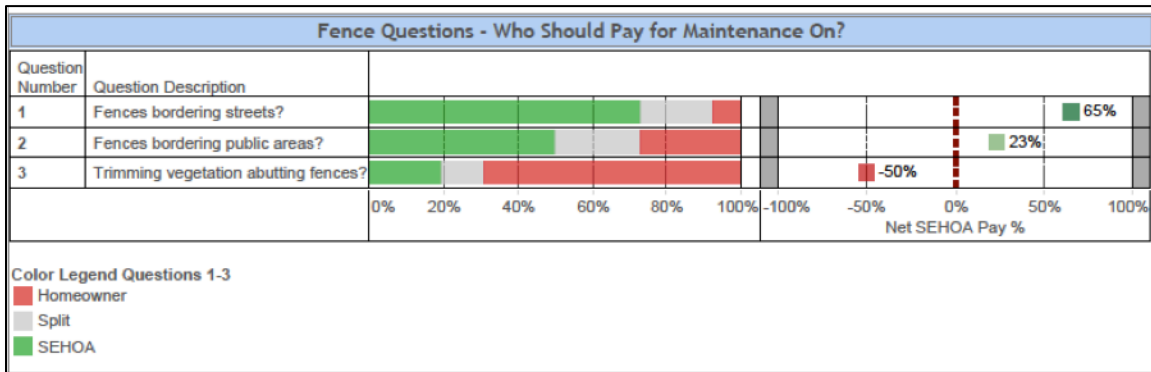


# SEHOA Survey Results and Comments from SE Homeowners and ACC Responses

March, 2019

The ACC wants to thank all of the Somerset Estate homeowners that participated in the survey. This feedback and information is invaluable to the ACC in determining the direction for the ACC and rewriting the Somerset Estates HOA Architectural and Landscaping Standards and understanding based on thoughts of the homeowners in the neighborhood. The survey was answered by 26 out of 89 households just under 30% of the households in Somerset Estates statistically a fairly good response.

The summary survey results were presented in an attached statistical graphic representation. The graphic presentation is presented on a net statistic basis. Under this concept it shows the strength of support over opposition, which is a better indication of support than just the % that voted in favor of support. The ACC wants to thank Jim Hemenway for preparing the graphic presentation.



**Question 1. Fence Type 1: On border of homeowner property and main streets (Longview Drive and Somerset Drive) Who should pay for maintenance and replacement?**

SEHOA was the favored choice by 65% over the homeowner option.

**Question 2. Fence Type 2: On border of homeowner property and public areas (pathways, open space, common properties). Who should pay for maintenance and replacement?**

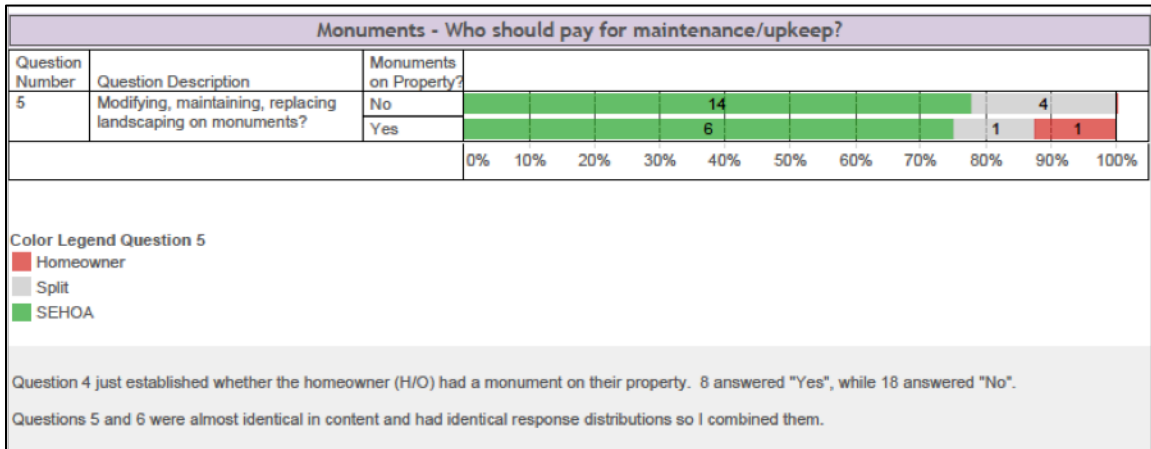
SEHOA was still the favored choice over the homeowner option by 23%.

Based on the responses to Question 1 & 2 the SEHOA should be responsible for maintaining the fences in the neighborhood on border of property and main streets and border of property and public areas (pathways, open space, common properties)

**Question 3. Who should be responsible for trimming house landscaping vegetation so that it does not put weight on the fences or interferes with common area access ways?**

Survey response felt the Homeowner should be responsible for trimming house landscaping vegetation laying on fences and interfering with common areas. This was the favored choice by over 50% over the

**SEHOA selection.** Basically under questions 1-3 homeowners are stating whoever installs the fence and landscaping should be responsible for maintenance, repair and replacement. Based on this survey response in questions #1-3 no change in the ACC Standards since this responsibility is already consistent with the current status.



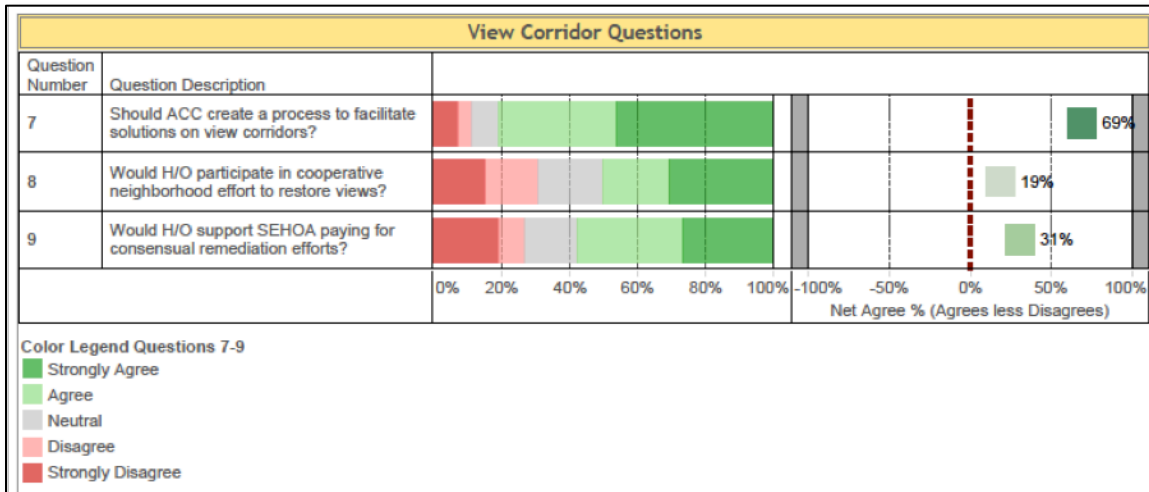
**Question 4. My property includes a street monument easement.**

**30% of the survey responders** indicated their property includes a **street monument easement on their property.**

**Question 5. Who should be responsible for modifying/and or replacing the landscaping in the easements to protect the monuments and nearby sidewalk and pathways from damage and to create a uniform, harmonious look to the neighborhood?**

**Question 6. Who should be responsible for maintaining the landscaping in the easements, once installed?**

**Response to Question 5 & 6 – Strong support of the SEHOA** being responsible for maintenance repair and replacement **by 73 % over the homeowner alternative** and the **response did not change whether the homeowner included a street monument easement on their property.** Again the same overwhelming response whoever installed the monuments should be responsible for maintenance, repair and replacement. We have adjusted this responsibility to the SEHOA from the Homeowner in the ACC guidelines based on the survey response.



**Question 7. I would appreciate having an established process for the ACC to help near neighbors come to an agreement to restore view corridors.**

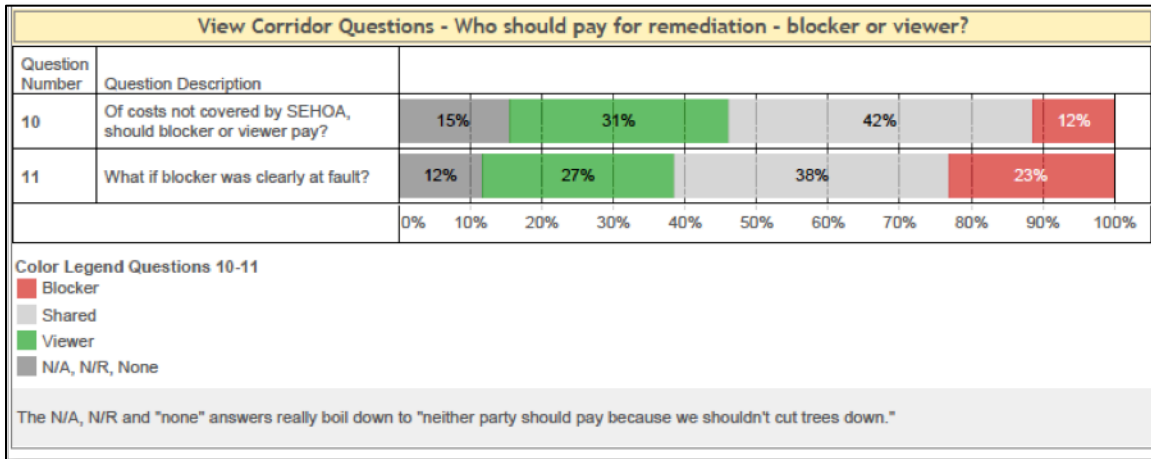
**Result showed strong support 69% of the responders were in favor of the ACC becoming involved in establishing a process to mitigate view channels.**

**Question 8. I would participate in a community- wide “Restore Views to Raise Values” initiative organized by the ACC whereby neighbors throughout the community agree to work together to restore each other’s views.**

**Homeowners were still positive in establishing the community wide “Restore Views to Raise Values” initiative but with a lesser 19% favorable response.**

**Question 9. I support SEHOA setting aside funds to help cover the initial one-time cost of trimming or removing trees that block views throughout the community if feasible and permitted.**

**Fairly strong support with the SEHOA paying for removal and trimming trees in the community that block view issues with 31% favoring SEHOA financial support alternative.**



**Question 10. Excluding and contribution from SEHOA, who should pay the cost of restoring views for House A by trimming and/or removing vegetation on House B property?**

**Question 11. Assume you know that the vegetation on House B property has not been approved by the ACC and/or properly maintained over the years. In that case, who should pay the cost of restoring views for House A by trimming and/or removing vegetation on House B property?**

**Responses to Question #10 and Question #11 is a similar popular choice** with the more cooperative approach by the community with a **shared cost as the most popular net choice at 42% on Question #10 and 38% on Question 11.** Again **confirming neighbor’s desire to cooperate together** with adjoining neighbors to **economically share to resolve any view channels issues.** The need for the ACC to develop a process and assist both homeowners to be involved in the process and document any agreement on terms on a case by case basis.

Based on the response from question #11 SE homeowners indicated a stronger propensity for the neighbor without landscape approval from the ACC or poorly kept yard should bear a greater possibility of any financial burden. This result might be different if a new homeowner purchases a SE home with non-approved landscaping and then the SE homeowners might be more agreeable to equally contribute financially toward resolving view channels.

The ACC appreciates all of the comments received from homeowners with 16 individual homeowners commenting on the survey and/or ACC draft Somerset Estates Architectural and Landscaping standards, and will consider some of these recommended changes into the final version of the Standards Document.

As with any comments section of a survey you will generally receive the most active and passionate comments from Somerset Estate Households and not necessarily the true silent majority. The most popular comments were regarding view corridors receiving direct comments on this subject by 11 SE Homeowners with 6 in support of opening view corridors with 2 in support along with privacy consideration to mature landscaping and 3 in total nonsupport of restore views and more in support of privacy only and retention of all mature landscaping.

ACC needs to be aware of dealing with neighbors regarding restoring view channels and balancing of privacy and beauty of landscape maturity. The ACC must continue to move forward with a high priority for the community in regards to view channels to clearly enable the Somerset Estates community to stand above other neighborhoods while maintaining the privacy and beauty of mature trees where applicable.

The ACC believes there is a misunderstanding of the ACC role in the view channel debate. We are only acting as a facilitator between cooperating neighbors to discuss view channel concerns. We have no intention nor are we allowed to enter a homeowner's yard without their permission to trim or eliminate trees unlike historical ACC standard documentation unless for safety and aesthetic reasons and only after notice and failure of Somerset Estates Homeowner to respond in a reasonable time frame and SEHOA Board authorization. ACC is there to help document the agreement between neighbors and ensure the agreement between neighbors is fulfilled in agreement with the neighbor's terms.

The standards section in regards to house maintenance, view corridors and landscaping plantings will be updated periodically based on experience and additional feedback from SE homeowners, landscape and building contractor professionals. The ACC revised Somerset Estates Architectural and Landscaping Standards is a great first step to reflect the needs of a more established housing neighborhood with mature landscaping.

The ACC opted out of posting direct SE Homeowner comments on the website with some of the SE Homeowners feeling uncomfortable posting their comments even anonymously. The ACC does not want to discourage SE Homeowners from participating in providing feedback and in the future we will create an option to allow SE homeowner to mark if they do not want the ACC to repeat verbatim your thoughts with the community. Out of respect for SE Homeowner privacy and out of fairness to the process we have decided not to post comments even regarding the one SE Homeowner that requested his remarks be posted publicly. The ACC will however summarize the comments we received on various topics. The ACC has also included in some cases response to the comments from SE Homeowners.

### **General Comments Directly Related to Survey Questions**

The basic comments were similar to the response in the survey. Any feature that was installed or planted in the first place should be the responsibility of that group. In this case the SEHOA for maintenance, repair or replacement (SEHOA steps into the shoes of the developer) regarding responsibility of the monument signs, fences, common areas landscaping. Homeowners are responsible for fences between properties not installed by the developer and landscaping on their property.

One comment stated the SEHOA should pay because Homeowners ultimately pay to reduce friction without causing any adverse consequences. Another comment also stated the SEHOA should pay ongoing rather than a one-time costs of trimming and removing trees as stated in question # 9. Another comment stated whichever neighbor benefited more from the view corridor initiative should pay more. Another comment mentioned the wording on question #11 "properly maintained" was considered subjective.

## **General Comments on Architectural and Landscaping Draft Standards**

Received one comment on Aspen Trees recommending they not be replaced as they die. They are considered an invasive species and become disease prone and do not last long after reaching maturity. By eliminating the species in the neighborhood over time this will reduce the tree's ability to be an invasive species. The ACC will review and study this matter before determining any decision at this time.

Received another comment on composting to recommend some wording specific to composting to ensure composting is not visible from public access ways and consideration to neighbors regarding the potential odor associated with composting. The ACC has subsequently added words to reflect composting in the new Standards document.

Received one comment regarding any visit by the ACC to a homeowner backyard should be approved with the property owner. Obviously the ACC should not enter SE Homeowner property without permission.

Received one comment over whether existing ACC board members were experienced enough to improve Somerset housing market values.

Received one comment over whether increased HOA dues would result in higher home values in Somerset Estates. Any aesthetics changes in the community should be paid from the SEHOA funds and not additional funding from SE Homeowners.

Received a comment from one SE Homeowner regarding liking the ACC approval requirement on compliant landscaping and painting colors if same landscaping is being replaced and identical paint color is being repainted the ACC approval is still in effect and will not need resubmitting for approval.

## **Comments Regarding Grasses and Other Ground Covers**

Several comments over the requirement in the ACC Standards "to water to be green" in grass areas is challenging to maintain in Colorado in our dry climate and water constrained high desert environment and consequently is unrealistic. To require excessive watering is not being environmentally smart and we need to find ways to ensure water is not wasted. The SEHOA needs to define minimum requirements for green grass and ensure property owners maintain the minimum requirements. Non-native grasses require excess watering therefore drought tolerant grasses should be maintained as stated in the standards. Grasses need to grow in a natural way and not be watered continuously in order to maintain the "green" requirement. The ACC will review the wording on the standards on this matter and determine what changes to recommend.

Xeriscape landscaping is supported in the area but one comment had a concern over Rabbit Brush and Russian Sage plantings to ensure they are managed or otherwise they should be disallowed in the community. Again the ACC will review this concern and study the difficulty of causing this change.

### **Comments Regarding Fencing**

Another comment suggested restriction on allowing planting of landscaping materials in easements in the five foot buffer between fence lines should not be allowed since often public utilities are located in those easements and mature landscaping would restrict access to utilities. The ACC needs to check further into this concern before placing a restriction on landscape materials.

Another comment in reference to Appendix A #4 in regards to metal fencing already existing along perimeters and perhaps should be considered precedent already.

One comment on wood fencing with wire fencing attached should only be attached to the inside of the fence and should be enforced by the SEHOA and ACC against SE Homeowners in violation attaching the wire to the outside of the fence. The ACC has stated this more clearly in the revised version of the ACC standards

Another SE Homeowner comment regarding HOA property assessment regarding fence maintenance involving properties not bordering the major streets and common spaces is a major problem. The SEHOA will plan on capital cost assessment before pursuing any further thoughts on Fence replacement.

### **Comments Regarding Roofing**

One comment on asphalt roofing with new technology needs to be considered and cedar shakes eliminated similar to Boulder City ordinances. The ACC is open to new roofing technology and will review on a case-by-case basis. The ACC also inserted wording regarding staining cedar shakes to blend in with the community and extend out the life of the cedar shakes.

### **Comments Regarding View Corridors**

A very hotly debated topic among the Somerset Estate Homeowners.

Majority of SE Homeowners surveyed were in support of restoring view corridors and the efforts of the ACC towards this objective. Many of the SE Homeowners felt the view corridor resolution process was a reasonable and balanced place to begin.

Some of the SE Homeowners opposed to the concept and the fear of the ACC eliminating their trees thru enforcement without regard to their property. Some of the comments centered on the number of trees required to be removed or trimmed to restore view corridors would adversely impact home values.

Obviously this is a misconception since the ACC is not legally allowed to remove or trim and replace trees without SE Homeowners agreement. The ACC needs to be impartial in the view channel restoration process and is here to assist neighbors wanting to restore their views and try to ensure neighbors cooperate between each other to restore their views and document the agreement between the parties.

One SE homeowner felt preservation of the existing mature trees was essential to Habitat Preservation as a value added benefit to wildlife and birdlife and being known as a community that supports and prioritizes habitat preservation.

Concern over topped off trees was expressed by some SE homeowners and could cause damage to the trees and lead to large scale disfigurement and detract from property values. A new guideline should encourage good horticultural practices to preserve the health and appearance of existing trees. The ACC agrees we need to receive professional advice on trimming trees from Arborist to ensure tree health and appearance in the community.

Another suggestion from one SE Homeowner felt a summary of the changes compared to 2017 ACC Standards will help SE homeowners understand the substantive reasons for the changes. The ACC is putting together a summary of the changes between the old 2017 ACC Standards and current Standards for SE Homeowners review.

Some SE Homeowners felt the concept of protected view corridors appears to be outdated in a mature landscaped and almost fully developed home sites and not applicable to the vast majority of the SE Homeowners. Other comments stated the focus on property value is overemphasized since many of the protected views are blocked by other homes and mature landscaping and is not realistic to assume a protected view corridor could be maintained over time. One SE Homeowner commented based on observation that many of the perimeter properties have view corridors and for interior properties and properties lower down the hill view corridor is reduced or eliminated altogether.

Other comments focused on "privacy". Landscape privacy screening between lots is just as important as optimized mountain views. Both affect property values. Now is the time to revise the guidelines to balance the value of privacy and views by optimizing views of just one of the three mountain views and to acknowledge the value of views from common areas and upper floor homes. One SE Homeowner pointed out in the 1997 the first landscape guidelines were published and equal value was assigned to privacy and views. As mentioned in the 1997 Guideline It is vital to frame desirable views. The developer never intended SE homeowners to have unobstructed mountain views from all of the west side main floor gathering spaces of each house. This same SE Homeowner is requesting the ACC change the wording in the Standards under Views and View Guideline section to acknowledge view impacts caused from property landscaping be inserted into the new ACC Standards along with blockage due to building placement and the impact of each will be carefully weighed. Again the ACC will review this matter on a case-by-case basis. The ACC is trying to encourage cooperation with neighbors to reestablish views to reach an agreement with adjoining neighbors.

Another SE Homeowner wanted wording in the current Standards changed requesting the wording under a view corridor if blocked by landscaping by adjacent lots should not be opened because it is assumed that the blockage was factored into the price of the homeowner's property. This particular SE homeowner felt this wording should be inserted in the ACC Standards because it is applicable to the majority of the properties in Somerset Estates.

A suggestion from one SE Homeowner as the new ACC reviews view channel requests, the origin of the view can be determined by finding a spot that allows a mountain view between the approved trees of the neighbor to the west. This will avoid the process recommended in 2004 from John McGraw where the ACC used multiple viewing points on the west deck of a home to determine protected views. This a



complicated and subjective process. For this reason, legal visual easements should be used as an unambiguous way for homeowners to acquire and preserve views that are important to them. This easement process was used on the vacant lot at 8400 Strawberry to restrict the height of trees. Visual easements is perhaps a direction the ACC will consider in enforcing the rights of documented Homeowner agreements in view corridor discussion.

The ACC again appreciates all of the comments from the Somerset Estate homeowners and will consider and incorporate many of your ideas and thoughts into our standards and future direction in the community. ACC plans to provide a redline document of any changes from the draft Architectural and Landscape Standards document to the current document to the SEHOA Board to provide on the website.

The ACC Committee for Somerset Estates HOA