

TO: ARCHITECTS WITH PROJECTS IN STARWOOD
RE: PRE-APPLICATION MEETING
Starwood Architectural Committee

To the Architect:

The Starwood Board of Trustees, acting as the Starwood Architectural Committee, has adopted a policy which requires that the lot owner [optional] and/or their Architect or other Project Representative [required] contact the Architectural Advisor at the earliest possible time and request a Pre-application Meeting with the Advisor. This should be done prior to the time you plan to submit any applications for architectural, landscape, fencing, or any other review which is required by the Protective Covenants to be presented to the Architectural Committee. If a landscape architect or company has been retained, a representative should also attend the pre-application meeting.

We do not require that you have any design work or other materials for the meeting and, in fact, suggest that the meeting occur before you and your client have spent any significant time or money on the project. The meeting should occur at least 2 weeks prior to submitting an application for your first review of any new structure or improvement. The purposes of the meeting will be to:

- 1) Ensure that the owner(s) and their architect are aware of the documents and approval processes governing all construction within Starwood,
- 2) Discuss the concept and intent of relevant sections of the Protective Covenants, the Architectural and other Procedures that have been adopted by the Architectural Committee, and
- 3) answer any questions.

Attached to this letter is a list of the items we plan to review with you at this meeting, but we also hope to answer any questions that you may have with the intention of promoting a smooth and timely review process for all concerned and getting the process started in the right direction. Please feel free to contact me if I can be of any assistance, (970) 379-3778 or mark@mnarchitect.com.

Mark Noel, AIA
Architectural Advisor,
Starwood Architectural Committee

COPY OF THIS LETTER RECEIVED BY ARCHITECT:

NAME: _____

DATE: _____

PARCEL: _____

DATE OF MEETING:

PARCEL NO: R-00

ATTENDING: Homeowner

Owners' Architect

Mark A. Noel

Architectural Advisor

I. OVERVIEW OF STARWOOD ARCHITECTURAL APPROVALS

Starwood Board of Trustees and Starwood Architectural Committee

According to the Starwood Protective Covenants, the governing Board of Trustees of the Starwood Homeowners Association also serves as the Starwood Architectural Committee. There are currently nine members of both the Board and Committee. The Architectural Advisor advises the Committee but is not a member of the Committee and does not have a vote.

Starwood Metropolitan District and Starwood Homeowners Association

The Metropolitan District was formed to manage most of the improvements and assets of the Starwood Subdivision, and it replaced the Starwood Water District. All projects which involve changes of either domestic water supply or irrigation water supply must be approved by the Board of the Metro District as well as the Architectural Committee. The two boards are separately constituted, and the meeting times and places are separate, although there is usually a Metro District meeting shortly before or after a Homeowners Board meeting. The Metro District sets the rates for domestic water tap fees and road impact fees [commonly known as "truck fees"].

Red Mountain Ditch Company

All outdoor and irrigation water is obtained from one of the irrigation ditches running through Starwood; these ditches are maintained and operated by the Red Mountain Ditch Company. Starwood as an entity owns a certain amount of water rights, and individual property owners are allowed to share in the usage under those collectively held water rights. All irrigation systems are required to be designed to a maximum usage rate of 10 gallons per minute, and the amount of irrigation water that can be used by any individual homeowner is subject to the availability of water in the ditch for Starwood and usage limits set by the Starwood Manager from time to time. All new irrigation systems and modifications to existing systems are required to receive the written approval of both the Red Mountain Ditch Co. and the Starwood Metro District.

❑ Pitkin County

Pitkin County has zoning and construction jurisdiction within Starwood. In addition to the normal zoning and building permit requirements, certain parcels are mapped as being in a Scenic Overlay and are required to obtain a separate Ridgeline Review. Maps of the parcels included in the Scenic Overlay are available from the Architectural Advisor and from Joanna Schaffner at Pitkin County Community Development [phone (970) 920-5105].

There are also wildfire, fire department and other County regulations and approvals which are the homeowner's responsibility.

In general, the approval processes for the Starwood Architectural Committee and the Pitkin County Community Development Department are completely independent, and the homeowners must decide, for their particular circumstances, the timing and sequence of requesting all the necessary approvals from each entity.

II. DOCUMENTS PERTAINING TO ALL STARWOOD APPROVALS

Important Note: All documents and forms that you will need in connection with Architectural Committee reviews, including all guidelines and requirements, are commonly referred to as the "Architectural Packet" and are available on-line at www.starwood.org so that you can access them at any time rather than asking the Association to mail documents to you or your architect.

❑ Starwood Protective Covenants

The Starwood Protective Covenants govern all improvements within Starwood and set forth the requirements pertaining to Residential Tracts, Pasture Tracts, and Common Areas. The Protective Covenants may be downloaded from Starwood's website.

❑ Starwood Procedures and Guidelines

The Starwood Board of Trustees, acting as the Starwood Architectural Committee, adopts rules and regulations from time to time. These are included in "Procedures" and "Guidelines" documents which are included in the Architectural Packet are available on Starwood's website. These documents should be read before scheduling a pre-application conference or any approvals, as they will answer most of your questions. Applications which do not conform to the requirements included in the Architectural and other Procedures will not be scheduled for reviews, causing delays which the homeowner can avoid by reviewing those documents and making sure their designers have read them also. The Procedures and Guidelines documents may be downloaded from Starwood's website.

Items to be reviewed at the pre-application conference:

- Architectural, Landscape, Exterior Lighting, Fencing, Satellite Dishes
- Septic System planning
- Removal of vegetation
- Wildfire Issues
- Construction Fencing
- Construction Management, Parking, Bears, etc.

❑ **Subdivision Plat Maps**

“Starwood” consists of 16 platted filings comprising the land known as the Starwood Subdivision. There are 102 platted residential [R] lots, 15 pasture [P] lots, and approximately 75 acres of common area in multiple parcels. The subdivision’s recorded plat maps can be found [and copied] at the Pitkin County Recorder’s Office. Many of the plat maps have been amended since the early filings, so make sure that you obtain the most current map for any parcel.

Starwood plat maps indicate designated homesites for many, but not all Starwood parcels. These are usually indicated by a small square or other designation on the map, and represent the center point of a 100 foot radius circle in which it is intended that the house and other improvements be located. This circle is independent of the yard setbacks imposed by Pitkin County. The Architectural Committee uses this circle as a guideline for approvals and requires that it be shown on all site plans for parcels which have one shown on the plat map.

Starwood does not provide plat maps to property owners; they can be obtained from Pitkin County, a title company, or a land surveyor.

❑ **Starwood Metropolitan District Water Rules and Regulations**

- 10 g.p.m.
- Separate approval
- All irrigation from ditch, not domestic
- Water subject to availability
- The Water Rules and Regulations may be downloaded from Starwood’s website.

❑ **Pitkin County Zoning and Land Use code**

- Zone District [s]
- Allowable floor areas, etc. set by County
- Ridgeline Review
- Caretaker Units
- Setback and other variances - County Board of Adjustment
- County documents and contact numbers may be downloaded from www.aspenpitkin.com

❑ **Other important things to be aware of:**

- Easements for Association, utilities, horses, snowplowing, irrigation for uphill property owners
- Designated homesites vs. County yard setbacks

III. APPROVAL PROCESSES and REQUIREMENTS

❑ **Typical Architectural Review Process**

- Deadline and submission requirements: Deadlines are typically fourteen days prior to the scheduled meeting date.
- Height Poles: Typically required for additions and new construction.
- Models, perspectives, etc.
- Neighbor Notification: Please review the Architectural Procedures for an explanation of this important step in the approval process.
- Meeting Dates: Architectural Committee meetings are typically scheduled monthly, but you will need to check the website or contact the Association Secretary [Heather Dresser at (970) 925-8939] to confirm meeting dates, times and places.

❑ **Executive Committee Reviews**

- Refer to the Architectural Procedures for guidelines governing expedited reviews.

❑ **Administrative Approvals**

- Refer to the Architectural Procedures for guidelines governing expedited reviews.

❑ **Changes to Approved Plans**

- All changes to approved plans must be approved in advance. A \$600.00 fee is charged for review of proposed changes, but one review can cover a number of changes if they are submitted at one time.

IV. FEES AND DEPOSITS

❑ **Improvement Review Fees**

When Paid:	Must be paid upon submission of plans.
Who determines amount:	Architectural Advisor, based on square footage and scope of project.
How is it calculated:	See the Architectural and Landscape Procedures.

❑ **Construction Deposit**

When Paid:	Prior to start of any construction.
Who determines amount:	Association Secretary, based on square footage and scope of project.
How is it calculated:	See the Architectural and Landscape Procedures.

❑ **Landscape Guaranty**

When Paid:	After final approval and prior to start of any construction. Paid by cash deposit or letter of credit, along with signed Landscape Completion Guaranty prepared by Association.
Who determines amount:	Architectural Advisor, based on scope of project.
How is it calculated:	Owner provides bid or estimate for required landscape components at or following final approval.

❑ Water Tap Fee

When Paid: After final approval and prior to start of any construction.
Who determines amount: Preliminary amount is calculated by Architectural Advisor, based on spreadsheet of fixture counts provided by homeowner or his architect. Final amount is determined by inspection of completed construction [after Certificate of Occupancy is obtained] by Starwood Manager and Architectural Advisor.
How is it calculated: See the Metro District Water Rules and Regulations. Charge is a specified amount per type of fixture and number of bedrooms.

❑ Road Cut Fee

When Paid: After final approval and prior to start of any construction.
Who determines amount: Determined by Starwood Manager.
How is it calculated: Specified amount per road cut [for new utility lines, etc.]

V. ADDITIONAL SITE SPECIFIC ISSUES AND INFLUENCES

- 1. _____
- 2. _____
- 3. _____

VI. PROJECT CONTACTS

Representative should provide the following information at the pre-app meeting.

Owner (Local)

Name	
Mailing Address	
Phone	
Fax	
Email	

Owner (Home)

Name	
Mailing Address	
Phone	
Fax	
Email	

1. WHEN AND WHERE IS THE NEXT MEETING OF THE STARWOOD ARCHITECTURAL COMMITTEE?

Starwood Architectural Committee meetings are typically scheduled on a monthly basis. There is no fixed schedule for the meetings, however, so contact Heather Dresser at (970) 925-8939, and she can tell you when the next meeting is scheduled. If you would like to receive automatic notices of upcoming meeting dates, please send an email to Mark Noel, the Architectural Advisor, at mark@mnarchitect.com provide him with your email address.

2. WHAT DO I HAVE TO SUBMIT FOR APPROVAL?

Starwood has a set of written procedures which outline the submission requirements for architectural, water system, landscaping, fencing, and exterior lighting approvals. You will find the specific requirements in those procedures. If you do not have them, or you're not sure if your set is current [they are updated once a year or so], copies can be obtained from the Starwood website, www.starwood.org.

3. DO I BRING THE PLANS TO THE MEETING?

The deadline for submitting applications is always two weeks before the meeting date, so everything must be turned in no later than that date. If you are doing a small project and think an administrative approval might be appropriate, or if you are requesting approval for changes to already approved plans, you can submit those at any time, and the Architectural Advisor will give you a time frame for handling the application. Your application package, including drawings and other required materials, should be delivered to Mark Noel Architect, LLC. The address is P.O. Box 369, Carbondale, Colorado 81623 [phone 970.379.3778 and email mark@mnarchitect.com] or, as the Procedures indicate, materials can be submitted to the homeowners association via the security gate house; please call to let us know you've left plans there.

4. DO I HAVE TO BUILD AN ARCHITECTURAL MODEL FOR STARWOOD?

Not typically, but the procedures allow the Committee or the Architectural Advisor to request a model, rendering, or any other information that may be necessary for the Committee's review. The usual requirement is for height poles and a site inspection by the Committee, and Mark Noel will review that with you.

5. CAN I START CONSTRUCTION AFTER THE MEETING?

That depends on the project. Some projects will require a preliminary approval followed by the 21 day neighbor notification period and then a final review and approval. Construction can only start after a final [or administrative] approval is obtained.

Many projects will also require a building permit from the County as well as a 1041 Hazards review by the County. Some projects will require other approvals from the County, the Starwood Metropolitan District [domestic water] and/or the Red Mountain Ditch Company [irrigation water and ditch modifications].

Starwood also has certain fees and deposits which are to be paid before construction starts; Mark Noel will review those with you at the Pre-application conference, and Heather Dresser will be sending you the necessary documents and invoices upon final approval.

6. I HAVE A GOOD IDEA WHAT I WANT TO BUILD, BUT I'M WORRIED THAT I'LL SPEND A LOT OF MONEY ON PLANS AND ENGINEERING AND THEN GET TURNED DOWN FOR SOME REASON. WHAT SHOULD I DO?

We have two avenues for you to utilize, neither of which has any cost associated with it. One option is the one hour Pre-application Conference with the Architectural Advisor, which is a precondition for any application. Contact Mark Noel at 970.379.3778 to arrange a time for Mark to meet with either the owner, the architect, or both.

The other option is a Conceptual Review with the Architectural Committee itself at one of their scheduled meetings. This is a chance for you to speak with the Committee members and review both the project basics and any issues you may be concerned about without having to spend much, if any, money on plans first. There are no requirements for information that has to be brought, although it is helpful if we know ahead of time what the concerns might be. You can reserve time on the agenda by contacting either Heather Dresser or Mark Noel.

7. I'M JUST DOING A SMALL PROJECT - SOME LANDSCAPING, RE-BUILDING A TERRACE, AND PAINTING THE HOUSE. DO I HAVE TO GO THROUGH THE WHOLE PROCESS? HOW CAN I GET APPROVAL QUICKLY FOR PLANTING A FEW TREES OR OTHER SMALL PROJECTS LIKE THIS?

Starwood has both Administrative Reviews and Executive Committee reviews for projects with either negligible or minor impacts. These do not require waiting for an Architectural Committee meeting and are often handled in just a few days - sometimes just overnight - if your information is complete. Contact Mark Noel, and he will work with you to see if an expedited review is appropriate for your project.

8. ALL I PLAN TO DO IS PLANT SOME TREES, ADD ANOTHER IRRIGATION ZONE, AND BUILD A RUSTIC LITTLE FOOTBRIDGE OVER THE IRRIGATION DITCH WHERE IT'S ON MY PROPERTY. WHY DO I NEED TO GET APPROVAL FROM AN ARCHITECTURAL COMMITTEE?

Interesting question. The simple answer is that the Protective Covenants require the Architectural Committee to approve virtually any change on Starwood lands for the protection of all of the homeowners and the environment of the Starwood community. The longer answer is that there are issues which need to be addressed for even those projects which do not involve a "building".

- a. All uses of or modifications to the irrigation ditch which flows through Starwood and from which we derive all of Starwood's irrigation water require the separate approval of the Red Mountain Ditch Company. Starwood does not own this ditch, and all homeowners must provide unimpeded access for maintenance and brush clearing. Changes which could affect the water in the ditch or the land around the ditch require their approval. Contact Mark Asher at (970) 925-8939 for more information.
- b. Starwood has its own water supply, and the Starwood Metropolitan District sets the rules and costs for the use of domestic water at all Starwood homes. Either as part of the architectural review, or separately if there are no architectural changes, all changes to your plumbing system and all new fixtures must be approved and the appropriate tap fee [capital investment] paid.

9. I HEARD THAT STARWOOD LOTS HAVE BUILDING ENVELOPES AND THAT EVERYTHING HAS TO FIT IN THE ENVELOPE. MY ARCHITECT SAYS THAT THERE ARE SETBACKS, TOO. WHERE EXACTLY CAN I BUILD ON MY PROPERTY AND WHO DECIDES WHETHER MY PLANS ARE OKAY?

Some, but not all, Starwood lots have [or had] a staked location where the home was supposed to be placed. These are noted on the recorded plat maps at Pitkin County as a small square or dot. Your architect or surveyor needs to obtain this location from the plat map at the Recorder's Office and show it on your survey. The intended homesite is within a circle with a radius of 100 feet with that point as the center of the circle. If the plat map[s] for your lot do not show a homesite, then only the County setbacks, recorded easements, and such factors as the Architectural Committee deems appropriate will dictate what portions of the property are buildable. The County setbacks currently vary by lot size and are changed by the County from time to time. Contact Joanna Schaffner, the County Zoning Official, at (970) 920-5105 to find out how to determine setbacks, or ask your surveyor to include them in his work.

10. I HEARD THAT IN STARWOOD THE NEIGHBORS HAVE TO APPROVE EVERYTHING FIRST. HOW DOES THIS WORK? AM I OR MY ARCHITECT SUPPOSED TO GET MY NEIGHBORS' APPROVALS FIRST, BRING MY PLANS TO THE ARCHITECTURAL COMMITTEE FIRST, OR WHAT?

Starwood has always been a special place because of the attention paid to protecting everyone's privacy, views, and natural environment. While your neighbors or other Starwood homeowners may be interested in ensuring that the values stated in the Protective Covenants are upheld and that their homes will not be impacted, neighbors do not have the right to "approve" or "veto" your project; that is the Architectural Committee's responsibility under the Covenants.

In order to ensure that all homeowners are aware of projects proposed in Starwood, everyone is notified about the agenda and date of upcoming meetings in advance. Homeowners also have the opportunity to provide comments during a formal 21 day neighbor notification period which typically occurs between the preliminary and final reviews where the Committee determines that there are potential impacts which justify the notification. The Committee then considers any comments from homeowners during their review process.

As far as contacting your neighbors yourself, we have found that this is generally a very good thing to do and often results in the most expeditious and harmonious approval process. We encourage you to contact your neighbors early on, and we will provide you contact information at the Pre-application Conference if you ask for it.

11. I'M PLANNING TO ADD A TWO-STORY ADDITION TO MY HOUSE. I DON'T THINK THAT THE HEIGHT SHOULD BLOCK ANYONE'S VIEWS, SO CAN I JUST GET APPROVAL FOR MY PLANS?

Where heights of buildings are changed, or new buildings or significant additions proposed, Starwood usually [but not always] requires that height poles be placed which can then be reviewed by the Committee and neighbors during the neighbor notification process. Blocking views is not the only criterion used by the Architectural Committee, but it is an important one.

12. DO I NEED TO GET STARWOOD APPROVAL BEFORE APPLYING FOR A BUILDING PERMIT? DO I NEED A BUILDING PERMIT BEFORE APPLYING FOR STARWOOD APPROVAL? IS THIS A "CHICKEN AND EGG" SITUATION?

In general, the Starwood approval process and whatever County approvals are required are totally independent of each other. It is up to the property owner to determine what order and sequence best fits his or her needs. If County approvals involve a public hearing, we receive a notification from the County and reply based on whether the project has been reviewed or approved by Starwood; if Starwood has not seen the project, then our reply is generally very neutral. The County typically does not care when or if you receive approval from Starwood, but there are exceptions to that rule.

13. I KEEP READING ARTICLES IN THE LOCAL NEWSPAPERS ABOUT THE COUNTY CHANGING THE ALLOWABLE FLOOR AREAS, REQUIRING "TDR'S" [FYI - TRANSFERABLE DEVELOPMENT RIGHTS] AND "DOWN ZONING" EVERYTHING. I'VE ALSO HEARD ABOUT "1041 REVIEWS". WHAT DOES ALL THIS MEAN?

These are County issues, and you or your architect need to evaluate any impacts of these regulations to determine what options are available. Starwood and its representatives work to protect Starwood's collective interests with the County, but the regulations are not set by Starwood and are generally enforced through the building permit process. Our Architectural Advisor, Mark Noel, can discuss these issues with you in a general way during the pre-application conference, but you may wish to engage a professional to advise you in more detail about how the current regulations would be applied to your property. Any of Starwood's professionals - including Mark Noel [Architect] and Dean Gordon [Engineer] - would be pleased to work for Starwood homeowners and provide their local and Starwood experience for your project, or you can contact any of the other local professionals for more information.

MY HOUSE IS ALREADY BUILT; DOES ANY OF THIS EVEN AFFECT MY PROPERTY?

It definitely can. Whether even minor additions or changes to your home are allowed, or what ability you would have to rebuild your home in any more significant way, are subject to whatever regulations the County adopts in its Land Use Code and Building Code. Extensive changes to the regulations were considered in 2002 and will likely be considered with some regularity in the future.

14. THIS IS ALL TOO CONFUSING. JUST TELL ME WHOM TO CALL WHEN I WANT TO CHANGE MY HOUSE OR LANDSCAPING.

The Executive Director of the Architectural Committee and Board of Trustees is Meg Haynes, and she is always available to homeowners if you have any questions about Starwood; that definitely includes the architectural approval process. She can be reached at (970) 963-9197 or at mhaynesinc@comcast.net.

The Architectural Advisor is Mark Noel and he can be reached at (970) 379-3778 or at mark@mnarchitect.com.

Heather Dresser is the Homeowners Association Secretary; she manages the meeting schedules and agendas and distributes the written documents pertaining to the approval process and fees / deposits. She can be reached at (970) 925-8939 or at heather@starwood.org

Mark Asher is the Homeowners Association Manager and is the primary contact for water issues [domestic water and irrigation water], accessing existing utilities near your property, construction site cleanliness and issues, and so forth. He can be reached at (970) 925-8939 or at mark@starwood.org