



**DC Ranch Association
Board Report 1-4-2021 #5**

Subject Matter: Neighbor Notification for Exterior Modifications

Background: The Modifications Committee, with input from Director of Exterior Modifications, Larry Cowles, recently approved an exterior modification request that entailed the installation of a second-story deck on a single-family home. The deck replaced a cantilevered section of roof over a rear patio area. When the owner started construction, adjacent owners contacted the Association to express their concern regarding privacy. As the project takes shape, it is easy to see that when complete, adjacent owners will no longer have the privacy they once had, as the vantage point from the second-story deck will provide a clear and unencumbered look into adjacent yards; a look that was not there when the adjacent owners purchased their homes.

In Desert Parks the homes are situated near one another; the distance between the homes is 8 to 9 feet and lot line privacy walls are 6 to 7 feet in height. When exterior improvements are made at the ground level e.g., landscape, pool, decks, etc. visual concerns from neighboring homes should not be a concern, and generally are not. Conversely, when exterior improvements that rise above a lot line boundary wall are made, a reasonable person from an adjacent home can argue that their privacy expectations have been altered.

In this case, the request to install the second-story deck was well-vetted by Mr. Cowles. Other second-story decks of similar style and shape are present in the neighborhood; that impacted his decision when recommending approval. The Modifications Committee then approved the project.

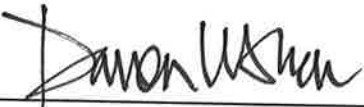
As part of the review process, if a procedure were in place to notify adjacent homeowners of exterior modifications that could impact their privacy (and ask for comment), the Committee's consideration process would be improved by understanding the project's complete impact. The Modifications Committee would still reserve the right and have the authority to approve the project, but could do so from a more informed perspective.

It is not uncommon for community associations to require a neighbor notification process to inform owners of an exterior modification request from an adjacent homeowner that could impact their privacy. In fact, it is common.

Together with this report you will find a form titled "Neighbor Notification Request." Its use should be required by the Modifications Committee when applicable.

Mr. Cowles informed me that the matter was recently considered by the committee members and a consensus supporting a requirement like this was communicated.

Recommendation: Approve the "Neighbor Notification Form" and its required use when exterior modifications are requested by an owner of one lot that impact the privacy of an owner from an adjacent lot.



Darren Shaw, Executive Director



**DC RANCH ASSOCIATION
EXTERIOR MODIFICATION PROJECT
NEIGHBOR NOTIFICATION REQUEST**

Date: _____

Project located at Lot #: ____ Address: _____

Project Scope: _____

Dear _____:

You are hereby informed that an application for an exterior modification summarized above was recently received by the Association's Modifications Committee.

The Modifications Committee intends to review the matter on [insert date and time]. The meeting will be held at the [insert location].

Together herewith you will find the proposed project submittal package. As part of the Committee's procedures, when an adjacent owner prepares to make exterior improvements to their home that can impact the visual privacy of a connecting lots, owners of those connecting lots are given the opportunity to provide written comments regarding the project. While the Modifications Committee invites and will value your input, the ultimate responsibility for evaluating the submittal is that of the Committee, and its decision will be based on all information available at the time the decision is rendered.

Your written comments must be received within 10 business days from the date of this notice. If written comments from you are not received by that date, the Committee will assume that you are not interested in providing any input on the proposed project.

Your written comments should be sent to:

Director of Exterior Modifications and Improvements
20551 N. Pima Road, Suite 180
Scottsdale, AZ 85255
Larry.cowles@dcranchinc.com

If you have any questions, please contact [insert contact information].

Sincerely,

Larry Cowles, Director of Exterior Modifications and Improvements
Attachments: Project proposal