

Straight Talk: ALC Patio Extension/ Sunshade Proposal

The ALC submitted a proposal to the Board that would have allowed additional options for shade and patio structures to those currently allowed. The Board asked the community for input, held open meetings to discuss this subject and did independent research on the background and effects of such a proposal. On April 22, 2009, the Board rendered its final decision and unanimously rejected this proposal. As this proposal has far-reaching effects on our community, I think a Straight Talk is in order to provide further understanding of the factors that had a part in this decision.

Factors in favor of the policy changes included:

- Reduction of energy costs
- Enhanced enjoyment of outdoor areas by providing an enlarged, sun-protected area
- Use of retractable sunshades to provide a less costly option and also provide an enlarged outdoor area for homes restricted from a structurally built extension due to setback restrictions.

Factors in opposition to the policy changes included:

- Several forms of energy cost reduction and sun protection devices already are approved, including low-e glass, sunscreens, rolling shutters and shades
- Concern about allowing extensions that could extend across the entire rear of the home.
- Concern about obstruction of views, with optional extensions not originally contemplated.
- Concern for the overall impact on the harmonious look of the community and degradation of house values if such diversity of shade structures was allowed

During the decision making process the Board relied heavily on the guidance outlined by the governing documents. Section 5.4 of the CC&Rs states that “the Board may, from time to time, adopt and promulgate Architectural Standards to be administered through the ALC.....” Once adopted by the Board these standards become a part of the governing document. Article I, of the standards, states that “In the interest of maintaining the harmonious theme and aesthetic beauty of the community.....the Board and the ALC have a responsibility to administer the ALC Design Guidelines. The Guidelines are intended to protect the community and its values.”

A review was conducted on the history of previous requests on this subject and the basis for their not being approved. Recent resident input to the Strategic Planning Working Group, which ranked Property Value Management as the second most important issue was also included. Finally, input from local realtors as to how these proposed changes might affect property values and sales was considered.

After much deliberation, the Board decided to disapprove the proposal and retain the current options, which allow a six (6) foot structural extension to the patio footprint only. The extension, however, is not allowed to enter into the setback restriction. All of the other sun protection options remain in effect. The major factors that led to this outcome were:

- Maintaining the overall harmony and aesthetic features of the community which would be substantially impacted by the extensive and multiple options proposed.
- Retaining the current, there are a number of options available which provide varying degrees of sun relief and patio additions without the potential for impacting the harmony and character of the community.
- Avoiding the impact on views of neighboring properties by allowing optional building extensions.
- Avoiding the high likelihood of deployments of sunshades for a major portion of the day or days, that increases the potential for a negative impact on the appearance of the community.

Finally, the Board wishes to thank all of those of you who got involved by offering your input on an issue that impacts your community. This was a valuable part of our deliberations.