

# **STONEBRIDGE RANCH COMMUNITY ASSOCIATION, INC.**

## **POLICIES AND PROCEDURES MODIFICATIONS COMMITTEE GUIDELINES**

**Revision 10**

**04/27/2023**

### **I. PURPOSE**

The committee shall exist for the purpose of reviewing and approving or disapproving (as the case may be) any proposed Improvement of an existing Dwelling Unit or additions, modifications, or alterations to existing structures and landscaping on a Lot.

### **II. REFERENCES**

Second Amended and Restated Master Declaration of CC&R's for Stonebridge Ranch Community Association, Inc., Article VIII, Section 8.3.

### **III. ORGANIZATION**

#### **Structure:**

1. The committee shall consist of 3 to 7 residents. Alternates may be added at the Board of Director's discretion.
2. Each year the Board shall appoint a Chairperson, and a Co-Chair from within its membership.
3. The Chairperson, or the Co-Chair in the Chairperson's absence, shall preside at all committee meetings and shall finalize all decisions in the online application database.
4. The Chairperson shall be responsible for transmitting any and all recommendations to the Board of Director's Liaison and the Association's Director of Compliance.
5. A representative of the Stonebridge Ranch Community Association staff shall perform as the acting Secretary for each committee meeting. The appointed staff member shall be responsible for recording the minutes of the meeting.
6. Minutes shall be approved by the Committee Chairperson, Co-Chairperson, and the Board Liaison for the Modifications Committee. Once approved, the minutes will be sent out to the entire Modifications Committee and included in the Executive Director's monthly Board of Director's report.

#### **Membership:**

1. Each committee member shall be a resident owner in good standing of the Stonebridge Ranch Community Association.
2. Each committee member must have a working knowledge of the governing documents including the CC&R's, Master Modification Design Guidelines, Sub-Division Design Guidelines, and the "Association's Covenant Enforcement and Fining Policy".
3. The members of the committee may, but need not, include a background in architecture, engineering, or similar professions.

#### **Terms:**

1. Committee members shall be recommended by the Chairperson and the Board of Director's Liaison and shall be ratified by the Board of Directors.
2. Membership to the committee shall not be restricted by term limits.

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### **Meetings:**

1. Meetings shall be governed in accordance with the Robert's Rules of Order.
2. The committee shall meet twice a month or as needed for the purpose of reviewing applications and/or any relevant committee business (ie. guideline review).
3. Meetings shall be held at the Association office or via Board-approved online platform.
4. All meetings shall be posted on the Association website and updated as changes occur.

### **Quorum:**

1. A majority of the committee members shall constitute a quorum for the transaction of business in a meeting or within the online application database.
2. The vote of a majority of the members present at a meeting or electronically in the online application database shall constitute the decision of the committee.
3. In order to achieve quorum, alternates may be included.

## **IV. DUTIES**

Responsibilities of the Modifications Committee may include, but not be limited to, the following:

1. Review in a timely manner all applications submitted via the on-line application database and determine:
  - a) The need for additional information/clarification.
  - b) The merit of the application resulting in a vote to approve or deny.
  - c) The need to table the application for discussion/review at the next scheduled committee meeting.
  - d) Request Architect Consultant to review applications on a case by case basis. When a review is requested from the architect consultant, the MC will consider the architect's suggestions to determine whether to approve or deny the application in question. If the MC denies the application and the homeowner subsequently files an appeal with the Board, the Board Liaison will present the MC decision and all consultant suggestions to the Board at the Appeals meeting. The Board will determine final decision on the modification appeal.
  - e) On a case to case basis, the Board Liaison shall have the authority to request a legal review from the Executive Director or the Board President.
  - f) If the Committee's decision on an application violates the Board approved guidelines, the Board Liaison shall have the authority to hold the decision and take it to the Board of Directors for a final decision or appeal.
2. Conduct committee meetings with the purpose of reviewing and acting on homeowner applications tabled by a committee member, Association staff member, or are over 14 days old in the online application database.

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3. The Modifications Committee may review variance requests and make a recommendation to the Board of Directors for approval of the variance. Recommendations of the Modifications Committee regarding homeowner variances shall be guided by the Variance Considerations: Reasons and Limits as follow. These are the reasons that a variance may be considered:
  - a) Unique circumstances exist on the property that make application of specific items in the Modification Design Guidelines unduly burdensome on the applicant.
  - b) The variance will have no adverse impact on current or future development in Stonebridge Ranch.
  - c) The variance is in keeping with the spirit of the SRCA Master Design Guidelines, Design Guidelines and Review Procedures for Residential Modifications (Modification Design Guidelines), Subdivision Design Guidelines and will have minimal impact, if any, on property of neighbors, surrounding land uses, the respective village, and SRCA as a whole.
  - d) The variance will have no adverse impact on the public health, safety and general welfare of Stonebridge Ranch and its residents.
  - e) A financial hardship shall not be considered as a basis for the granting of a variance.
  - f) A variance is considered only as related to the appealing Owner property. Similar circumstances on other SRCA properties shall not be considered as related to the appealing Owner request for variance.
4. As a minimum, perform an annual review of the Modification Guidelines and/or Sub-Division Guidelines to determine needs for revisions and updates. Staff and committee suggested changes to design guidelines will be presented to the Board by the Board Liaison. The Board will review them for approval. If there are architectural changes recommended that are not supported by the Modifications Committee, the Board Liaison will present the Committee recommendations and the architect's recommendations to the Board of Directors, for final decisions.
5. Respond to the Stonebridge Ranch Disaster Recovery Plan as declared by the Board President.
6. In the event the Committee receives a request for modification that is not covered in the guidelines or is a new material, product, design or process, the Committee shall refer it to the Board of Directors. The Board of Directors will review the request and make a decision.

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MODIFICATIONS COMMITTEE GUIDELINES****Revision 10****04/27/2023****V. REVISION HISTORY**

REVISION	DATE	CHANGES
0	1/1/2005	Original
1	6/26/2008	Change from Developer control to Homeowner control - new document
2	5/13/2009	The Committee shall consist of 3-7 residents
3	9/24/2009	Co-Chair added to the Committee
4	4/14/2011	Term length and meeting dates changed to "as needed" due to the Committee looking at all applications online instead of in person.
5	2/10/2017	Alternates may be added - CMA shall provide Secretary - Chairperson or Co-Chair shall finalize all decisions online - Minutes approval process - All term limits removed - Robert's Rules of Order added - Added online Database for quorum – Board Liaison has authority to make quorum – Guideline revisions added to duties – Conduct meetings added to duties.
6	2/22/2018	Added to Purpose Additionally, the Modifications Committee shall act as the first level of appeal for homeowners whose modification applications were denied. Added IV. A. 1. (4) (1) Request MARC to review applications on a case by case basis.
7	03/19/2020	IV. Changed MARC to Architect Consultant Added B. Board Liaison to review new recommendations from architect consultant and make a decision on whether or not to approve recommendations.
8	9/23/2021	Added Section IV, 1, A (6). Updated language to reflect current legal requirements.
9	4/28/2022	Section I. Removed “Additionally, the modifications Committee shall act as the first level of appeal for homeowners whose modification applications were denied.” Section III. Structure 2. Revised to read “Board” shall “appoint”. Updated references of Director of Operations / DOO to Executive Director. Section III Meetings 2. Replaced “homeowner appeals” with “any relevant committee business ie guideline review”. Removed Section III. Quorum 4. Section IV. removed “completed SRCA Homeowner Appeals Request Form: Modifications Committee Appeal (Appendix A). Section IV. 1. d). changed “appeal” to “application” at the end of the second sentence and the beginning of the third sentence. Section IV. 2. Removed “appeals, and” and added “or are over 14 days old”. Section IV. 3. Replaced “appeals” with “variances”. Section IV. 7. revised SR to SRCA. Removed Appendix A.

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REVISION	DATE	CHANGES
10	04/27/2023	Section III. 4. Changed Executive Director to Director of Compliance. Section IV. 2. Added Association staff member. Section IV. 3. Added first sentence. Section IV. 3. c – f. Added new sentences. Section IV. 4.- 7. Deleted from Rev. 9 Section IV. 6. Added new sentences.