



The Smoke Signal

Newsletter of the Smoky Ridge Homeowners Association

December 2020

The Smoky Ridge Homeowners Association exists to preserve and enhance the property values of our friends and neighbors in the Smoky Ridge community.

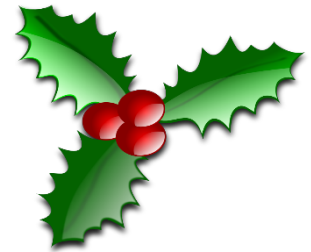
Smoky Ridge Homeowners Association Board of Directors

The following homeowners are volunteering to serve on the Smoky Ridge HOA board of directors:

Ken Cruise, President
Dave Quackenbush, Vice President
Mike Carnevale, Secretary/Treasurer
Natasha Selwyn, Director
Steven Hart, Director
Mike Shaw, Director



Holiday Decoration Contest!



The Smoky Ridge HOA Board is again sponsoring an exterior Holiday Decorating Contest so get out those lights and start hanging. Let us bring a little cheer at the end of a tough year and make sure that Santa's journey is well illuminated! Again, prizes will be awarded to the top three exterior decorators: Gift certificates at Lowe's: \$100.00 for first place, \$75.00 for second and \$50.00 third.

Contest notices will be posted on Facebook and Nextdoor and flyers will be posted on the community mailboxes Thursday, December 3rd. **Judging will take place on 12/18.**

President's Report

A community update from the HOA Board President Ken Cruise was presented at the general membership meeting on November 9, 2020 and has been posted to the Community Website.

Fence Replacement and Maintenance Updates

You have probably noticed that the first phase of the fence replacement along East Crestline Circle west of South Himalaya Street and East Progress circle west of South Himalaya are completed and the new fences have been painted. The cost of fencing has increased considerably due to material shortages in late 2020. The board would like to complete the next phase of the project in 2021 but there are other pressing maintenance issues that also need attention in the short term. These include:

- 1) Large dead and dying trees in the HOA right-of-way along Himalaya and elsewhere that need to be removed before they fall on the community fence of our neighbor's properties.
- 2) All the community sprinkler controllers have been replaced, rain sensors installed and emergency sprinkler repairs were completed.
- 3) Some landscaping improvements (weed control, fertilizing, aerating, tree and shrub trimming, and removal of some dead bushes and trees) have been completed but more is needed.
- 4) The board will be looking into the cost of the following items for completion in the next year or two:
 - a. The landscaping (dirt, grass, and weeds) between the sidewalk and Himalaya Street needs to be upgraded and is currently wasting water.
 - b. The entire fence along Himalaya needs to be painted in the next year or two.
 - c. The landscaping at the entry ways to the community at Progress and Crestline needs to be improved and beautified.
 - d. There are sprinkler system upgrades that need to be completed in the two years to reduce water waste and maintain community landscaping.

The board is evaluating our finances and immediate fence replacement and other needs before we decide when and where to fund the next phase of the fence project.

Compliance with Architectural Guidelines

Architecture Control Compliance

Our HOA has covenants to protect our property values and maintain the character of our neighborhood. Homeowners are legally obligated to keeping their yards tidy, free of weeds, trash, and other unsightly nuisances. Our covenants have not changed in decades and should have been presented to new owners prior to or during loan closing.

Our HOA has an Architectural Control Committee (ACC) that approves almost everything that a homeowner in our community could do outside their home or outdoors that could be seen from the street or their neighbors' yards. ACC requirements are presented in the Smoky Ridge HOA by-laws as amended and can be found on the Smoky Ridge HOA web page. To be safe, please contact Jackie Laird if you will be doing any improvements outside your house. Some examples that require ACC approval include: window, front door, garage door, and roof replacement; exterior painting; new fences and fence replacement; installation of sheds and pergolas; patio covers; home additions; concrete replacement; and changes to your landscaping.

What Happens When Homeowners Don't Follow the Architectural Guidelines?

You are a homeowner in a covenant controlled community. Our community has a home owners association that has established covenants, conditions, and restrictions that your agreed to follow when you purchased your property. On most days as you drive through your community you wave at fellow neighbors, share a friendly smile with passersby, and enjoy the neat landscapes and well-kept homes. You appreciate the peaceful feeling and aesthetically pleasing views as you return from work. The sun is shining. Birds are singing.

But then there is a fluttering of feathers from the treetops as you turn the corner onto your street. There, at the end of the street, staring back at you is a purple monster of a house. PURPLE. You are pretty sure it was gray when you left... how did it get to be PURPLE?

That cannot be the color the Architectural Control Committee approved...or is it? As you pull into your driveway next door to the purple monster you groan under your breath as your neighbors come out to "greet" you and the first thing out of their mouths is "we aren't going to have to stare at that every time we come home, are we?"

In Smoky Ridge there is an architectural review process in place that goes through an Architectural Control Committee, with review by the board, to make sure scenarios like this one do not happen!

The purpose of Smoky Ridge HOA's Architectural Control Committee is to ensure compliance with aesthetic standards established by the Association. In other words, making sure the HOA guidelines are being followed to keep the community looking cohesive, **preserve property values**, and to make sure committee members make consistent decisions in the future.

So, what are some common architectural changes that need approval?

- Painting the exterior or trim of your home,
- Redesigning or installing landscaping,
- Constructing or replacing a fence,
- Adding a secondary structure,
- Installing solar panels or satellite antennae

The architectural review process looks like this:

- Member fills out the application (found on the Cherry Creek HOA Professionals website),
- The application is reviewed by the architectural control review committee (ACC) and the Board if a waiver from the guidelines is requested,
- The ACC and/or Board either approves or denies the request, based on the guidelines set by the HOA stated in the governing documents found on our web page.

Seems simple enough, right?

Unfortunately, it's not uncommon for a few homeowners to do whatever they want and either omit the process completely or start their new project without approval from the Association – and you're left with a giant purple house at the end of the street, or staring at a giant playset, or a giant gazebo in someone's backyard.

If members choose to not follow the rules, here is what the HOA Board has the authority to do.

The ACC and board members often go straight to the source and talk to the owner about the issue at hand. Maybe there was just a misunderstanding or miscommunication during the process. It can get dicey when the home is a rental property. In this case, it is ultimately the responsibility of the homeowner to inform their tenants of the HOA rules and regulations.

Our HOA Manager, Jackie Laird at Cherry Creek HOA Professionals, starts the enforcement process by notifying the homeowner in writing of the violation, explaining how the homeowner violated the rules and inform them they need to go through the proper protocol before making any further progress on architectural changes. The letter includes the date the violation was observed, a description of the violation, when and how the violation can be resolved, and a reminder of the consequences the homeowner will face if the rule continues to be violated. **NOTE: fines are imposed if the homeowner does not comply with corrective orders specified by the HOA Board.**

The HOA Manager follows up on all complaints from homeowners in our community and conducts a drive through inspections twice a month. Violations that we pursue include (but are not limited to): 1) dead lawns, 2) weeds, 3) trash in yards that can be seen from the street or neighboring houses, 4) dead trees, 5) peeling paint, 6) driveways with broken concrete and oil stains, 7) vehicles and trailers not parked either on the street or paved driveways, 8) Trash cans left where they can be seen from the street, 8) Construction equipment stored on streets and driveways.

Gardening and Lawn Tips

Autumn has been warm and dry following a hot and dry summer and a dry spring. Your lawns and trees still need water so if mother nature doesn't send us significant moisture in the next few months, winter watering once or twice a month is recommended to prevent drought killing of lawns, trees, and shrubs.

NOTE: Starting in early June 2021, our management team will be documenting dead and dying trees in your yards and sending notices to have them removed. If more than ½ of the branches on your trees have no leaves, the tree will likely be dying. **Remember, if a tree falls on community property or on your neighbors' property, you are liable for its removal and any damage caused by the fallen tree.**

HOA Dues

Invoices for January Dues have been sent out.

Property dues are the only revenue our HOA has for repairs to our common areas, snow removal, landscape maintenance, and funding capital improvements like our fence project. Your dues enable the board to maintain our common areas and increase the property values of our friends and neighbors in the Smoky Ridge community.

Nearly all our members are current with their HOA dues. However, there are some who are currently delinquent on their payments. Some homeowners have been sent letters informing them that they are being charged interest and late fees for non-payment of their obligations. Liens have been placed on some properties for non-payment of dues and the HOA Board has initiated foreclosure actions on some property owners who have been in arrears for over one year. HOA dues like utility bills and these obligations must be paid. Actions such as property liens and foreclosure actions are handled by our HOA attorney. If legal action is taken by the HOA Board, the homeowner is also responsible for paying all attorney fees and court costs. These are additional expenses that could be avoided by paying your financial obligations on time.

That said, the Smoky Ridge HOA Board understands that some property owners may experience financial hardship from time to time. **If you are having trouble paying your HOA fees, please be proactive and contact Jackie Laire at Cherry Creek HOA Professionals.** Depending on the circumstances, the HOA Board has approved payment plans, but you must contact the management company for any proposed payment plans.

A Note on Homeowner Liability

Remember, every homeowner is responsible for maintaining their property in a safe manner. Promptly remove snow from sidewalks and driveways that the public could use to access the neighborhood or delivery people use to deliver packages. If an individual slips and falls on your property and the incident is due to negligent maintenance, the homeowner is responsible. If a tree on your property falls and damages a neighboring property, the homeowner is liable. **Check with your insurance agent to make sure your homeowner liability coverage is adequate.**

In Conclusion

The HOA Maintenance Association Board and the staff at Cherry Creek HOA Professionals wishes all our homeowners and residents a safe and healthy Merry Christmas, Happy Hanukkah and Kwanzaa. Have a very safe and healthy holiday season.