



Old and new decks at 74 and 76 Christian Court

## Red Canyon Townhomes Deck Expansion

We have some exciting news for you related to the decks on the units – they can be quite a bit bigger! If you are interested in expanding your deck, here are the:

- General details
- A step by step guide to expanding your deck
- Photos of new decks
- HOA application
- HOA architectural form (needed if changing patio from concrete)
- TOE application (top part/value including labor needs completed)

### General Information:

1. The process is fairly quick but do not expect an immediate turnaround time. You can expect a wait up to 30 days to get started from the initial request.
2. The approximate cost of the materials is \$1,500. This does not include material for a new patio surface. Labor is additional.
3. **There is a \$650 non-refundable fee to the HOA.** This is to recoup costs spent on setting up the process and documents.
4. There is a \$1,000 deposit due to the HOA to be returned once work is complete.
5. There is a use tax fee in Eagle of 4% charged on materials and labor.
6. There is a permit application fee in Eagle = to approx \$430.00.
7. A licensed contractor must do the work.
8. Engineered drawings created by Red Canyon's chosen engineer are required.
9. Town of Eagle permit is needed including two inspections.
10. Red Canyon HOA permit and sign off needed.
11. Please notify the property manager, if you want to expand your deck to get the process started.





New deck, patio and stairs at 46 Chelsea Court



New deck at 70 Christian Ct.

**Current:  
McNeill Property Management, Inc.**

2077 N. Frontage Road  
#D Vail, CO 81657  
Phone: (970) 479-6047  
Fax: (970) 477-1147  
[dan@mcneillinc.com](mailto:dan@mcneillinc.com)  
[hoa.mcneillproperties.co](http://hoa.mcneillproperties.co)



**Red Canyon Townhomes**

**A step by step guide to expanding your deck**

Congratulations! if you are considering expanding your deck. We have put together this step by step process in hopes to learn from experience, save you time, as well as helping minimize the questions and issues.

1. Notify the property management company by:  
Mailing in the HOA Deck Expansion agreement form along with the \$650 non-refundable fee and the \$1,000 deposit check payable to Red Canyon Townhomes. If you want to change the patio, you will need to also mail the architectural form with details/pictures of the requested material change.

The HOA will then arrange for the engineer to visit your site and provide stamped engineer drawings. These drawings must be followed by the contractor!

2. Prepare the Town of Eagle application. Note: you cannot submit this application until you have the HOA approval. Also, when you go into pay the fees to the Town, you will need two separate checks as well as two copies of the stamped engineered drawings.
3. Receive approval back from the Town and begin building! Note – there are two inspections required: one at the time after holes are dug for posts and two, after general structure is up.  
Note – if you have any questions during the construction, please contact the property management company to avoid issues after completion.

4. Send the property management company a copy of the completed permit (signed off on after 2nd inspection) along with one set of plans. Your \$1,000 deposit check will then be mailed back to you.

5. Enjoy your new deck!

# Red Canyon Townhomes

## Application for Deck Improvement

Page 1 of 2

This is an application only. Once reviewed and approved, you will receive written authorization from the HOA granting you the permission to begin construction. (Please note you will be responsible for filing your Building Permit with the Town of Eagle and having that permit prior to commencement of construction).

Name \_\_\_\_\_  
Phone \_\_\_\_\_  
Unit \_\_\_\_\_  
Building Permit # \_\_\_\_\_  
Deck Plan \_\_\_\_\_  
Contractor \_\_\_\_\_  
Address \_\_\_\_\_ Phone \_\_\_\_\_

Estimated Start Date:

Estimated Completion Date:

All decks must be built according to the following guidelines: Please initial next to each.

\_\_\_ I understand the \$650 fee due with this application is non-refundable

\_\_\_ Both a Town of Eagle building permit and Red Canyon Homeowner Association permit must be obtained before any construction may begin.

\_\_\_ A deposit in the amount of \$1,000 must accompany this application. It is understood that if the deck is not built in compliance with the documents, the Association will finish the construction and I will be solely responsible for ALL costs associated with its completion and bring it into conformance with the approved plans. A certificate of compliance stating that this deck is built per the documents will be signed by the Owner and the Owner will provide a Final Inspection Receipt from the Town of Eagle in order to receive their deposit. Deposit will be returned within 30 days of receipt and final inspection by the Association Representative.

\_\_\_ Decks must be built exactly to the specifications of approved Red Canyon deck plans

\_\_\_ Construction must take place between the hours of 9am-6pm. No work is to occur on Sunday.

\_\_\_ All construction garbage is to be removed from property at owner's expense. Complex dumpsters ARE NOT to be utilized for the trash created by deck renovation.

\_\_\_ Common areas must be kept clean and remain unobstructed during construction as reasonable as possible. Any damage to common areas will need repaired or will be repaired and billed back to me.

\_\_\_ Construction must be completed within 15 days of the project start. This includes staining.

\_\_\_ I understand the attached licensing agreement for this balcony expansion (see attached).

\_\_\_ I have verified that this Balcony conforms to all applicable setbacks including River, street, and US 6 Right-of Ways.

\_\_\_ I understand that this document carries with the above Real Estate and will disclose this to any buyer, should this unit be sold.

# Red Canyon Townhomes – Application for Deck

## Page 2 of 2

\_\_\_ I understand that if I choose to upgrade my patio, the association will keep the \$1,000 deposit until an inspection occurs. I also understand an architectural form must be submitted separately. Any future maintenance or upkeep issues are the responsibility of the owner. If the association has to provide upkeep or maintenance, I will be billed back for this time and material.

By signing this document you are acknowledging the following terms and conditions: Once completed, your deck will be considered a limited common element. All maintenance costs associated with the deck will be the responsibility of you, the owner. In instances where maintenance has not been performed the association may elect to perform the necessary maintenance and bill the owner. An inspection will be required at the end of construction to insure that the new structure has been built following all plan specifications and guidelines. The owner will be responsible for the correction of any errors in the construction of the structure. The owner deposit will be returned to the owner only after a satisfactory inspection has taken place. The deposit may be used by the association to defer expenses in the event the association is forced to complete a deck or correct a deck. Please note that any additional expense incurred by the association to remedy the event will be billed to the owner.

The above document is Read, Understood, and agreed to by,

Print Name \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

The above document is approved by the Red Canyon Townhomes Association Board.

Print Name \_\_\_\_\_

Board Position \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

# Red Canyon Townhomes

## ARCHITECTURAL AND DESIGN REVIEW GUIDELINES (4 pages)

This is needed to change the patio when expanding the deck

In furtherance of the provisions of the Declaration for Red Canyon Association ("Declaration"), these Architectural and Design Review Guidelines ("Guidelines") shall govern alterations by Owners to Units. The purpose of these Guidelines is to assist Red Canyon Association to actively foster, promote and advance the common ownership interest in Red Canyon Association and to preserve the inherent architectural and aesthetic quality of the community.

Each Owner shall comply strictly with the provisions of the Declaration, the Articles of Incorporation, the By-Laws of the Association, and the Rules and the Regulations of the Association, as may be amended from time to time. Therefore the material, plans and specification for any modifications to Units proposed by Owners are to be considered by the Board of Directors for its approval and the Board has the discretion to withhold its approval.

These Guidelines shall be utilized by the Board for the consideration of requests to modify a Unit, and/or exterior fixtures, including without limitation, decks.

### ARTICLE I.

#### ARCHITECTURAL APPROVAL/DESIGN REVIEW

##### Section 1. Required Approvals and Design Criteria

The Board is empowered to consider and act upon any plans submitted to it for approval. The Board is also empowered to appoint a representative or committee to act on its behalf for such purposes. Hereinafter, reference to the "Committee" shall be the Board of Directors of the Association for the consideration of such plans and specifications, or in the cases where the Board of Directors has appointed such Committee, the Committee itself.

The committee shall consider and act upon any and all plans and specifications submitted for its approval, and perform such other duties as from time to time shall be assigned to it by the Board, including the inspection of the construction in progress to assure its conformance with plans approved by the Committee. No Owner shall undertake any work in or outside of any Unit which would jeopardize the soundness or safety of the Buildings, Units or reduce the value of Red Canyon Association.

No construction, addition, modification or reconstruction of any improvement to the property shall be commenced or maintained, until the plans and specifications there for showing the design, nature, kind, size, shape, height, width, materials and location of the same shall have been submitted to the Committee and approved in writing by the Committee. The Committee may require such further detail in plans and specifications submitted for its review as it deems proper. Previously approved changes to the Units and/or building in no way affects future decisions nor sets a precedent for those decisions. Approved changes made prior to the adoption of these guidelines will not be affected.

The Committee shall not refuse to permit a Unit Owner to make reasonable modifications to the interior or exterior of their Unit or to any Common Element which the Unit Owner has the right to use, if such modifications are necessary under the Fair Housing Amendments Act (as heretofore and hereafter amended) to afford one or more Persons with a disability residing at such Unit the full enjoyment of such Unit and/or the Common Elements appurtenant there to.

The Committee shall exercise its reasonable judgment to the end that all improvements, construction, and alterations to the Units within this Association shall comply with requirements set forth herein and the Association's governing documents. Review shall be based upon, but not limited to:

- Preservation of aesthetic beauty. Assurances that the upkeep and maintenance of the improvement, or alteration will not become a burden on the Association.

- Conformity with the plan specifications and purposes generally established within the community.

- Compliance with all Eagle County requirements and standards, as well as, all Federal and State requirements.

Decisions shall be conclusive and binding on all interested parties. The Committee may also issue rules or guidelines setting forth procedures for the submission of plans for approval. Any exterior modifications approved by the Committee must then obtain written approval and all required permits and inspections from the Town of Eagle, Colorado. Related costs, including without limitation, costs of permits and fees, shall be the responsibility of the unit owner.

##### Section 2. Voting

The vote of a majority of the members of the Committee shall constitute action on any matter before it. The committee from time to time may designate a single member to act on its behalf on such issues it defines as routine and not requiring a vote. Should a Unit Owner request a reconsideration of an action taken by a single appointed member, then an affirmative vote of a majority of the members of the Committee is required to sustain such action.

##### Section 3. Reply and Communication

Decisions of the Committee and the reasons there for shall be transmitted by the Committee to the applicant at the address set forth in the Application for Approval within forty-five (45) days after receipt by the Committee.

No application submitted pursuant to this section shall be deemed approved, unless written approval by the Committee shall have been transmitted to the applicant.

All communications and submittals shall be addressed to the Committee at such address of the managing agent of Red Canyon Association.

#### **Section 4. Commencement of work**

Written approval issued by the Committee is valid for commencement of work as approved for a period of six (6) months from the date issued. If work as approved is not commenced within that period, application for approval must be resubmitted and approval obtained prior to commencement of work.

#### **Section 5. Waivers**

The approval or consent of the Committee, or appointed representative thereof, to any application for design approval shall not be deemed to constitute a waiver of any right to hold or deny approval or consent by the committee as to any application or other matters subsequently or additionally submitted for approval or consent pursuant to these Guidelines or other governing documents for the Community.

#### **Section 6. Liability**

The committee and the members, there of as well as any representative of the committee designated to act on its behalf, shall not be liable in damages to any person submitting requests for approval or to any approval, or failure to approve or disapprove in regard to any matter within its jurisdiction under these covenants.

#### **Section 7. Records**

The Committee shall maintain written records of all applications submitted to it and of all actions taken by it with respect thereto. Such records shall be open and available for inspection upon request by any interested party during reasonable hours of the business day.

#### **Section 8. Effect of the Declaration**

Nothing in these Guidelines shall supersede or alter the provisions or requirements of the Declaration. Ownership of the Common Elements is defined in the Declaration, under Ownership and Use of General Common Elements. No use of Common Elements shall be approved that effectually changes General Common Elements to Limited Common Elements as prohibited by Colorado statutes.

#### **Section 9. Effect of Governmental and Other Regulations**

Use of property and improvements to property must comply with applicable building codes. Approval by the Committee will not constitute assurance that the improvement will comply with the applicable city or county code or regulation nor that permits will be given. For information about Eagle County, or any other agency or entity which may have jurisdiction over the building requirements, Owners should write or call the appropriate entity.

#### **Section 10. Licensed Contractors.**

All construction and improvements of any kind shall be performed only by contractors licensed by authority recognized by the state of Colorado or Eagle County All such contractors shall have liability and workers compensation insurance and shall provide proof of such insurance to the Association prior to commencement of any work on the property. Copies of all building permits shall be provided to the Association. The Association may halt any work in progress if proof of current liability and worker' compensation insurance applicable to such work is not on file with the Association's Management Company. As appropriate for the time of year and type of improvement, the Association may limit the hours and days during which construction may be performed. Owners are responsible to ensure that contractors clean and remove any debris from Common Elements at the completion of each workday and dispose of all construction debris properly. Any trash bin must be of uniform dark color and when placed in front of a unit may not obstruct or impair the flow of traffic nor in any way damage the irrigation system. Red Canyon dumpsters are not to be used for construction debris disposal at any time.

#### **Section 11. Interface with Utilities**

In making improvements to property, Owners are responsible for locating all water, sewer, gas, electrical, telephone, cable television, or other utility lines or easements and are responsible for any damages to these utilities due to construction of any improvements. In the event access to any other Unit is required to locate such utilities, Owners shall obtain consent of the Owners of such Units and provide a copy of written consent for such access to the Association with the submission of plans and specifications. Owners are responsible for any and all repairs of damage caused by the construction to any property, and for any reconstruction required to restore any Unit or Common Elements to the same or better condition than prior to commencement of the construction, upon completion of improvements to the property.

#### **Section 12. Amendment**

These Guidelines may be altered, amended, or revoked by the Board by a majority vote of the Board.

#### **Section 13. Enforcement**

Enforcement of the Guidelines and other provisions, as amended, may be by any proceeding at law or in equity against any person or persons violating or attempting to violate any such provision. The committee and any interested Unit Owner shall have the right but not the obligation to institute, maintain and prosecute any such proceedings. In any action instituted or maintained under this section, the Committee shall be entitled to recover its costs and reasonable attorney's fees incurred pursuant thereto, as well as any and all other sums awarded by the Court.

Failure of the Committee or of any Unit Owner to enforce any covenant or restriction herein contained, or any provision of the other governing documents for the Community, shall in no event be deemed a waiver of the right to do so thereafter.

ADOPTED AND EFFECTIVE THIS \_\_\_ DAY OF \_\_\_\_\_, 2010, BY THE  
BOARD OF DIRECTORS OF THE Red Canyon ASSOCIATION

\_\_\_\_\_  
President

\_\_\_\_\_  
Vice-President

\_\_\_\_\_  
Treasurer

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Additional Board Member(s)

**Architectural Review of Plans Checklist:**

1. IMPROVEMENT NOT DETRIMENTAL TO SURROUNDING UNITS OR COMMON ELEMENTS
2. IMPROVEMENT IN CONFORMITY AND HARMONY IF VISIBLE TO EXTERIOR OF STRUCTURE
3. IMPROVEMENT WILL NOT DETRACT FROM THE BEAUTY, WHOLE-SOMENESS AND ATTRACTIVENESS OF THE COMMUNITY FACILITIES
4. IMPROVEMENT WILL NOT DETRACT FROM ENJOYMENT OF ASSOCIATION PROPERTY BY THE MEMBERS
5. UPKEEP AND MAINTENANCE OF THE IMPROVEMENT WILL NOT BECOME A BURDEN TO THE ASSOCIATION
6. PLANS AND SPECIFICATIONS FOR IMPROVEMENTS HAVE ADEQUATE DIMENSIONS AND IF STRUCTURAL, CERTIFIED BY AN ARCHITECT LICENSED BY THE STATE OF COLORADO and/or Engineer licensed by the State of Colorado
7. IMPROVEMENT WILL NOT HAVE AN ADVERSE EFFECT ON SECURITY
8. IF ACCESS TO OTHER UNITS IS NECESSARY FOR COMPLETION OF CONSTRUCTION, WRITTEN CONSENTS OF SUCH OWNERS ARE ATTACHED
9. ANY VIOLATION OF THE DECLARATION OR RULES AND REGULATIONS?

**APPLICATION FOR APPROVAL**

SUBMISSION TO Red Canyon ASSOCIATION BOARD OF DIRECTORS

Pursuant to the Condominium Declaration and the Architectural and Design Review Guidelines for Red Canyon Association, I/we hereby submit the following application to make improvements:

Date: \_\_\_\_\_  
Address of Property: \_\_\_\_\_  
Names of Owner(s): \_\_\_\_\_  
Mailing Address(es): \_\_\_\_\_  
Phone Number:(Home)\_\_\_\_\_(Work)\_\_\_\_\_(Cell)\_\_\_\_\_

Proposed date for Commencement of Work: \_\_\_\_\_  
Estimated time for Completion of Work: \_\_\_\_\_  
Attachments:  
\_\_\_\_ Construction Plans  
\_\_\_\_ Architectural Drawings, certified by a Colorado licensed architect, if structural changes, An engineer may also be required  
\_\_\_\_ Specifications (e.g., manufacturer's brochure)  
\_\_\_\_ Samples of materials  
\_\_\_\_ Samples or description of colors  
\_\_\_\_ Photographs  
\_\_\_\_ Owner's consent for access to other units  
\_\_\_\_ Other

**Receipt:**

I hereby acknowledge receipt of the above and its marked attachments this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ at \_\_\_\_\_ O'clock\_m.

\_\_\_\_\_  
By:

**DECISION OF DESIGN AND REVIEW COMMITTEE FOR Red Canyon  
CONDOMINIUM ASSOCIATION**

The Committee, having reviewed the submission for the Approval of:

\_\_\_\_\_ dated \_\_\_\_\_

Hereby finds that the request is:

Approved as submitted \_\_\_\_\_

Approved subject to (see below)

Denied for the reason(s) stated below:

- A. Adequacy of dimensions and/or certification by Colorado Licensed architect
- B. Conformity and harmony if visible to exterior of structure
- C. Effect of location and use of improvement on nearby Units, improvements, operations and uses
- D. Preservation of Aesthetic beauty
- E. Assurances that the upkeep and maintenance of the improvement of alteration will not become a burden on the Association
- F. Conformity with the plan specifications and purposes generally established within the community
- G. Restrictions on hours and/or days during which construction activity may be performed
- H. Violation of Declarations, Bylaws and/or Rules and Regulations

Other Comments:

**BOARD OF DIRECTORS Red Canyon ASSOCIATION**

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

**Certificate of Mailing**

I hereby certify that I mailed a true copy of the foregoing Decision of the Board of Directors, Red Canyon Association by placing same in the United States Mail, postage pre-paid, on the \_\_\_ day of \_\_\_\_\_, 20\_\_\_, Addressed to the following:

By: \_\_\_\_\_

www.townofeagle.org  
 P.O. BOX 609, 200 BROADWAY  
 EAGLE, CO 81631  
 Phone: (970) 328-9655  
 Fax: (970) 328-9656  
 Inspection Line: (970) 328-9626

TOWN OF EAGLE  
 BUILDING DEPARTMENT



**B** BUILDING PERMIT  
 APPLICATION

BUILDING PERMIT NO

LOT NO.	BLOCK	PLAT	SUBDIVISION
OWNER		MAIL ADDRESS	

CONTRACTOR / CONTACT PERSON	MAIL ADDRESS
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ARCHITECT OR DESIGNER	MAIL ADDRESS
-----------------------	--------------

MAIL ADDRESS
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USE OF BUILDING (PLEASE CIRCLE ALL THAT APPLY)	RESIDENTIAL	COMMERCIAL	INDUSTRIAL			
CLASS OF WORK (PLEASE CIRCLE ALL THAT APPLY)	NEW	ADDITION	ALTERATION	REPAIR	MOVE	REMOVE

VALLA	Dr	Special C
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TYPE OF HEATING (PLEASE CIRCLE APPROPRIATE CATEGORY)	GAS ELECTRIC OTHER		
ACREAGE OR SQUARE FOOTAGE OF LOT	LOT COVERAGE (includes Overhangs)		
IMPERVIOUS COVERAGE OF LOT	TOTAL FLOOR AREA OF STRUCTURE (SQ. FT.)		
NUMBER OF STORIES	HEIGHT OF STRUCTURE ABOVE GRADE	APPLICATION ACCEPTED BY	
NUMBER OF DWELLING UNITS	NUMBER OF OFF STREET PARKING SPACES	PLANS CHECKED BY	IMT#

DESIGN REVIEW APPROVAL DATE	(DESIGN REVIEW SEALS LETTERS AND STAMPED PLANS MUST BE SUBMITTED WITH THIS APPLICATION)	APPROVED FOR ISSUANCE BY	DATE
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**NOTICE: READ BEFORE SIGNING.**

SEPARATE PERMITS ARE REQUIRED FOR ELECTRICAL, PLUMBING, MECHANICAL (HEATING, VENTILATING OR AIR CONDITIONING).

THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN 180 DAYS, OR IF CONSTRUCTION OR WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF 180 DAYS AT ANY TIME AFTER WORK IS COMMENCED.

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS APPLICATION AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. THE GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISIONS OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION.

\_\_\_\_\_  
SIGNATURE OF CONTRACTOR / DATE

\_\_\_\_\_  
SIGNATURE OF OWNER (IF OWNER BUILDER) / DATE

FEES OFFICE USE ONLY			
PERMIT	WATER TAP	STREET IMPROVEMENT	IDA TAX
PLAN CHECK	SEWER TAP	HEAT PERMIT/ISSUE	CHECK NO.
TOTAL	AMOUNT	EMERGENCY SERVICE	PAYMENT DATE
CHECK NO.	TOTAL TAP	TOTAL IMPACT	
PAYMENT DATE	CHECK NO.	CHECK NO.	
	PAYMENT DATE	PAYMENT DATE	

**SITE PLAN MUST BE INCLUDED WITH THIS APPLICATION**  
 For site plan preparation instructions refer to Eagle Site Plan Requirements  
 WHITE - TOWN YELLOW - INSPECTOR PINK - APPLICANT