

Fox Run Subdivision Design Review Process Protocol

[Purpose: Give concise overview* of and references to Architectural Review Guideline (ARG) process for applicants (e.g., lot owners/builders) and Homeowner Association (HOA) Board and Architectural Review Committee (ARC) members**.]

1. Design/review requirement/form copies are available from HOA Manager or Management web site (p. 8, para 2.1a).
2. ARC is not responsible for ensuring compliance with Federal, Montana, or County building codes (p. 4, para. 1.1).
3. Before purchase, potential lot owners should ensure the ARGs, the lot size, the wildlife environment, the style of neighboring houses, etc. allow the type of house they want to build (p. 3, Vision).
4. Variances to the building envelope require HOA Board and Gallatin County Commission approval (p. 17, para. 4.2).
5. Lot owners are legally responsible for their own and their builders' compliance with ARGs. (p. 3, Vision).
6. Nobody shall commence improvements (lots or home building/modification) without prior ARC/HOA written approval of application [e.g., Design Review Request Form (DRRF)] (p. 11, para. 2.5) except for lot maintenance (p. 11, para. 2.8).
7. Informal discussions between lot owners and ARC early in design process (p. 4, para. 2.0), a Preliminary Design Review (p. 5, para. 2.0 a), and Schematic Design Review (p. 6, para 2.0b) before Construction Drawing Review are very encouraged.
8. Review process is intended to be a cooperative interchange amongst applicant, HOA Manager, and ARC (p. 8, para. 2.1).
9. Review process may be repeated throughout course of design and construction for the Preliminary, Schematic, and Construction Design Reviews (p. 9. para. 2.1c) and for changes made during construction. Changes to the approved final design which significantly impact the exterior design, must be submitted in writing to the PR for review (p. 7, para. 2.0e).
10. The initial fee for a submittal review is \$300, which covers two submissions. Additional submissions are allowed at a rate of \$50 per review (p. 6, para. 2.0c&d).
11. Applicant ensures current requirements are used and application is complete/accurate for design phase (p. 8, para 2.1b).
12. Before or during the design reviews, applicant may request in writing variances to design requirements (p. 11, para. 2.3).
13. To initiate the design reviews, applicant shall submit application, e.g., DRRF and its attachments, (p. 23 thru 27) to the HOA Manager, who shall distribute the application to the contracted ARC Professional Reviewer (PR) (p. 8, para 2.1b).
14. The PR shall review application and provide feedback to applicant within 14 days excluding holidays of submittal to help ensure submittal is accurate/complete for the design phase and it adheres to the Fox Run requirements (p. 8, para. 2.1c). This process may be repeated twice until the submittal is accurate and complete or cancelled. (p. 5, para 2.0).
15. Once complete, PR distributes application and any comments to ARC and Board members for review (p. 8, para. 2.1b).
16. ARC/Board review and respond to each other and PR with written comments regarding application's noncompliance or optional recommendations for improvement and the PR comments within 7 days excluding holidays (p. 8, para. 2.1c).
17. Reviewers shall provide electronic or written justification for findings of non-compliance with requirements, recommendations for improvement and the use of reviewer's subjective judgment (p. 8&9, para. 2.1c).
18. Any ARC and Board members may choose to meet if necessary to resolve comments and get majority agreement by the both the ARC and Board. The applicant may be invited to participate in the meeting to provide additional information or clarification but not to debate resolution of any potential non-compliance (p.9, para 2.1c).
19. PR shall present the majority agreement to the Board in a written, unified, and agreed upon format (p. 9, para 2.1c).
20. Board will provide a final decision on the application to the PR who, will respond to the applicant with the ARC and Board decision for approval, tentative approval requiring corrections and follow-up review, recommendations for improvement, or, disapproval within 7 days of receiving a determination from the PR (p. 9, para. 2.1c&d).
21. This review process shall ensure the Board and ARC shall make a determination on each application within 30 days after receipt of a **completed application and all required information** (Covenants p. 13, para. 9.4).
22. The applicant may ask for further clarification on any review comments or recommendations (p. 9, para. 2.1d).
23. Once final approval is received, applicant will confirm the final location of the house footprint (i.e., the foundation and any pads) to the ARC Chair, who will review the footprint area with the applicant to ensure that the foundation and pads will be poured within the building envelope and according to the approved plans (p 17).
24. The applicant will submit a receipt to verify fire retardant spray or the application of a viable alternative as approved by the ARC and Board prior to the application of siding or interior coverings (p. 17, para 3.21).
25. Building must commence within 12 months of when the approval is granted (p. 11, para. 2.5) and the house must be completed within 12 months of the initiation of the construction process (p. 11, para 2.6).
26. Initial landscaping shall be accomplished per the approved landscaping schedule. Preliminary initial landscaping (driveways, walkways, sprinklers, etc.) should be accomplished prior to home construction completion. Final initial landscaping shall be within the growing season and within 12 months of construction completion (p. 20 & 21, para. 5.6).
27. After construction is completed, review is not required for minor landscaping changes (p. 6, para. 2.0d) and interior building changes not affecting exterior design do not require design review (p. 5, para. 2.0).
28. After construction is completed, major landscaping changes may require a minor review (p. 6, para. 2.1d) and changes impacting exterior design must be submitted for review to the ARC Chair with a \$50 review fee (p. 6, para .2.0d).

*Overview adherence does not excuse applicant from complying with requirements listed in Vision Statement (p. 2, 2nd para.).

** Reviewers should generally recuse themselves from the review process in cases of conflict of interest (p. 10, para. 2.1e).