

PBH HOA Sept/Oct Covenants Survey Results – 111 Surveys as of Nov 5, 2009:

Summary of Results on the Six Questions:

- **Highest answer – 81% of respondents want a standardized set of building rules across all PBH community**
- At least 66% of all respondents want combined covenants with all extra clauses mentioned in the questions
- Between 9% and 21% either don't want combined covenants or at least don't want some of the extra clauses

**Over 40 people agreed to help obtain signatures for revised covenants –
Between 4 and 8 people identified for each of the 7 existing PBH units**

Question	Agree	Disagree	Undecided	Other
Proposed Covenants should be similar to those in Pine Brook Directory ?	75%	9%	7%	9%
How important is a standardized set of building rules across all Pine Brook community ?	81%	12%	5%	2%
Will effectiveness of HOA be improved by having a single set of Covenants ?	75%	14%	9%	2%
Should Association be allowed to inspect lot for purposes of enforcing the Covenants ?	66%	21%	11%	2%
Should the HOA be able to recover legal expenses if they win defending Covenants ?	72%	11%	13%	4%
If lot owner proceeds with construction that violates covenants, should there be binding arbitration & injunction to halt construction ?	69%	12%	15%	4%

Summary of Comments:

- 1/3 of respondents (39) want clarifications/changes; **means we need meeting(s) to discuss**
- Comments about evenly split between those wanting stricter covenant provisions vs looser provisions

S	Make Covenants Stricter (several different ways)	20
L	Make Covenants Looser or don't change them (several ways)	19
M	Need Meetings/discussions /more info about Covenants/changes (includes many of the S and L comments)	38

Examples of making Covenants stricter:

Get rid of the special exemptions (Units 1-3 only) for the guest house and livestock issues, and I would be ok with the rest of it...
 Structure location not mentioned; building color not mentioned; Building time - 2 years; temporary structure – no
 Assn allowed to inspect ? Agree, but general circumstances under which this might be done and the procedures that are used should be carefully discussed and approved beforehand.
 If construction violates covenants, halting it - I would agree, but further details are needed.
 Bigger issue is what happens when construction is halted - we have a problem on N. Cedar Brook...eyesore...
 Consistent enforcement is key. Grandfather all old infractions and be consistent going forward
 Enforce removal of nuisances incl. slash piles, dead/dying trees, temporary buildings, structures, mobile containers, barking dogs, etc.
 Make the ARC approval mandatory (and more enforceable) for building color, materials, and structure location, but otherwise defer to the County's Land Use Code.
 Covenants should encourage energy and water efficiency...require water conservative fixtures and appliances...allow PV panels and wind generators...The right to hang laundry outdoors should be protected.
 ...Are they enforceable? Ex: neighbor with extra vehicles alongside his guest house plus gardening tools and supplies...those of us who drive by have to see it each day.... Not attractive like the home sites elsewhere.
 Building time should have a limit; as is, temporary structure could be utilized indefinitely

Examples of making Covenants looser:

Assn allowed to inspect ? - Assn should be allowed to inspect for a SPECIFIC violation if an "official" complaint is lodged by a Pine Brook resident... impacted by the covenant violation. We don't need neighborhood "nannies" ...
 The HOA is a voluntary organization and erred in entering into a legal dispute...HOA isn't a unit of government and Boulder County statues are the "legal" standard.
 why tinker with something that works.... how many challenges since 1961? Is it a real concern or just doing things for passing time?
 Boulder County already has more restrictive zoning than necessary. Add'l covenants aren't necessary. My lot is not part of an HOA ...Don't spend legal fees to fix "that which is not broke". I remodeled & was terrorized by county, but found ARC resonable and pleasant. No disasters as a result of a weak ARC... New covenants loosen the restrictions which I support 100%!
 ARC should be able to inspect only from street. If violations are not obvious..., then they are not important enough to worry about.
 Allow a wider range of colors, including white and pale yellow, with appropriate trim colors
 This looks like "drive by Arch Review Committee. Last 2 items on "proposed" have NO relationship with existing Covenants







Not Mentioned in Comments but obviously on the agenda: Chickens; Building time limit; Roof colors; other ?

Detail of Results on the Six Questions :

Survey Statistics	
Viewed	201
Started	111
Completed	111
Completion Rate	100%
Drop Outs (After Starting)	0
Average time taken to complete survey : 6 minute(s)	

Should the proposed Covenants be similar to those published in the Pine Brook Directory and available from the web site?

 [Custom Analysis Options](#)







Frequency Analysis		Count	Percent	20%	40%	60%	80%	100%
 Strongly Agree		33	31.13%	<input type="text"/>				
 Agree		47	44.34%	<input type="text"/>				
 Undecided		7	6.60%	<input type="text"/>				
 Disagree		3	2.83%	<input type="text"/>				
 Strongly Disagree		6	5.66%	<input type="text"/>				
 Other suggestion:		10	9.43%	<input type="text"/>				
Total		106	100%					

Key Analytics	
Mean	2.358
Confidence Interval @ 95%	[2.063 - 2.654] n = 106
Standard Deviation	1.550
Standard Error	0.151

Key Facts
75.47% chose the following options :
 Agree
 Strongly Agree
 Least chosen option **2.83%** :
 Disagree

How important is a standardized set of building rules across the entire Pine Brook community?

 [Custom Analysis Options](#)

Frequency Analysis		Count	Percent	20%	40%	60%	80%	100%
 Strongly Agree		61	56.48%	<input type="text"/>				
 Agree		27	25.00%	<input type="text"/>				
 Undecided		5	4.63%	<input type="text"/>				
 Disagree		4	3.70%	<input type="text"/>				
 Strongly Disagree		9	8.33%	<input type="text"/>				
 Other suggestion:		2	1.85%	<input type="text"/>				
Total		108	100%					

Key Analytics	
Mean	1.880
Confidence Interval @ 95%	[1.626 - 2.133] n = 108
Standard Deviation	1.345
Standard Error	0.129

Key Facts
81.48% chose the following options :
 Strongly Agree
 Agree
 Least chosen option **1.85%** :
 Other suggestion:


Will the effectiveness of the HOA be improved by having a single set of Covenants?

 [Custom Analysis Options](#)

Frequency Analysis
<input type="text"/>


Answer	Count	Percent	20%	40%	60%	80%	100%
Strongly Agree	51	47.66%	<input type="text"/>				
Agree	29	27.10%	<input type="text"/>				
Undecided	10	9.35%	<input type="text"/>				
Disagree	8	7.48%	<input type="text"/>				
Strongly Disagree	7	6.54%	<input type="text"/>				
Other suggestion:	2	1.87%	<input type="text"/>				
Total	107	100%					

Key Analytics			Key Facts
Mean		2.037	74.77% chose the following options : Strongly Agree Agree Least chosen option 1.87% : Other suggestion:
Confidence Interval @ 95%		[1.785 - 2.290] n = 107	
Standard Deviation		1.331	
Standard Error		0.129	

Should the Association be allowed to inspect a lot for the purposes of enforcing the Covenants?  [Custom Analysis Options](#)

Frequency Analysis							
Answer	Count	Percent	20%	40%	60%	80%	100%
Strongly Agree	32	29.91%	<input type="text"/>				
Agree	39	36.45%	<input type="text"/>				
Undecided	12	11.21%	<input type="text"/>				
Disagree	9	8.41%	<input type="text"/>				
Strongly Disagree	13	12.15%	<input type="text"/>				
Other suggestion:	2	1.87%	<input type="text"/>				
Total	107	100%					

Key Analytics			Key Facts
Mean		2.421	66.36% chose the following options : Agree Strongly Agree Least chosen option 1.87% : Other suggestion:
Confidence Interval @ 95%		[2.154 - 2.687] n = 107	
Standard Deviation		1.408	
Standard Error		0.136	

If the Homeowners Association (HOA) incurs legal and other expenses defending the Covenants, and a decision is reached supporting the HOA, then should the HOA be able to recover those expenses?  [Custom Analysis Options](#)

Frequency Analysis							
Answer	Count	Percent	20%	40%	60%	80%	100%
Strongly Agree	44	40.74%	<input type="text"/>				
Agree	34	31.48%	<input type="text"/>				
Undecided	14	12.96%	<input type="text"/>				
Disagree	4	3.70%	<input type="text"/>				
Strongly Disagree	8	7.41%	<input type="text"/>				
Other suggestion:	4	3.70%	<input type="text"/>				
Total	108	100%					







Key Analytics			Key Facts
Mean		2.167	72.22% chose the following options :
Confidence Interval @ 95%		[1.904 - 2.429]	

	n = 108	Strongly Agree
Standard Deviation	1.391	Agree
Standard Error	0.134	Least chosen option 3.7% : Disagree

If the Architectural Review Committee concludes a project violates the Covenants and the property owner proceeds with construction, should there be binding arbitration with "injunctive relief" to halt construction?

 [Custom Analysis Options](#)

Frequency Analysis

Answer	Count	Percent	20%	40%	60%	80%	100%
 Strongly Agree	37	34.26%	<input type="text"/>				
 Agree	38	35.19%	<input type="text"/>				
 Undecided	16	14.81%	<input type="text"/>				
 Disagree	3	2.78%	<input type="text"/>				
 Strongly Disagree	10	9.26%	<input type="text"/>				
 Other suggestion:	4	3.70%	<input type="text"/>				
Total	108	100%					

Key Analytics

Mean	2.287	Key Facts 69.44% chose the following options : Agree Strongly Agree Least chosen option 2.78% : Disagree
Confidence Interval @ 95%	[2.023 - 2.551] n = 108	
Standard Deviation	1.401	
Standard Error		

Detail Comments :

Should the proposed Covenants be similar to those published in the Pine Brook Directory and available from the web site?

09/09/2009	4184497	The next edition of the Pine Brook Directory should contain the proposed covenants.
09/13/2009	4305006	Get rid of the special exemptions (Units 1-3 only) for the guest house and livestock issues, and I would be ok with the rest of it... S M
10/13/2009	5227254	Need more detailed info - too many gaps M
10/13/2009	5227590	Poor question
10/13/2009	5230483	The finalized approved covenants should be included in the directory, then web site and hardcopy mailed to each homeowner/property owner.
10/13/2009	5230571	The new Covenants should be available on the website - no need to waste 3 pages in the directory and have them on the web too.
10/13/2009	5231083	Structure location not mentioned; building color not mentioned; Building time - 2 years; temporary structure – no S M
10/13/2009	5231413	They should be rewritten as appropriate for the needs of our community today. M

How important is a standardized set of building rules across the entire Pine Brook community?

09/15/2009	4383415	the choices are improper for the question. To answer "how important..." one can only say very important, etc. but "agree" with what?
10/10/2009	5162559	Not important. Leave them as they are. L

Will the effectiveness of the HOA be improved by having a single set of Covenants?

09/23/2009	4657744	I do not know.
10/13/2009	5228153	I'm not sure "effectiveness" is much improved. Clarity perhaps

Should the Association be allowed to inspect a lot for the purposes of enforcing the Covenants?

09/09/2009	4194352	I would agree, but to help ward off at least some potential problems (maybe not all) the general circumstances under which this might be done and the procedures that are used should be carefully discussed and approved beforehand. S M
09/16/2009	4405722	The association should only be allowed to inspect for a SPECIFIC violation if an "official" complaint is lodged by a Pine Brook resident impacted by the covenant violation. By impacted I mean they have been turned down by arch review committee or directly subjected to hardship or inconvenience by the violation (noise, smell, etc.). We don't need neighborhood "nannies" going around looking to make issues - I have to deal with that with townhomes that I own and it gets ridiculous as to what the owners and HOA have to spend time on. L M

If the Homeowners Association (HOA) incurs legal and other expenses defending the Covenants, and a decision is reached supporting the HOA, then should the HOA be able to recover those expenses?

10/13/2009	5227590	From the Defendent
10/13/2009	5230680	How ?
10/13/2009	5231682	There should be a meeting to discuss this completely as to whether it is wise to do so. M

If the Architectural Review Committee concludes a project violates the Covenants and the property owner proceeds with construction, should there be binding arbitration with "injunctive relief" to halt construction?

09/09/2009	4194352	Again, I would agree, but further details are needed. For instance, who will be doing the binding arbitration? Can a property owner legally be forced into binding arbitration? S M
09/16/2009	4405722	Bigger issue is what happens when construction is halted - we have a problem on N. Cedar Brook with a house that clearly violates the 1 year building time covenant, but is just an eyesore as it sits there under construction. S M
09/23/2009	4657744	I do not know what this means. M

Please give us any other suggestions you may have about this process and how our Covenants should work:

09/07/2009	4118538	Rich - my "vote" taking the survey for the first time; and just checking out the survey. Looks SUPER!
09/08/2009	4154139	Inevitably, there will be disputes over interpretation of any document. The Pine Brook architectural review committee should be considered the final interpreter of the wording of the Covenants, much as the Supreme Court is for the US Constitution. S M
09/08/2009	4155409	I would like to hear any arguments against this proposal. S M
09/08/2009	4157946	Triple a arbitration is not the way to go. Arbitrators have no interest in the outcome, only that they are paid. We do not have the funds to fight in arbitration. M
09/09/2009	4178168	Consistent enforcement is key. Grandfather all the old infractions and be consistent going forward. S
09/09/2009	4178873	Please add enforcement of nuisance due to dog barking. S M
09/09/2009	4194352	This survey is a great idea! Since I've asked some questions and made written comments, I'd like to identify myself: Russell Endo 476 N. Cedar Brook russell.endo@ucdenver.edu
09/12/2009	4274198	The HOA is a voluntary organization and erred in entering into a legal dispute. It is important to recognize that the HOA is not a unit of government and Boulder County statutes are the "legal" standard. L
09/13/2009	4305006	Make the ARC approval mandatory (and more enforceable) in regards to building color, materials, and structure location, but otherwise defer to the County's Land Use Code. S M
09/13/2009	4310934	The web site should have a distinct tab leading to the ARC review process outline and covenants in order to make this information easier to find
09/14/2009	4348145	It should be fair and unbiased. I have heard from numerous people the existing representatives on the HOA board are unfair and make irrational choices as to who can or cannot add on. The majority of the neighborhood, not a few, should say yes or no to a building project. M
09/15/2009	4365344	I think a unified set of covenants moving forward is a very good idea. These covenants should be made available to everyone interested in purchasing in PBHs as well as current residents. S
09/15/2009	4383415	why tinker with something that works.... how many challenges have been made since 1961? Is it a real concern or just doing things for passing time? L
09/16/2009	4401374	From the discussion on the email list, the HOA has mis-represented what happened with the garage that was built. L
09/16/2009	4405722	Need to clearly define what grandfathering or process for properties that are more restrictive or different than when the house was built. Also want to keep Pine Brook a friendly, reasonable community, not a punitive community like many of the new developments out on the plains. L M
09/18/2009	4466857	Covenants should encourage energy and water efficiency. Covenants should require water conservative fixtures and appliances and assure that PV panels and wind generators are allowed. The right to hang laundry outdoors should be protected. S M
09/19/2009	4492089	I have not been affected by inconsistent covenant laws and therefore see very little need in spending a lot of legal fees to fix "that which is not broke". I have remodeled my home and although I was terrorized by the county, I found the architectural review committee to be reasonable and pleasant. Furthermore, I have not seen any disasters go in as a result of a weak ARC. It looks like the new covenants loosen the restrictions which I support 100%! L
09/19/2009	4511858	Suggest to do a thorough review of each of the seven sets first. Don't rule out the possibility that a different set of covenants may make sense for a particular area. Update each set if needed to remove provisions which no longer apply or are out of character with the subdivision... i.e., some HOAs don't allow for antennae or for even drying your clothes outside on a line. You should not encourage solar energy and conservation on one hand, and then not allow drying your clothes in the sun! M
09/21/2009	4578407	best solution is to work with homeowner and come to agreement
09/21/2009	4589081	tell me there's a grandfather clause. The front of my home was 3 floors when I bought it in '88. I don't want to lob one off. M
09/24/2009	4671322	Is there an effective way to enforce the covenants? If so what is that way? Are they enforceable? For example, I have a neighbor who has extra cars and pickup trucks parked along side his guest house plus gardening tools and supplies. He doesn't have to see them, they are on a non-used side of his house. However, those of us who drive by his non-use side have to see it each day. It is not attractive like the home sites elsewhere. S M
09/26/2009	4729110	The answers don't match the questions. Most questions are essentially YES/NO. If Agree/Disagree are the choices, then there should be a statement, not a question. Makes me wonder how well thought out this survey is and hence, how official it is.
09/26/2009	4741906	The ARC should be able to inspect only from the street. If violations are not obvious from that vantage point, then they are not important enough to worry about. L M
09/27/2009	4753510	Allow a wider range of colors, including white and pale yellow, with appropriate trim colors. L M
10/10/2009	5162559	Leave them as they are, we bought into the specific ones already when we purchased our lot L
10/10/2009	5162642	Forget the building colors. Forget "in harmony with natural terrain" L M
10/13/2009	5227254	Need a full HOA meeting with more detailed info about the proposed integrated covenant M

10/13/2009	5227387	Building time should have a limit; as is, temporary structure could be utilized indefinitely. S M
10/13/2009	5227488	Chris Hirshland, 2064 Timber
10/13/2009	5227590	Don't ask me to agree with a question, ask me to agree with a statement
10/13/2009	5227689	Boulder County already has more restrictive zoning than is necessary. Additional covenants are not necessary. My lot is not part of an HOA L
10/13/2009	5228153	This looks like "drive by Arch Review Committee. Last 2 items on "proposed" have NO relationship with existing Covenants - caution ! It is not entirely what it is marketed as. This makes me uncomfortable. L M
10/13/2009	5228411	The phrase "in harmony" is so vague that it has the potential to create issues in litigation. Placement of the structure is taken care of by the county. L M
10/13/2009	5230165	4 car garages are too large. S M
10/13/2009	5230483	Enforce removal of nuisances including slash piles, dead or dying trees, temporary buildings, structures, mobile containers, barking dogs, etc. S M
10/13/2009	5230680	No white houses S M
10/13/2009	5230723	Don't make any changes to existing covenants L
10/13/2009	5230884	I would approve the proposed combined covenants for lots 1-410 S M
10/13/2009	5231083	Color of structure location should allow more freedom of expression to attract "architecture" L M
10/13/2009	5231346	Dave Friis, 153 Meadowlook Way
10/13/2009	5231504	In the section on livestock, horses are to be allowed on "UNITS of 2 acres or more." There is no "unit" of 2 acres or more. That item should read "LOTS of 2 acres or more."
10/13/2009	5231579	Lets have and educational meeting on this important subject M
10/13/2009	5231948	See attached two full pages of comments incl: suggested changes to future surveys verbiage; suggests thorough review of all covenants, not just ending up with lowest common denominator; consider additional covenants we might want to add M
10/14/2009	5251131	require mediation as priority and it's a good selling point because theoretically everyone wins. M
10/15/2009	5317865	I would prefer that the architectural committee not get involved in issues of personal taste (reviewing colors, etc.). Also, I would like to see restrictions in the covenants/by-laws against growing marijuana in PBH (even under the guise of "medical" marijuana). I'm concerned about the associated crime, destruction of property, and loss of life in our otherwise very quiet little South Cedar Brook neighborhood. http://www.dailycamera.com/ci_13128436 S L M
11/04/2009	5823595	Loosly as guidelines not ridig sculpture L
11/04/2009	5823636	Leave them as is. All buyers had to agree when putting their money down. There are 7 units. L
11/04/2009	5823760	I hope new covenants which replace existing restrictions will not allow my neighbors to do something offensive to me. Suggest specify # of houses, 2 acres will support 1 horse, 4 cows, etc. S M