

Homestead in the Willows

RESIDENTIAL IMPROVEMENT GUIDELINES

I. INTRODUCTION

1.1 Basis for Guidelines

These Residential Improvement Guidelines are intended to assist homeowners in Homestead in the Willows ("Homestead") in the making of landscaping and other exterior improvements to their property.

The Declaration of Covenants and Restrictions for Homestead in the Willows Homeowners Association ("Declaration") requires prior approval of the Architectural Control Committee (herein "ACC") before any "Improvement to Property" involving a residential lot in Homestead in the Willows. "Improvement to Property" is the erection, placement or alteration of any landscaping, building, fence or other structure of any nature on any lot, and includes, without limitation, any change of the grade of property; the construction or installation of any accessory building, patio, pergola, deck, hot tub, play or sporting equipment; the demolition or removal of any building or other improvement; and any change of exterior appearance of a building or other improvement, or landscaping.

In order to assist homeowners, the Board of Directors of Homestead ("Board") hereby establishes these guidelines and certain pre-approved designs for several types of Improvements to Property and to exempt certain Improvements to Property from the requirement for approval. This packet contains the guidelines adopted by the Board with respect to all residential property.

1.2 Contents of Guidelines

The Guidelines contain (a) a listing of specific types of improvements which owners might wish to make with specific information as to each of these types of improvements; (b) a summary of procedures for obtaining approval from the ACC; and (c) some pre-approved designs.

1.3 Architectural Control Committee

Appointed by the Board of Directors, the ACC consists of three or more persons who need not be members of the Association. The ACC may act for the Board to the extent set forth in the Declaration. The ACC is charged with evaluation of each proposed change submitted by a homeowner based on that proposal's conformance with the established community harmony in use of materials, design, color, size, and adherence to these guidelines and other covenants and setbacks.

1.4 ACC Address and Phone

The address of the ACC will be the same as the address of the Community Association. The present address of the ACC is 5896 East Geddes Avenue, Centennial, Colorado 80112. The phone number of the community office is 303-793-0230. The email address is homesteadacc@gmail.com.

1.5 Effect of Declaration

The Declaration is a part of the Governing Legal Documents governing property within Homestead. Copies of the Declaration are given to new homebuyers when they purchase their homes at closing and are available on the Homestead website, homesteadinthewillows.org. Each owner should review and become familiar with the Declaration. Nothing in these Guidelines can supersede or alter the provisions or requirements of the Declaration and, if there is any conflict or inconsistency, the Declaration will control. Provisions relating to the use of property and to improvements to property are found in Article VI, VII and VIII of the Declaration.

1.6 Effect of Governmental and Other Regulations

Use of property and Improvements to Property must comply with applicable building codes and other governmental requirements and regulations. Approval by the ACC will not constitute assurance that improvements comply with applicable governmental requirements or regulations or that a permit or approvals are not also required from applicable governmental bodies. For general information about the City of Centennial and Arapahoe County requirements, homeowners may write the City of Centennial Offices, 13133 E Arapahoe Road, Centennial, CO 80112, or call 303-754-3321, or visit www.centennialco.gov.

1.7 Interference with Utilities

In making Improvements to Property, homeowners are responsible for locating all water, sewer, gas, electrical, cable television or other utility lines or easements. Homeowners should not construct any improvements over such easements without the consent of the utility involved and homeowners will be responsible for any damage to any utility lines. All underground utility lines and easements can be located by contacting the Utility Notification Center of Colorado, at www.colorado811.org or calling 811 or toll-free 1-800-922-1987.

When you contact the Utility Notification Center of Colorado a notice is sent to utility or facility owners who have gas, electric, cable TV, phone or other lines near your property. Many utility companies only mark the location of their lines up to your property boundary.

Utility lines inside your property boundaries are called "private lines" or "private facilities" and you are responsible for being sure that the lines inside of your property boundaries are properly marked. There are companies who will mark the lines inside of your property boundaries but they do charge a fee for that service. The failure to mark lines inside of your property boundaries and the cutting or damage to those lines can result in serious personal injury or death. You will be responsible for any damage to any lines on your property regardless of who marks the lines.

You will find a list of private facility locators at <http://colorado811.org/web/guest/privatelocatecompanies>.

1.8 Goals and Objectives of Guidelines

Compliance with these Guidelines and the provisions of the Declaration will help preserve the inherent architectural and aesthetic quality of Homestead. It is important that the improvements to property be made in harmony with and not detrimental to the rest of the community. A spirit of cooperation with the ACC and neighbors will go far toward creating an optimum environment that will benefit all homeowners.

By following these Guidelines and obtaining approvals for improvements to property from the ACC, homeowners will be protecting their financial investment and will help ensure that Improvements to Property are compatible with standards established for Homestead in the Willows.

If a question ever arises as to the correct interpretations of any terms, phrases or language contained in these Guidelines, the ACC's interpretation thereof shall prevail.

II. SPECIFIC TYPES OF IMPROVEMENTS GUIDELINES

2.1 General

Following is a listing, in alphabetical order, of a wide variety of specific types of improvements which homeowners typically consider making, with pertinent information as to each. Unless otherwise specifically stated, drawings or plans for a proposed Improvement to Property must be submitted to the ACC and the written approval of the ACC obtained *before* the improvements are made. In some cases, where it is specifically so noted, a homeowner may proceed with the improvement without advance approval by the ACC if the homeowner follows the stated guidelines. In some cases, where specifically stated, and in addition to the restrictions in Articles VI, VII and VIII of the Declaration, a type of improvement is not approved. If you have in mind an improvement not listed below, ACC approval is required.

2.2 Accessory Buildings

ACC approval is required. Must be constructed of wood or other materials matching the materials used on the exterior of the home. Must be of the same or generally recognized as a complimentary architectural style and the same colors as that of the residence. See *Sheds*.

2.3 Additions and Expansions

ACC approval is required. Additions or expansions to the home will require submission of completed detailed plans and specifications, including all materials to be used.

2.4 Address Numbers

ACC approval is required. Need to be of scale and style as to be complimentary to the home and community. Traditional metal. Installed directly on brick or siding by front door, or mounted on backing no bigger than 2' in length x 1' in height. Individual numbers may not be taller than 7" in height.

2.5 Advertising – See *Signs*

2.6 Air Conditioning Equipment

ACC approval is required. Air conditioning equipment installed in the side yard should not be immediately visible to adjacent property owners. It should be installed in such a way that any noise to adjacent property owners is minimized. Landscaping and screening of the unit may also be required. Installation of air conditioning equipment on the roof or in a window is not approved.

2.7 Antennas/Satellite Dishes

Under Article VIII, Section 2.c of the Declaration, exterior radio or television antennas may not be erected in the community. However, the Telecommunications Act of 1996 ("Act") was signed into law on February 8, 1996. Pursuant to the Act, the Federal Communication Commission ("FCC") adopted a rule effective October 14, 1996 ("the FCC Rule"), preempting certain restrictions in the governing documents of homeowner's associations concerning the installation, maintenance, and use of direct broadcast satellite ("DBS"), television broadcast ("TBS"), and multi point distribution service antennas ("MMDS") ("antennas/dishes").

In response to the FCC rule and due to the development of recent technology, the ACC adopts the following reasonable restrictions and guidelines governing installation, maintenance, and use of antennas/dishes in the best interest of the Community and consistent with the FCC rule.

A. Antenna Size and Type - DBS and MMDS antennas/dishes that are one meter (39") or less in diameter and for personal use of a homeowner may be installed. DBS and MMDS antennas/dishes larger than one meter are not approved.

All antennas/dishes not covered by the FCC Rule are not approved.

- B. Location** - All antennas/dishes shall be installed with emphasis on being as unobtrusive as possible to the community. To the extent that reception is not substantially degraded or costs are unreasonably increased, all antennas/dishes shall be screened from view from any street and nearby lots to the maximum extent possible, and placement shall be made in the following order of preference:
1. Inside the structure of the house, not visible from the street.
 2. Backyard or side yard behind and below fence line.
 3. Backyard or side yard, mounted on house, in the least visible location below roofline
 4. Side yard in front of wing fence, screened by and integrated into landscaping
 5. Front yard screened by and integrated into landscaping
 6. Back rooftop

If more than one location on the property allows for adequate reception, the order of preference described above shall be used and the least visible site shall be selected.

If the selected site is not inside the structure, or in the back or side yard below the fence line, the Owner shall complete a notification form and deliver it to the Association, along with a statement signed by the Owner and the installer of the antenna/dish stating that all positions described have been tried in order of rank, and that the site of installation is the first site whereby an acceptable quality signal can be received.

Antennas/dishes shall not encroach upon common areas or any other Owner's property.

- C. Installation** - All installations must comply with all applicable codes, and must be secured so they do not jeopardize the safety of residents or cause damage to adjacent properties. Any mast installation must strictly comply with FCC guidelines.

All antennas/dishes shall be no larger, nor installed more visibly than is necessary for reception of an acceptable quality signal.

Owners are responsible for all costs associated with the antenna/dish, including but not limited to costs to install (or replace), repair, maintain, relocate, or remove the unit.

All cabling must be run internally when feasible, must be securely attached, and must be as inconspicuous as possible.

Antennas/dishes, masts and any visible wiring may be required to be painted to match the color of the structure to which it is installed. (Check with your installer/vendor for appropriate type of paint.)

Except as otherwise provided herein above, to the extent not approved by the FCC rule, approval of the location, height, materials and other features regarding the appearance of any antenna/dish shall be submitted in accordance with the Declaration.

NOTE: Antenna registration with the ACC is in no way to be construed as a representation, guaranty, warranty, etc. by the ACC and/or the Association that reception and/or transmission signals will be adequate or will remain undisturbed by vegetation or improvements located on surrounding properties. Any antenna/dish installation not in compliance with these rules and guidelines may result in a fine against the owner, following Notice and Hearing and such further action, legal or otherwise, as permitted by the Declaration or statute. If any provision of these guidelines is ruled invalid or unenforceable, the remainder of these guidelines shall remain in full force and effect.

2.8 Artificial Turf

ACC approval is required. Nonvegetative turf grass is approved for backyard only. The total artificial turf area may not exceed the requirement that a minimum of 50% of the permeable lot surface area must be living ground cover. Refer to the Landscaping Guidelines available on the website or in the HOA office.

2.9 Awnings

ACC approval is required. The color must be the same as or generally recognized as a complementary color to the exterior of the residence as approved by the ACC.

2.10 Balconies – See Decks

2.11 Basketball Backboards

ACC approval is required. Can be garage mounted with backboard painted to match home or if backboard is painted a standard white.

Location of a permanent or fixed freestanding, pole-mounted backboard in front or back yard is subject to ACC approval.

2.12 Bay Windows – See Windows

2.13 Boats – See Vehicles

2.14 Brick

ACC approval to add or remove is required. Must maintain proportion of brick to siding.

Painted or stained brick subject to approval. See also *Painting*

2.15 Cable TV Antenna – See Antennas/Satellite Dishes

2.16 Campers – See Vehicles

2.17 Carport

Carports are not approved.

2.18 Chimneys and Fireplaces

ACC approval is required. Chimney chase to be brick and/or siding enclosed on the outside with venting through the roof. Venting out the front of the house is not approved.

2.19 Circular Drives

Circular driveways are not approved.

2.20 Clotheslines and Hangers

ACC approval is required for temporary clotheslines or clothes drying structures in the backyard. Permanent clotheslines are not approved.

2.21 Cloth or Canvas Overhangs – See Awnings

2.22 Compost Bins

ACC approval is not required. Compost may not be kept, stored or allowed to accumulate on any lot except within an enclosed structure, or in a recyclable compost bin appropriately screened from view.

Homeowner consideration should be made to potential odors to adjacent neighbors and open space. See *Trash Containers & Enclosures*

2.23 Decks

ACC approval is required. Must be wood or composite material similar to or compatible with the material of the residence, and if painted, a similar or generally accepted complementary color to the residence. No metal brackets in view. Must be installed as an integral part of the residence and patio area. May not obstruct a view or create unreasonable noise for adjacent residence.

Railing material must be similar to or compatible with the deck material, and complementary in color to the residence. Horizontal railings or cables are not approved.

2.24 Dog Runs

ACC approval is required. They should be substantially screened from view and limited in size to 500 square feet and no more than five feet high in maximum height and constructed of wood and/or 2" x 2" wire mesh with wood posts and rails.

2.25 Doors

ACC approval is required for the painting, change or addition of screen or other entry doors to a home or an accessory building.

Front doors should be Traditional style paneled painted doors, with clear glass. Victorian, Art Deco or Craftsmen styles are not approved. Door and sidelight window grids must be external or simulated grids the same color as door. Refer to materials in the HOA office or on the HOA website for approved doors and sidelights. Stained doors on monochromatic-painted homes only.

Patio Doors should be sliding or swing. Bi-fold doors are not approved.

Screen or storm door trims must be painted the same color as door. No decorative elements. Plain glass inserts. Retractable screen doors may be considered.

2.26 Drainage

There should be no interference with the established drainage pattern over any property except as approved in writing by the ACC. The established drainage pattern means the drainage pattern as engineered and constructed by Sanford Homes Incorporated prior to (or in some cases, immediately following) conveyance of title from Sanford to the individual homeowner.

When installing your landscaping, it is very important to ensure that water drains away from the foundation of the house and that the flow patterns prevent water from flowing under or ponding near or against the house foundation, walkways, sidewalks, and driveways. Water should flow fully over walkways, sidewalks, or driveways into the street. The ACC may require a report from a drainage engineer at the homeowner's expense, as part of landscaping or improvement plan approval. Landscaping should conform to the established drainage pattern. See also *Landscape*

2.27 Driveways

Replacement, extension or expansion of driveways requires ACC approval. Circular driveways are not approved. Material will be standard gray concrete.

2.28 Dumpsters

Pods and dumpsters for construction purposes must be stationed in the driveway and may not be at residential property for more than 7 days. If dumpster is needed for longer than 7 days, ACC approval is required. See also *Construction Period Regulations*

2.29 Emergency Vehicle Parking

Any homeowner whose current employment as an emergency services provider or status as a volunteer fireman requires the parking of an emergency vehicle within the community at specified hours may do so provided that;

- a) the vehicle weighs less than 10,000 pounds,
- b) the vehicle properly displays an official emblem, and
- c) the parked vehicle does not obstruct normal or emergency access to the neighborhood.

2.30 Evaporative Coolers

Evaporative coolers are not approved.

2.31 Exterior Lighting – See *Lights and Lighting*

2.32 Fences

A. General Statement

Perimeter fences constructed by the Homeowners Association may not be removed, replaced, painted a different color or altered, including adding a gate. Removal for temporary access is prohibited. Perimeter fences facing open space or greenbelts originally constructed by Sanford Homes as split rail fences are the responsibility of the homeowner and must remain split rail. Any other private fences and/or walls are the responsibility of the homeowner.

B. Drainage under Fencing

It is important to remember that certain drainage patterns may exist along or under proposed fence locations. When constructing a fence, be sure to provide for a space of 2" to 3" between the bottom of the fence and the ground elevation so as not to block these drainage patterns.

C. Fences Requiring ACC Approval

Any fence improvement or replacement will require ACC approval.

1) **Split-rail fencing** - Height limitation will be 36" for 2-rail and 48" for 3-rail.

Fencing of entire front yard is not approved.

2) **Privacy fencing** - Height limitation is 6 feet. Pickets must be vertical and placed at least 18" from public sidewalk.

3) **Chain-link or wire property line fencing** - Chain-link or wire fencing which includes fabric mesh fencing, metal posts and rails of any type or design are not approved.

4) **Fences located within property line** - (Not considered a property line fence) Must be an integral part of the landscape design.

The ACC will look favorably upon fences which are similar to those initially constructed within Homestead in the Willows by the Association or Sanford Homes Incorporated with the distance between posts or pilasters being the same, and using similar materials and colors. No plastic, chicken wire, barbed wire or strand wire or will be allowed. However, welded wire with 1" x 2" or 2" x 2" wire spacing will be allowed placed over split-rail fencing not to exceed the height of the top rail.

Wood material used for any fence may be unstained cedar or redwood, or other rough sawn materials stained with an approved color to match adjacent fencing. Composite material matching the color and style of the neighborhood perimeter fence may also be considered. All property line fence height differentials must be treated with a section of transition fence. As to lots with a slope rising away from the house, the ACC will consider a privacy fence located on the property line at the top of the slope, or a 3'6" open fence on the property line at the top of the slope. In this case a landscaping and maintenance plan for the slope area may be required by the ACC.

2.33 Fire Pits

ACC approval is required. Must be located in the backyard and be an integral part of the patio or backyard landscaping.

2.34 Firewood Storage – See *Wood Storage*

2.35 Flags and Flagpoles

Free standing flagpoles are not approved.

Flags may be displayed either in a window of the Property, or on a wall-mounted flag holder (no longer than 6' in length) affixed directly to the home or on a deck adjoining the Property. No more than one flag may be displayed on any Lot at any time. Flag dimensions may be no larger than 3' x 5'. Flags must be professionally designed and/or lettered. No lighting may be associated with a flag display.

United States Flags must be displayed according to U.S. Flag display guidelines.

No flags of any kind may be placed on the Common Areas and Streets without prior authorization from the Association.

2.36 Garage Doors

ACC approval is required. Garage doors should be square or horizontal panels. Doors and garage window mold/grids must be painted to match the house body color. Strap or other style hinges and vertical paneled styles are not approved. Refer to

materials in the HOA office or on the HOA website for approved doors.

2.37 Garbage Containers and Enclosures – See *Trash Containers and Enclosures*

2.38 Gardens – Flower

ACC approval is not required. All flower gardens must be weeded, cared for and carefully maintained. Artificial flowers in ground, pots, or window boxes are not approved.

2.39 Gardens – Vegetable

ACC approval is required for front and side yard vegetable garden beds. Must be no larger than 6'x4' and maximum height no more than 2' from ground. Container must be complimentary to residence in materials and design and color. Wire or fencing not approved.

2.40 Gazebos/Pergolas

ACC approval is required. Must be an integral part of the landscape plan. Must be similar in material and design to the residence and the color must be the same or a complementary color to the exterior of the residence. Decorative black metal brackets are not approved. See also *Accessory Buildings*

2.41 Grading and Grade Changes – See *Drainage*

2.42 Greenhouses

Greenhouses are not approved.

2.43 Hot Tubs

ACC approval is required. Must be an integral part of the deck or patio area or the rear yard landscaping. Must be installed in such a way that it is not immediately visible to adjacent property owners and that its use does not create an unreasonable level or noise for adjacent property owners.

2.44 Inoperable Vehicles

No abandoned or inoperable vehicle of any kind shall be stored, parked or repaired on any Lot unless it cannot be seen from any street or other Property. An abandoned or inoperable vehicle shall be defined as any vehicle which has not been driven under its own propulsion for a period of 72 hours or longer, or which does not

have an operable propulsion system installed therein or which is not then currently licensed and registered; provided however, that otherwise permitted vehicles parked by homeowners while on vacation or during a period of illness, shall not be deemed to be abandoned.

2.45 Irrigation Systems

Underground manual or automatic irrigation systems will not require approval of the ACC, unless part of xeriscaping plans.

2.46 Jacuzzi – See *Hot Tubs*

2.47 Kennels – See *Dog Runs*

2.48 Landscape – Changes

ACC approval is required. Drawings or plans should be done to scale and shall depict property lines of the Lot and the outside boundary lines of the home as located on the Lot. All organic materials (plants, shrubs, trees, etc) and building materials (stone, wood, edging, etc) must be clearly labeled in detail.

Irrigation plans shall be included for all xeriscaping plans. A minimum of 50% of the permeable lot surface area (ie- whatever is left after sidewalk, driveway, porch, patio) must be living material. Any landscaping redesign that incorporates contour changes, structural additions, or alterations will require the submission of an application and approval.

Visible edging must consist of natural rock, railroad ties and other natural materials, or cement edging and/or stamped concrete to look like brick or rock with matte or dull sealer.

With any changes damaging HOA property, the homeowner is financially responsible to bring HOA property back to its original condition, working through the HOA. Access through HOA greenbelt fencing is prohibited.

2.49 Landscape – Maintenance

Homeowners are responsible for reasonable maintenance of their front, side and back yards. Landscaping, including lawns, should be sufficiently cut, pruned, weeded and watered to sustain property values and a pleasing

environment for neighbors. Debris and dead foliage (bushes, branches or trees) should also be removed from the property. Watering restrictions imposed by an official water authority supersede normal community landscape maintenance requirements. After the official cessation of drought restrictions, homeowners are allowed 60 days to restore drought-impaired plantings and sod; extensions will apply for intervening fall and winter months. HOA greenbelts are to be used as the standard.

2.50 Latticework

ACC approval is required.

2.51 Lawn Ornaments

ACC approval is not required if installed in rear yard and of a height less than three 3 feet. Small front yard ornaments less than one 1 foot in height do not require approval, if ornament is at ground level, and color and design integrate into landscape. Temporary seasonal ornaments are exempt, but must be removed within thirty days after the conclusion of the holiday or seasonal event.

2.52 Lights and Lighting

ACC approval is required for all exterior lighting in accordance with the following guidelines: exterior lights must be conservative in design and be as small in size as is reasonably practical. Exterior lighting should be directed towards the house and be of low wattage to minimize glare sources to neighbors and other homeowners. Lighting for walkways generally should be directed to the ground. Lighting fixtures should be dark colored so as to be less obtrusive. Low voltage lighting offers safety advantages over conventional house-voltage systems.

2.53 Microwave Dishes – See *Antennas/Satellite Dishes*

2.54 Motor Homes – See *Vehicles*

2.55 Overhangs – See *Awnings*

2.56 Painting

ACC approval is required for any and all exterior painting. Approved paint shades may be color-matched from Benjamin Moore, Sherwin

Williams or similar suppliers. Colors darker than approved home body colors on HOA color boards are not allowed.

Brick may be painted or stained with ACC approval only.

Refer to the Paint guidelines available on the HOA website and at the HOA office.

2.57 Patios – Enclosed (back of home) – See *Additions and Expansions*

2.58 Patios – Open (back of home)

ACC approval is required. Must be an integral part of the landscape plan. Must be similar or generally accepted as a complimentary color and design of the residence.

Patio covers must be constructed of wood or material generally recognized as complimentary to the home and be similar or generally recognized as complementary in color to the colors in the home. Posts must be no larger than 6”x6” and must be painted the trim color and wrapped at the top and bottom. No metal brackets. Free-standing patio covers may be permitted as well as extensions of the roof. All patio covers shall be roofed to match the existing residence. See also *Roofing*

2.59 Paving

ACC approval is required for walks, driveways, patio areas, or other purposes and regardless of whether concrete, asphalt, brick, flagstones, stepping stones, pre-cast patterned or exposed aggregate concrete pavers are used as the paving material.

2.60 Pipes – See *Utility Equipment*

2.61 Play and Sports Equipment

ACC approval is required. The equipment must be reasonable for the space and any colored pieces or surface areas should be natural colors of green or brown. A drawing of the location must be submitted and consideration will be made for views and impact to adjacent neighbors.

2.62 Pods – See *Dumpsters*

2.63 Poles – See *Flags and Flagpoles, Utility Equipment, Basketball Backboards*

2.64 Pools

ACC approval is required. Inground pools must be reasonable for the space and minimize impact on neighbors. Above ground pools are not approved.

See also *Hot Tubs*

2.65 Porch (front of home)

ACC approval is required. Must be similar or generally accepted as a complimentary color and design of the residence. Must be concrete floor. Posts must be square and to scale, no bigger than 6"x6", painted trim color. Metal caps must be wrapped and painted to match. No metal brackets. Roofing material must match home.

Any railing material must be vertical wood, composite, or black wrought iron with 2" square posts or spindles/balusters. Powder coated steel may be bronze, black or white in color. Plastic material, round posts and glass inserts are not approved. No horizontal railings or cables approved.

2.66 Radio Antennae – See *Antennas/Satellite Dishes*

2.67 Radon

ACC approval is required. Radon mitigation systems shall be installed with emphasis on being as unobtrusive as possible to the community. Equipment is to be painted to match or blend with the major portion of the house equipment is installed against.

2.68 Roofing

ACC approval is required. All residential structures shall be: (1) roofed and re-roofed with minimum #1 grade red cedar shakes, hand split, 1/2" or 3/4" and re-sawn "blue label certisplit" mediums 24" long x 1/2" thick with 10" exposures; or (2) roofed with man-made shingles that have been approved by the ACC. The ACC does not approve asphalt laminate products of less than three layers (tri-cut) or metal roofing.

Homeowners are responsible for ensuring that only approved products are installed.

Refer to the Roofing guidelines available on the HOA website and at the HOA office.

2.69 Saunas – See *Accessory Buildings*

2.70 Screen Doors – See *Doors*

2.71 Sewage Disposal Systems

ACC approval is required. Cesspools, septic tanks or other non-central systems other than recycling systems are not approved.

2.72 Sheds

ACC approval is required. Sheds should be attached to the home so as to appear as an addition, not a "lean-to." Must be constructed of wood or brick matching the materials used on the exterior of the home, including siding, roofing, doors and trim. Must be the same colors as the exterior of the home.

2.73 Shutters – Exterior

ACC approval is required. Wood with individual louvers or slotted vanes, horizontal mullion, and straight-edged. Painted an approved color. Joined Board & Batten with 3-4 vertical panels and 2 horizontal panels allowed. Must be proportionate to windows so that each shutter, if closed, would cover half of the window.

Vinyl shutters, narrow shutters not proportionate to windows, cathedral arches and cut-out designs are not approved.

Refer to the Shutter guidelines available on the HOA website and at the HOA office.

2.74 Siding

ACC approval is required. Wood lap or existing wood shingle siding, with a minimum of 5" or maximum of 8" reveals on laps. Manmade product that retain wood look or cement composite material such as James Hardie also approved. Metal, vinyl and plastic siding are not approved.

2.75 Signs

ACC Approval is required. Signs may be

displayed on property wholly-owned by the Owner or in a window of a property. No more than one sign per Lot may be displayed at any given time. Signs may be no larger than 18” x 24” and must be professionally designed and lettered and cannot include any lighting or illumination. Lettering and advertising on a vehicle count as a “sign” if lettering or graphics cover an area greater than 18” x 24”.

No signs of any kind may be placed on the Common Areas and Streets without prior authorization from the Association.

2.76 Skylights

ACC approval is required.

2.77 Solar

ACC approval is required. Upon review, the ACC may impose reasonable restrictions in accordance with Colorado law while maintaining neighborhood aesthetics.

2.78 Spas – See *Hot Tubs*

2.79 Sprinkler Systems – See *Irrigation Systems*

2.80 Storage-Sheds – See *Sheds*

2.81 Sunshades – See *Awnings*

2.82 Swamp Coolers

Swamp coolers are not approved.

2.83 Swing Sets – See *Play and Sports Equipment*

2.84 Television Antennae – See *Antennas/Satellite Dishes*

2.85 Temporary Vehicles – See *Vehicles; Inoperable Vehicles*

2.86 Trailers – See *Vehicles*

2.87 Trash Containers and Enclosures

ACC approval is required. Refuse, garbage, trash, lumber, grass, shrub or tree clippings, plant waste, compost, metal, bulk materials, scrap, refuse, or debris of any kind may not be kept, stored, or allowed to accumulate on any lot except within an enclosed structure,

appropriately screened from view or in a recyclable compost bin (except that a container for such materials may be placed outside at such times as may be necessary to permit garbage or trash pickup).

2.88 Tree Houses

Tree Houses are not approved.

2.89 Underground Installations

ACC approval is required.

2.90 Utility Equipment

Installation of utilities or utility equipment does not require ACC approval.

2.91 Vanes – See *Wind Vanes and Directionals*

2.92 Vehicles

Oversized vehicles, including but not limited to campers, campers not on a truck, boats, motor homes, horse trailers, tractors, panel trucks and trucks other than pickup trucks, or other “unattended vehicles” may not be stored or parked on the property in such a manner as to be visible from any other property for longer than 48 hours in the same place or general area. Such vehicles may be kept only within garages or enclosed structures approved by the ACC or within areas if any, which may hereafter be designated by the Community Association for storage and parking of such vehicles. Refer to Governing Legal Documents, Article VII, Section 1, Paragraph B.

2.93 Vents

Venting out of the front of the house is not approved.

2.94 Walls – Retaining

ACC approval is required.

2.95 Wind Vanes and Directionals

ACC approval is required.

2.96 Window Boxes

ACC approval is required. Must be consistent with trim or accent color.

2.97 Window Replacement

ACC approval is required. Windows may be

rectangular wood, composite or vinyl windows with white, rectangular grids. Grids required on the front and side windows of the home. Minimum number of panes 4 for the top and 4 for the bottom on small windows.

Bay windows and picture windows without grids are allowed. Brickmold to be a maximum of 3 ½ inches with mitered corners. Decorative grids, slider-type windows and glass block are not approved.

2.98 Wood Storage

ACC approval is not required. Must be located on the side or in the backyard, screened from public view, adjacent to the house, must be neatly stacked and must not be located so as to block any existing drainage pattern on the lot.

III. PROCEDURES FOR ACC APPROVAL

3.1 General

Prior written approval by the ACC is required before an Improvement to Property is commenced. This section of the Guidelines explains how such approval can be obtained.

3.2 Applications for Changes

Homeowners should submit to the ACC a completed application and receive approval prior to the start of work on any project. Application should include descriptions, surveys, site plans, elevation drawings, construction plans, specifications and samples of materials, current photos of the property/house and colors. The ACC may reasonably request the nature, kind, shape, height, width, color, materials and location of the proposed change(s).

In the case of major improvements, such as room additions, structural changes or accessory building construction, detailed plans and specifications prepared by a licensed architect are required. The following guidelines should be followed in preparing drawings or plans:

A) The drawing or plan should be done to scale and should depict the property lines of your lot and the outside boundary lines of the home as located on the lot. If you have a copy of an

improvement survey of your lot obtained when you purchased it, this survey would be an excellent base from which to draw.

B) Existing elements such as driveways, walks, decks, trees, bushes, etc. should be shown on the drawing(s). Current photos of the property/house are required.

C) The proposed improvements should be shown on the plan and labeled. Either on the plan or attachment, there should be a brief description of the proposed improvement, including the materials to be used and the colors.

D) The plan or drawing and other materials should show the name of the homeowner, the address of the home and a telephone number where the homeowner can be reached.

3.3 Submission of Drawings and Plans

A copy of the drawings or plan should be attached to an application form and submitted to the ACC. The Association will log in your application with the date received. A copy of the application will be returned to you after the ACC has acted, showing the ACC's decision. The original application and any associated information or documents will be kept for the ACC's permanent records.

3.4 Review Fee

The ACC may maintain a fee structure for applications. In certain cases when the ACC requires professional review of plans or drawings, an additional fee may be charged to cover the cost of such professional's fees.

3.5 Action by ACC

The ACC will meet regularly to review all plans submitted for approval. At least two ACC members will review the application. The ACC will contact the homeowner by phone, email or letter if the ACC requires additional materials, information, or has any suggestions for change. The ACC must act on the plans within 30 days after receipt of all materials requested by the ACC.

3.6 Prosecution of Work

An approved application should be acted upon as

promptly and as diligently as possible in accordance with the approved plans and description. Under this provision, the work must be completed, in any event, within one year after approval is obtained. The ACC has the right to inspect the work and the right to file a notice of noncompliance where warranted.

3.7 Construction Progress Review

Any member of the ACC may periodically visit the construction site to monitor compliance with the approved plans and construction period regulations. Items of non-compliance must be immediately corrected or removed by the homeowner. Absence of such inspection or notification during the construction period or upon completion of the work does not constitute either ACC approval of work in progress or completed work or compliance with these Residential Improvement Guidelines.

3.8 Project Completion Review

The Owner shall inform the ACC in writing within 30 days of final completion of the work and provide photos of the completed work. The ACC will conduct a review of the final construction to ensure that the improvements are substantially in accordance with the approved plans. Non-conforming improvements shall be promptly removed or corrected by Owner.

3.9 Rights of Appeal

An Owner may appeal the ACC's denial of an application at a scheduled hearing. An appeal must be made to the ACC first, and can continue to the HOA Board if there is still an issue. Appeal process instructions may be found on the HOA website.

3.10 Questions

If you have any questions about the ACC's procedures, call or email the Committee at the phone number or email address listed in the introductory part of these Guidelines.

3.11 Waivers of Strict Application

A waiver of strict application, in whole or in part, of any provision of these Residential Improvement Guidelines or the Declaration, shall not be deemed a waiver at any other time of

any other requirement of the Residential Improvement Guidelines or the Declaration.

3.12 Limitation of Liability

The ACC shall not be responsible for reviewing, nor shall its approval of an improvement be deemed approval with respect to:

1. The requirement of any jurisdiction to obtain building permits or the satisfaction of applicable building codes;
2. Structural integrity or the existence or absence of design defects;
3. The existence or absence of construction defects;
4. The quality of construction; or
5. The effect of the improvement on other improvements or alterations to the property.

Approval by the ACC is made in reliance on the Applicant having consulted with, and obtained advice from, such engineers, architects, contractors and other professionals as Applicant deems appropriate or necessary, with respect to construction of the improvements, including without limitation, soils, structural, drainage, construction quality, permitting, safety and aesthetic matters.

Neither the ACC, the Association, the Board, nor any of their respective individual members, employees, agents, or representatives shall be liable for any loss, damage or injury arising out of or in any way connected with the performance and duties of the ACC unless due to the willful misconduct or bad faith of the party to be held liable. Every Owner or other person who submits plans to the ACC for approval agrees, by submission of such plans and specifications, that they will not bring an action or suit against the ACC, the Association, the Board, or any of their respective individual members, employees, agents, or representatives based on mistake in judgment, negligence, or nonfeasance arising out of, or in connection with, the approval or disapproval or failure to approve any plans or specifications.

3.13 Enforcement

These Residential Improvement Guidelines may be enforced by the Association in any manner allowed at law or in equity, including without

limitation, imposition of fines and enforcement of other established penalties following notice and hearing; seeking injunctive relief through court action to prohibit the commencement or continuation of improvements not previously approved or seeking damages through court action; the recovery of attorney's fees as permitted by law; filing a lien against the Owner's property for all amounts owed; and pursuing legal action to collect all amounts owed. Failure by the Association to enforce these Residential Improvement Guidelines, or any provision contained herein, shall in no event be deemed a waiver of the right to do so thereafter.

IV. CONSTRUCTION PERIOD REGULATIONS

4.1 Compliance with Guidelines

Applications must be submitted by the homeowner. All correspondence will be between the ACC and the homeowner. During construction of improvements, all Owners and their contractors must abide by these Residential Improvement Guidelines, including specifically, these Construction Period Regulations. Owners must ensure that their contractors are familiar with applicable provisions of these Residential Improvement Guidelines.

4.2 Construction Limits

At the discretion of the ACC, and subject to the size and nature of the Improvements to Property being planned, the ACC may require the Applicant to include the location of construction material storage, limits of work, dumpster, utility trenching and the duration of each.

4.3 Construction Trailers, Temporary Structures, Debris and Trash Removal

Temporary construction trailers or structures and trash containers are subject to prior approval of the ACC. All trash and construction debris must be contained within the construction site, and must be picked up daily. See *Dumpsters, Temporary Structures, Trash Containers and Enclosures*

4.4 Excavation

Excavation material shall not be placed in

common areas, roads, against HOA fencing or on other sites. Excess excavation material shall be disposed of by the Owner in an authorized location. Construction may not gain access to a home or property through HOA fencing.

4.5 Daily Operation

All construction on the exterior of a residence shall occur no earlier than 7:00 a.m. and no later than 7:00 p.m. Mondays through Saturdays. No exterior construction work is permitted on Sundays. A variance may be requested for short duration projects or non-commercial construction by the Owner.

4.6 Dust, Noise and Odor

Every effort shall be made to control dust, noise and odor emitted from a construction area. Radios or other such devices may be played at a volume that does not disturb adjacent Owners. The Owner and his contractor are responsible for watering dusty areas to minimize dust leaving the construction site.

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End of Guidelines