

# **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](mailto: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](http://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](http://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](http://www.colorado811.org) or calling 811 or toll-free 1-800-922-1987.

When you obtain services for utility notification, a notice is sent to the HOA office regarding the locate services. The ACC will follow up to verify submission of any required application as a result.

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 may 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, an application should be submitted.**

2.2 **Accessory Buildings** – See *Storage Additions*

### 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 elements and materials to be used.

### 2.4 Address Numbers

ACC approval is not required so long as the following conditions under these guidelines are met: Individual numbers must be traditional metal and no taller than 7” in height. If mounted on backing, overall size may be no bigger than 18” in length x 10” in height. Must be visible from the street for emergency services, yet need to be of scale and style as to be complimentary to the home and community.

2.5 **Advertising** – See *Signs*

### 2.6 Air Conditioning Equipment

ACC approval is not required so long as the following conditions under these guidelines are met: Air conditioning equipment may only be installed in the side or back yard, and should not be immediately visible to adjacent property owners or from the street. It should be installed

in such a way that any noise to adjacent property owners is minimized. Installation of air conditioning equipment on the roof or in a window is not approved.

Landscaping and screening of the unit is required and is subject to ACC approval.

### 2.7 Antennas/Satellite Dishes/TV and Radio Antennas

*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. ACC approval is not required so long as the following conditions under these guidelines are met: 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.

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 also *Decks*

Juliet balconies on windows not approved.

#### **2.11 Basketball Hoops/Sport Courts** – See also *Play/Sports Equipment/Trampolines*

ACC approval is required. Garage-mounted backboards, painted to match home or backboard painted a standard white.

Location of a permanent or fixed freestanding, pole-mounted backboard in front yard, or a sport court in the backyard, may also be considered by ACC for approval. A drawing of the location must be submitted and consideration will be made for views and impact to adjacent neighbors.

**2.12 Bay Windows** – See *Windows*

**2.13 Boats** – See *Vehicles*

**2.14 Brick**

ACC approval to add or remove brick is required. New brick must match existing brick. Must maintain proportion of brick to siding.

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

**2.15 Campers** – See *Vehicles*

**2.16 Carports**

Carports are not approved.

**2.17 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.

**2.18 Circular Drives** – See *Driveways*

**2.19 Clotheslines and Hangers**

Permanent installation of clotheslines and hangers are not approved.

**2.20 Cloth or Canvas Overhangs** – See *Awnings*

**2.21 Compost Bins**

ACC approval is not required so long as the following conditions under these guidelines are met: 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 also *Trash Containers* and *Trash Enclosures*

**2.22 Decks**

ACC approval is required. Decks may be installed as an integral part of the residence on the back of house only. 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. Any metal brackets must match color of structure installed against. 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.

**2.23 Dog Runs**

ACC approval is required. Design should be substantially screened from view behind privacy fence and limited in size to 250 square feet and no more than 4' in height. Must be constructed of wood and/or 2" x 2" wire mesh with wood posts and rails.

**2.24 Doors**

ACC approval is required to change or paint any of the below.

- 1) **Front Doors** - should be traditional style paneled painted doors, with clear or seeded glass. Victorian, Art Deco or Craftsmen styles are not approved. Door and sidelight window grids must be external and the same color as door. Stained doors on monochromatic-painted homes only.
- 2) **Patio Doors** - should be sliding or swing. Bi- and multi-fold doors are not approved.
- 3) **Screen or Storm Doors** – May only be black or white and front door must be painted to match, including trim. No decorative elements. Plain glass inserts. Retractable screen doors may be considered.

**2.25 Drainage**

There should be no interference with the established drainage pattern over any property. 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*

## 2.26 Driveways

ACC approval is not required so long as the following conditions under these guidelines are met: All new or replacement driveways may contain 1 or 2 vertical control joints. In no case should the *width* of an individual driveway slab be less than 6' each. If installing 2 vertical control joints, the *length* of each driveway slab may not be less than 7'. Depending on the total length of your driveway, this may require slabs longer than 7 feet to maintain consistency.

All driveway slabs must be uniform in size to remain proportional to the home. No uneven or odd-sized slabs at either end of the driveway.

Must use standard gray concrete, no pattern or other materials. If brushed, must all be horizontal.

A before and after photo must be provided with a Notice of Exterior Change.

ACC approval is required to extend or expand your driveway. Circular driveways are not approved.

## 2.27 Dumpsters

ACC approval is not required. 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, see also *IV. Construction Period Regulations*

## 2.28 Emergency Vehicle Parking

ACC approval is not required so long as the following conditions under these guidelines are met: Any homeowner whose current employment as an emergency services provider or status as a volunteer firefighter 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.

## 2.29 Evaporative Coolers

Evaporative coolers are not approved.

## 2.30 Exterior Lighting – See *Lights and Lighting*

## 2.31 Fences – See also *Trash Enclosures*

### A. General Statement

Perimeter fences constructed by the Homeowners Association may not be removed, replaced, painted a different color or altered. ACC approval is required to add 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.

No materials such as rocks, gravel, mulch or dirt may be piled against the HOA Perimeter Fence. The fence line shall be kept clear of any landscaping materials, and any branches from trees or shrubs must be pruned away from the fence regularly.

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 in these locations, 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. Fencing of entire front yard is not approved.

**1) Split-rail fencing** - Height limitation will be 36" for 2-rail and 48" for 3-rail. Top cap plank is not approved. Welded wire with 1" x 2" or 2" x 2" wire spacing will be allowed to be placed along the interior of split-rail fencing not to exceed the height of the top rail.

**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 requires 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.

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. In this case, an additional landscaping and maintenance plan for the slope area may be required by the ACC.

#### 2.32 Fire Pits

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

#### 2.33 Firewood Storage – See *Wood Storage*

#### 2.34 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.

#### 2.35 Garage Doors

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

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

**2.37 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.

**2.38 Gardens – Vegetable**

ACC approval is required for front and side yard vegetable garden beds. Bed may 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.

**2.39 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. Any metal brackets must match color installed against.

**2.40 Grading and Grade Changes** – See *Drainage*

**2.41 Greenhouses**

Greenhouses are not approved.

**2.42 Gutters**

ACC approval is not required so long as the following conditions under these guidelines are met: Must be 5" K-style or half-round aluminum. Vinyl or plastic is not approved.

**2.43 Holiday Lighting and Décor**

Temporary seasonal décor is exempt from ACC approval; however, it must be removed within 30 days after conclusion of holiday. May not have year-round holiday lighting or décor.

**2.44 Hot Tubs/Spas**

ACC approval is required. Must be an integral part of the deck or patio area in rear of home. 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.

**2.45 Inoperable Vehicles**

No abandoned or inoperable vehicle of any kind shall be stored, parked or repaired on any Lot. 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.

**2.46 Irrigation Systems**

ACC approval is not required so long as the following conditions under these guidelines are met: System must be underground manual or automatic irrigation system. ACC approval is required if system installation or modification is part of xeriscaping plans.

**2.47 Jacuzzis** – See *Hot Tubs/Spas*

**2.48 Kennels** – See *Dog Runs*

**2.49 Landscaping – Changes**

ACC approval is required. Drawings or plans should be made 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.

Any changes resulting in damage to HOA property is the homeowner's financial

responsibility and must bring HOA property back to its original condition, working through the HOA. Access through HOA perimeter or greenbelt fencing is prohibited.

#### **2.50 Landscaping – 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. HOA greenbelts are to be used as the standard.

Mulch may not be used as a substitute for sod.

#### **2.51 Latticework**

Latticework is not approved.

#### **2.52 Lawn Ornaments**

See also *Holiday Lighting and Decor*

ACC approval is not required so long as the following conditions under these guidelines are met: if installed in rear yard and of a height less than three 3'. Small front yard ornaments less than one 1' in height do not require approval, if ornament is at ground level, and color and design integrate into landscape.

Lawn furniture on extended front porch or in front yards is not approved.

#### **2.53 Lights and Lighting**

See also *Holiday Lighting and Decor*

ACC approval is not required so long as the following conditions under these guidelines are met: exterior lights must be conservative in design and in proportion to the space where installed. Exterior lighting should be directed towards the house and be maximum 40W equivalent. Multi-colored LED is not approved.

Lighting fixtures should be dark colored so as to be less obtrusive.

Lighting for walkways generally should be directed to the ground.

#### **2.54 Mailboxes**

ACC approval is not required so long as the following conditions under these guidelines are met: Bottom of mailbox must be 41"- 45" from the ground, per USPS. Black or white standard post office box only, installed on wood or matching vinyl post.

#### **2.55 Motor Homes – See *Vehicles***

#### **2.56 Painting**

ACC approval is required for any and all exterior painting, even if requesting same colors currently on home. Preapproved paint shades may be color-matched from Benjamin Moore. Colors darker than approved home body colors on HOA color boards are not allowed.

Consideration for colors is based on architecture, color and type of brick, home model, accents, and roof color.

Brick may be painted or stained only with ACC approval. Must be opaque and include mortar.

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

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

#### **2.58 Patios – Open (back of home)**

See also *Decks*

ACC approval is required. Must be an integral part of the landscape plan. Must be similar or generally accepted as a complimentary color to the 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. Any metal brackets must match color of structure installed against.

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.

### **2.59 Paving**

See also *Driveways*

ACC approval is required for walks, patio areas, or other purposes, regardless of material.

### **2.60 Play/Sports Equipment/Trampolines**

ACC approval is required. Permitted in backyard only. 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. Nets must be maintained.

### **2.61 Pods – See *Dumpsters***

### **2.62 Poles – See *Flags and Flagpoles, Basketball Hoops/Sport Courts***

### **2.63 Pools**

See also *Hot Tubs/Spas*

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

### **2.64 Porches (front of home)**

ACC approval is required for any addition of or change to existing porch. 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 and wrapped at top and bottom. Any metal brackets must match color of structure installed against. Roofing material must match that on the 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.

### **2.65 Radon**

ACC approval is not required so long as the following conditions under these guidelines are met: Radon mitigation systems should be installed with emphasis on being as unobtrusive as possible to the community, on the side or back of home only. Equipment must be painted to match or blend with the major portion of the house that equipment is installed against.

### **2.66 Railings – See *Porch and Decks***

### **2.67 Roofing**

ACC approval is required for replacement. Material must be man-made shingles that have been approved by the ACC. Refer to the Roofing guidelines available on the website and at the HOA office.

Asphalt laminate products of less than three layers (tri-cut) and metal roofing are not approved. Homeowners are responsible for ensuring that only approved products are installed.

If repairing an existing cedar shake roof, must use 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.

### **2.68 Saunas**

ACC approval is required. Outdoor saunas not approved.

### **2.69 Screen/Storm Doors – See *Doors***

### **2.70 Sheds**

Freestanding sheds are not approved. See *Storage Additions*

### **2.71 Shutters – Exterior**

ACC approval is required. Must be wood with individual louvers or slotted vanes, horizontal mullion, straight-edges, and painted an approved color. Rails and stiles must all be the same width. 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.

Screw caps or holes may not be visible; must be filled and painted.

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

### **2.72 Siding**

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

If repairing, replacing or adding siding to only one portion of the home, it must match existing siding or the entire home must be replaced.

### **2.73 Signs**

ACC Approval is not required so long as the following conditions under these guidelines are met: 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.

Political signs are prohibited outright except during an election season, defined as the period from 45 days before an election to 7 days after the election.

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

### **2.74 Skylights**

ACC approval is required.

### **2.75 Solar**

ACC approval is not required. To the maximum extent possible, any solar panels shall be installed so as to minimize the exposure and impact to the community.

### **2.76 Spas – See Hot Tubs/Spas**

### **2.77 Sprinkler Systems – See Irrigation Systems**

### **2.78 Storage Additions**

ACC approval is required. Must be constructed of wood, brick or other materials matching the materials used on the exterior of the home and should be attached to the home so as to appear as an addition, not a “lean-to.” Must be of the same or complimentary architectural style and the same colors as that of the residence, including siding, roofing, windows, doors and trim.

### **2.79 Sunshades – See Awnings**

### **2.80 Swamp Coolers**

Swamp coolers are not approved.

### **2.81 Swing Sets – See Play/Sports Equipment/Trampolines**

### **2.82 Temporary Vehicles – See Vehicles and Inoperable Vehicles**

### **2.83 Trailers – See Vehicles**

### **2.84 Trampolines – See Play/Sports Equipment/Trampolines**

### **2.85 Trash/Trash Containers**

No Lot shall be used or maintained for rubbish, grass clippings, garbage or trash. Garbage and other waste shall be kept in toter-style trash containers or lawn/leaf bags. All containers for the storage or disposal of such material shall be kept in a clean and sanitary condition, and comply with all local, state or federal requirements.

All containers shall be obscured from public view by planting, fences or other means; except at such times as may be necessary to permit garbage or trash pickup.

### **2.86 Trash Enclosures**

See also *Fences*

ACC approval is required. All trash containers or bags must be appropriately stored and screened from view.

### **2.87 Tree Houses**

Tree Houses are not approved.

## 2.88 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 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.

## 2.89 Vents

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

## 2.90 Walls – Retaining

ACC approval is required.

## 2.91 Wind Vanes and Directionals

Wind Vanes and Directionals are not approved.

## 2.92 Window Boxes

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

## 2.93 Windows

ACC approval is required. Windows may be rectangular wood, composite or vinyl windows.

White, rectangular grids are required on the front and side windows of the home. Must have a minimum number of 4 panes for the top and 4 panes for the bottom on all windows.

Bay windows and picture windows without grids are allowed. Trim/Brickmold to be a maximum of 3 ½ inches. Corners must be finished and sealed, and can be mitred or flush. If flush, jambs must meet the header and footer and be the same width on all 4 sides.

Paint chips or color palette must be submitted with application to include casement, brickmold and trim.

Decorative grids, multi-fold, slider-type windows and glass block are not approved.

## 2.94 Wood Storage

ACC approval is not required so long as the following conditions under these guidelines are met: Must be located on the side or in the backyard behind privacy fencing or 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.

## 2.95 Xeriscape – See *Landscape – Changes*

### 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 **must** submit a completed application to the ACC and receive approval prior to the start of work on any project. Application **must** 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 and colors to be used.

D) The plan or drawing and other materials must show the homeowner's name, address of the property, email and telephone number where the homeowner can be reached.

### **3.3 Submission of Drawings and Plans**

A legible copy of the drawings or plan should be attached to an application form and submitted to the ACC. The Association will log the application with the date all information has been 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. In any event under this provision, the work must be completed within one year of approval, or a new application must be submitted. 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 project to ensure that the improvements are 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.

### **3.11 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. Applications submitted by contractors or realtors will not be accepted. 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 picked up daily. See *Dumpsters, Trash/Trash Containers* and *Trash 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.

**Revised September 2025**

***End of Guidelines***