

**Residential Improvement Design Guidelines  
For  
Copperleaf Homeowners Association, Inc.**

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# RESIDENTIAL IMPROVEMENT DESIGN GUIDELINES

## FOR

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## I. INTRODUCTION

- 1.1 **DEFINITIONS** - The following words, when used in these Guidelines, shall have the meaning hereinafter specified:
- A. **Association** - Shall mean Copperleaf Homeowners **Association**, Inc., a Colorado corporation not for profit, its successors and assigns.
  - B. **Committee** - Shall mean the Design Review **Committee**, duly appointed in conformance with Article 4, of the **Declaration** to review the erection, placement, and alteration of **Improvements to Property** in Copperleaf **Subdivision**.
  - C. **Common Area** - Shall mean all the real **Property**, including **Improvements** thereon, owned by the **Association** and/or the County of Arapahoe, including those portions of right-of-way that the **Association** may be obligated to maintain per approved Plat(s) for the **Subdivision(s)**, for the common use and enjoyment of the **Owners of the Properties**.
  - D. **Declarant** - Shall mean the **Declarant** as defined in the **Declaration** of Covenants, Conditions and Restrictions for Copperleaf Homeowners Association, Inc., Article 2, Section 2.16.
  - E. **Declaration** - Shall mean the **Declaration** of Covenants, Conditions and Restrictions for Copperleaf Homeowners Association, Inc. recorded in Arapahoe County, Colorado, on June 28, 2005, under Reception No. B5095145, as thereafter Amended and Supplemented.
  - F. **Improvement(s)** - Shall mean **Improvement(s)** as defined in the **Declaration** of Covenants, Conditions and Restrictions for Copperleaf Homeowners Association, Inc., Article 2, Section 2.22.
  - G. **Lot** - Shall mean any numbered plot of land shown upon any recorded subdivision plat of the **Properties** which is not designated as a common area.
  - H. **Open Space Lot or Major Drainageway Lot** - Shall mean a lot within Copperleaf **Subdivision** that backs or sides to an open space tract or major drainageway. (See Figure 7)
  - I. **Owner - Shall mean the recorded Owner**, including contract sellers, whether one or more persons or entities, of fee simple title to any lot or living unit situated upon the **Properties**.
  - J. **Property(ies)** - Shall mean all lots and common areas, developed or undeveloped, within the Copperleaf **Subdivision**, including those owned by other entities such as East Cherry Creek Valley Water and Sanitation District, Arapahoe Park and Recreation District, or Xcel Energy which are maintained by the **Association**.

K. **Subdivision** - Shall mean all Filings of the Copperleaf **Subdivision**, as well as all other areas that are annexed into the Copperleaf Homeowners **Association**, in accordance to the **Declaration**.

1.2 **GUIDELINES FOR THE DESIGN REVIEW COMMITTEE** - The **Declaration** requires prior approval by the **Committee** or its designated representatives before any building, fence, or other structure is erected, placed, or altered ("**Improvements to Property**"). **Improvements to Property** include, but are not limited to, any landscaping of **Property**; the construction or installation of a patio, deck, pool, hot tub; the construction, demolition or removal of any building or other structure; and any change of the exterior appearance of a building or other **Improvement**. The Guidelines contained herein establish certain acceptable designs for different types of **Improvements**. These Guidelines apply to residential **Property** in the **Subdivision**. The Guidelines are intended to assist the **Owners in the Association**. All proposed **Improvements to Property** must be submitted to the **Committee**.

1.3 **CONTENT OF GUIDELINES** - In addition to the introductory material, these 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 **Committee**; and

(C) figures showing approved designs for fences.

1.4 **EFFECT OF THE DECLARATION** - **Copies of the Declaration** are provided to new and resale **Owners** when they purchase their homes. Each **Owner** should receive and become familiar with the **Declaration**. Nothing in these Guidelines shall supersede or alter the provisions or requirements of the **Declaration's** provisions relating to the use of the **Properties**, and to **Improvements to Property**, which are found in Articles 3, 4 and 5 of the **Declaration**.

1.5 **EFFECT OF GOVERNMENTAL AND OTHER GUIDELINES** - Use of the **Properties** and **Improvements to Property** must comply with applicable building codes and other governmental requirements and Guidelines. Approval by the **Committee** will not constitute assurance that **Improvements** comply with applicable governmental requirements and Guidelines, or that a permit or approvals are not also required from applicable governmental bodies. For information about Arapahoe County requirements, **Owners must write or call the Arapahoe County Building Department**.

1.6 **INTERFERENCE WITH UTILITIES** - In making **Improvements to Property**, **Owners** are responsible for locating all water, sewer, gas, electric, telephone, cable television, irrigation lines, or other utility lines or easements. **Owners** should not construct any **Improvement** over such easements without the consent of the utility involved, and **Owners** will be responsible for any damage to utility lines. Underground utility lines and easements can usually be located by contacting the following entities:

Arapahoe County  
Xcel Energy  
IREA  
East Cherry Creek Valley Water and Sanitation District  
Qwest

Copperleaf Homeowners **Association**, Inc. (**Common Area** irrigation lines)

- 1.7 **GOAL OF GUIDELINES** - Compliance with these Guidelines and the provisions of the **Declaration** will help preserve the inherent architectural and aesthetic quality of the **Subdivision**. 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 **Committee** and neighbors will go far in creating an optimum environment which will benefit the **Owners**. By following these Guidelines and obtaining approvals for Improvements from the **Committee**, **Owners** will be protecting their financial investment and will help to promote **Improvements** that are compatible with the standards for the **Subdivision**.
- 1.8 **INTERPRETATION OF THE GUIDELINES** - The **Design Review Committee** shall interpret these Guidelines.
- 1.9 **ENFORCEMENT OF DECLARATION AND GUIDELINES** - The **Design Review Committee** shall have primary responsibility for the enforcement of the **Declaration** and Guidelines. The **Committee** will investigate written complaints of **Owners** on violations of **Declaration** or Guidelines if such complaints are dated and signed by the Owner. The Committee, the **Association** Board of Directors, and employees of the **Association** shall use all reasonable means to maintain the anonymity of complaining Owners. If a violation is found, the Committee, via the **Association=s** management company, will notify the Owner in violation, in writing, requesting that appropriate action be taken to maintain compliance. If the Owner in violation does not come into compliance with the **Declaration** or Guidelines after receipt of two written letters from the Committee, the Committee will request that the violation be referred to the **Association** Board of Directors for enforcement action.
- 1.10 **ADVISEMENT OF NEIGHBORS** - It is advised that Homeowners advise neighbors prior to submitting forms for changes or additions. In certain cases, the **Committee** may require adjacent neighbor comment and/or approval.

**II. SPECIFIC TYPES OF IMPROVEMENTS - GUIDELINES**

**2.1 GENERAL**

- A. The following alphabetical list covers a wide variety of specific types of **Improvements** or alterations which **Owners** and builders typically consider installing. Pertinent information is given as to each. Unless otherwise specifically stated, drawings or plans for a proposed **Improvement** shall be submitted to the **Committee**, and written approval of the **Committee** shall be obtained before the **Improvements** are made. Drawings or plans shall include dimensions, setbacks, roof slopes, and both elevation and plan views of all proposed expansions or additions. Applications for paint change must be accompanied by samples or chips of the colors to be approved, along with a written description of color schemes of adjacent homes. Drawings, plans and other color samples will be retained in **Association** files for future reference. If needed, the **Committee** will submit the request to the **Association** Board of Directors for its separate review and response. In some cases, where specifically stated, a type of **Improvement** is prohibited. **Improvements** not listed will require **Committee** approval.

**Requirements for selected improvements may differ in the various neighborhoods. These differences for specific neighborhoods are outlined in the relevant list of improvements that follow. Neighborhoods are designated on the map shown in Figure 7.**

- B. The architectural style of a proposed residence and any additions thereto shall be consistent with the style and character of the other single family residences built in the individual neighborhoods, per the opinion of the **Committee**.
- C. All building architecture must, at a minimum, meet all requirements of the Copperleaf Preliminary Development Plan No. 4 as approved in 2004, as may be amended, by the Arapahoe County Board of County Commissioners, as well as all requirements of each individual Final Development Plan, as appropriate. This requirement is imposed on all filings of the Copperleaf community, including Copperleaf Filing No. 1. In addition, the Association shall require that all residential units that ~~Back on~~ or ~~Side on~~, including but not limited to, any major arterial, minor arterial, major collector, minor collector, landscape tract owned or maintained by the **Association**, community park, school district facility, park or trails owned and maintained by Arapahoe Park and Recreation District, East Cherry Creek Valley Water and Sanitation District, school, or any open space area, etc. shall be designed and constructed with four-sided architecture. Four-sided architecture shall mean use of all required materials on all four sides of each residential unit.

- 2.2 **ADDITIONS AND EXPANSIONS** - **Committee** approval is required. Homeowners must use the "Accessory Building Request Form" when submitting an addition or expansion for approval. Additions or expansions to the home will require submission of detailed plans and specifications appropriate to the magnitude of the revision, including description of materials to be used, and plan and elevation(s) drawings showing dimensions, setbacks, roof slopes, etc. Additions and expansions must be of the same architectural style and color as that of the residence.
- 2.3 **ADDRESS NUMBERS** - requires **Committee** approval to relocate to a position different from that originally installed by the builder.
- 2.4 **ADVERTISING** - See signs.
- 2.5 **AIR CONDITIONING EQUIPMENT** - **Committee** approval is required. Air conditioning equipment, including swamp coolers, must be ground-mounted and installed in the rear or side yard and must be screened from the street right-of-way with either fencing or shrubbery. Installation of air conditioning equipment, including swamp coolers, on the roof of the house or in a window of the house will not be permitted. Garage fans and attic fans are permitted provided they are installed on the interior of the home and any associated vents or louvers are painted to match roof shingles.
- 2.6 **ANIMALS** - Under Article 3, Section 3.13 of the **Declaration**, no animals, livestock or poultry of any kind shall be raised, bred or kept on any part of the **Properties** or in any living unit, except that not more than three (3) dogs, cats or other household pets in the aggregate may be kept on any lot or in any living unit thereon or on the Common Area, but only if they are not raised, bred, kept or maintained for any commercial purpose. No horses shall be kept on the **Property**. Dogs, cats or other household pets owned by **Owners** or their guests shall not be permitted to run at large, but shall be kept under the control of such **Owner** by leash, cord or chain. The **Owner** of any dog, cat or other household pet shall immediately remove



excrement deposited by said animal upon the **Properties**. Arapahoe County ordinances also restrict the activities of dogs, cats and other animals when off **Owners'** lots.

2.7 **ANTENNAS** - The **Association** has adopted rules, regulations and restrictions for the installation and maintenance of exterior antennas in the community in compliance with the FCC Rule which became effective October 4, 1996 as amended as follows:

- I. Permitted Types of Antenna
  - A. Installation of any DBS (direct broadcast satellite) satellite dish that is one meter or less in diameter, MMDS (multichannel multipoint distribution service wireless cable) antenna that is one meter or less in diameter or diagonal measurement, or television (TBS) antenna (collectively referred to as "antenna") is permitted.
- II. Antenna Location
  - A. The primary installation location for a DBS satellite dish and MMDS antenna shall be in a location in the backyard that is shielded from view from the street(s) and adjacent residences, provided such location does not preclude reception of an acceptable quality signal.
  - B. The secondary location: If the primary location prevents reception of an acceptable quality signal, the antenna shall be installed in a location that is shielded from view from the street(s) and adjacent residences, provided such location does not preclude reception of an acceptable quality signal.
  - C. A TV antenna shall be installed wholly within the physical structure of the residence so long as the signal received is substantially the same as the signal received by an outdoor TV antenna. If a TV antenna is installed outdoors it shall be installed in a location that is shielded from view from the street(s) and adjacent residences.
  - D. Installation of an antenna on any **Common Areas** as defined in the Declaration or **Property** not owned and under the exclusive use or control of the **Owner** is strictly prohibited.
  - E. Installation of any antenna designed to transmit radio, television, cellular, or other signals that does not also receive over the air video programming services as described in Paragraph I A is strictly prohibited.
  - F. Installation of any antenna not described in this regulations is subject to prior written approval of the Board of Directors and/or the **Committee**.
- III. Antenna Installation
  - A. Installation of an antenna permitted in Sections I and II above, shall be subject to the following:
    1. Wiring or cabling shall be installed so as to be minimally visible and blend into the material to which is it attached. If the antenna is installed on the side of a structure, the penetration of the wire or cable from the exterior to the interior of the residence shall be made as close as possible to the location

the antenna is attached to the siding and through existing penetrations for wire and cable, if available.

2. An antenna installed on the ground shall be screened from view from any street or adjacent **Lot** by a solid wood fence or appropriate landscaping.
  3. No antenna shall be placed in a location where it blocks fire exits, walkways, ingress or egress from an area, fire lanes, fire hoses, fire extinguishers, safety equipment, electrical panels, or other items or areas necessary for the safe operation of the **Association** or individual units.
  4. No antenna may obstruct a driver's view of an intersection or a street.
  5. Antennas mounted on masts are prohibited except where necessary for reception of an acceptable quality signal.
- 2.8 **ASTRO-TURF** - Or other carpet-type of floor covering shall not be used on front decks, front porches or balconies.
- 2.9 **AWNINGS** - See Overhang.
- 2.10 **BALCONIES** - See Decks.
- 2.11 **BASKETBALL BACKBOARDS** - **Committee** approval is required. If garage or pole mounted, backboard and support structure should be clear or neutral colored, unless otherwise approved by the **Committee**. Garage-mounted backboards in the front yard may not project more than two (2) feet from the front of the garage. Pole-mounted basketball backboards must have a black or galvanized removable steel pole and must be installed approximately midway along the driveway. Rims and nets on all types of basketball units must be maintained in a neat and clean appearance. Backyard concrete pads for basketball courts may not exceed seventeen (17) feet in any length or width. Temporary basketball backboards also are acceptable but must be placed in such a manner that they do not block sidewalks and pedestrian walkways and are not placed in streets.
- 2.12 **BIRDHOUSES AND BIRDFEEDERS** - a birdhouse or birdfeeder may only be installed in the back yard.
- 2.13 **BOATS** - See Motor Home Vehicles.
- 2.14 **BUG ZAPPERS** - If used, shall only be on while the **Owner** is outside in close proximity.
- 2.15 **BUILDING HEIGHT** - Only as regulated by Arapahoe County code and as approved and amended by the Board of County Commissioners for Arapahoe County on the Final Development Plan for the **Subdivision**.
- 2.16 **CABLE TV ANTENNAS** - See Antennas.
- 2.17 **CAMPERS** - See Motor Home Vehicles.
- 2.18 **CARPORT** - Not permitted.
- 2.19 **CIRCULAR DRIVES** - See Driveways.

- 2.20 **CLOTHESLINES AND HANGERS** - Only retractable clotheslines are permitted. All laundry must be removed by sundown and clothesline retracted.
- 2.21 **CLOTH OR CANVAS OVERHANGS** - See Overhangs.
- 2.22 **COLOR** - See Painting.
- 2.23 **CORNER VISIBILITY** - Compliance with Arapahoe County intersection sight distance criteria must be adhered to. In addition, to assist with aesthetics and to assist with front yard view on certain lots, owners of lots whose rear property lines are common to the side property line of adjacent lots are restricted to installing open-rail lot boundary fences on the side lot adjacent to the street or providing a sight visibility triangle, as required by Arapahoe County, sixteen feet (16') from the street right-of-way along the edge of the adjacent driveway, unless otherwise approved by the **Committee**.
- 2.24 **DECKS** - **Committee** approval is required. Must be constructed of wood or composite material matching the material of the residence and, if painted, must match the color scheme of the residence, unless otherwise approved by the **Committee**. Must be installed as an integral part of the residence and patio area. Decks shall not be used for storage other than patio furniture and barbecues. **Construction of decks over easement areas is not permitted.**

#### **Additional Deck Requirements for Spruce & Aspen Neighborhoods**

**Deck Columns** - Plans must show the exterior elevation including height above ground, designate materials and colors, and include dimensions. Columns supporting decks are required to be constructed from similar building materials as the home and be of an appropriate scale with a minimum width of twelve (12) inches. Wood and/or metal posts must be enclosed in a column. Railings must be included with the architectural submittals.

**Paint Requirement** - Except for the decking surface which may remain natural, no natural colored wood decks are permitted, unless otherwise approved by the **Committee**. Redwood decks are permitted as long as they are painted to match the color scheme of the residence. Composite materials, such as Trex, which require no paint must match or blend with the color scheme of the residence.

**Masonry** - may be used as a unifying design element on decks. Masonry may be natural or cut stone, synthetic stone veneer, brick, or similar masonry product. Stucco is acceptable as a masonry product, provided that the color matches the stucco color on the residence. Concrete block is not permitted. Stone masonry joints shall be held to a maximum width of one inch and shall be raked clean where appropriate. The use of large flat slabs of stone on columns shall be discouraged.

2.245 **DECK BOXES** - No outdoor storage sheds are permitted. As deck boxes are not classified as patio furniture, barbeques or storage sheds, guidelines will be set forth as to appropriate placement and size of these fixtures. The deck box will be constructed of gray, brown, or tan vinyl with a complimentary earth-tone colored lid. The Deck Box will be placed adjacent to the rear of the home. This is defined as next to the home and behind the home. To clarify this does not include the area on the sides of the home behind the fence. These structures are to serve as additional space to keep outdoor accessories. The size will be limited to 60 inches long, 30 inches high, and 30 inches deep. No LAIR is required for these Deck Boxes.

2.25 **DOG RUNS** - **Committee** approval is required. Dog runs must be constructed with fencing of the same design as approved in Section 2.32 or as otherwise approved by the **Committee**. Dog runs must be located in the rear or side yard, abutting the home and substantially screened from view. They are limited in size to five hundred seventy-five (575) square feet and cannot be higher than the lot boundary fence. Wood screening or mature landscape screening is required to hide a substantial view of the run. Dog runs must have double fence when next to any **Association** fence and may not use any **Association** fence as any part of the dog run fence.

**Additional Dog Run Requirements for Spruce & Aspen Neighborhoods:**

The required material for dog enclosures is open rail fencing. Where practical, invisible electric pet fencing is encouraged. Chain link dog runs will not be approved by the **Committee**. Dog runs in Spruce & Aspen Neighborhoods may not abut the rear or side property line of any lots bordering on parks, open space or trails.

2.26 **DOORS** - **Committee** approval is required for the addition of screen or other type doors to the front of a home. The material should match existing doors on the house, and the color should be the same as that of the existing doors on the house, unless otherwise approved by the **Committee**. Security doors or security window bars require **Committee** approval. Security window bars are not permitted in front yards, but may be permitted on the lowest level of back yards upon **Committee** approval.

2.27 **DRAINAGE** - All drainage devices, such as French drains, etc. must be approved in writing by the **Committee**. Approval shall not be granted unless provision is made for adequate alternative drainage. The established drainage pattern over any property cannot be changed without written permission from the **Committee**. All drainage directed to or across **Association** common property of **Association** maintained area must receive **Committee** approval; contact the Arapahoe County Public Works Department for assistance. Any change to the drainage flow, direction, manner, etc., may require County approval. A homeowner is strongly advised to consult with Arapahoe County on any project that may affect drainage. French drains, trench drains, or similar devices may not discharge into any **Association** property. If required by the **Committee**, drainage may be carried across **Association** property or County property via a **Committee**-approved mechanism at the homeowner's cost. Sites that drain directly to adjacent open space may have additional drainage restrictions imposed on the site by Arapahoe County. If you are unsure of these restrictions, please consult with Arapahoe County Public Works Department. See Section 2.49 for additional landscape requirements for lots abutting certain open space areas.

2.28 **DRIVEWAYS** - All driveways leading from the street to an **Owner's** home or **Property** are

to be constructed of permanent, properly formed, hard-surfaced paving (i.e., concrete with a four (4) inch minimum thickness). Modifications to the original driveway require **Committee** approval. Widening for the purpose of extra parking space is not permitted. Extensions to existing driveways may not be more than three feet (3') in width on either side. Extensions must be constructed of concrete, natural or artificial stone, or brick pavers. No asphalt extensions are acceptable. Driveways may not be painted.

2.29 **EVAPORATIVE COOLERS** - See Air Conditioning Equipment.

2.30 **EXTERIOR LIGHTING** - See Lights and Lighting.

2.31 **EXTERIOR MATERIALS** - The only acceptable exterior building materials are high-quality hardboard siding, high-quality state of the art brick, stone, stucco, or other harmonious materials utilized for accent or home details as approved by the **Committee**. Traditional exterior details such as front porches, gables, columns, bay windows, shutters, and window trim shall be used where appropriate if approved by the **Committee**. Colors shall be more of earthen tones and shall harmoniously blend to the visual benefit of the development.

2.32 **FENCES:**

A. **General** - Fences and/or walls/brick columns/entrance monuments constructed by developer and/or builder along or abutting **Property** lines, arterial streets, collector streets, local streets and loop lanes may not be removed, replaced, stained or painted a different color or altered, including adding a gate, without approval of the **Committee**. If any such fences and/or walls/brick columns/entrance monuments constructed by developer and/or builder which are located upon an **Owner's Property** are damaged or destroyed by **Owner** or **Owner's** agents, the **Owner shall repair and recondition the same at the Owner's expense**.

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 between the bottom of the fence and the ground elevation so as not to block these drainage patterns.

C. **Fence Design** - Fences may not be constructed without **Committee** approval. The recommended construction shall be in accordance with the specifications shown on Figures 1 through 4 attached and in compatibility with neighbors' existing fences. All Lot Boundary Fences must be a maximum of four feet eight inches (4'-8") high (Figures 1 & 2). Such lot boundary fences may only be open flat rail and must be constructed from new materials. Open rail fences must be four feet eight inches (4'-8") in height and must be constructed in accordance with Figures 1 and 2. Gates in fencing must be constructed in accordance with Figure 2. All of the above-mentioned fencing must be constructed of wood. All fences must adhere to sight triangle regulations by Arapahoe County.

(1) **Lot Boundary Fences** - Fencing installed by **Owners** along the property boundaries of **Owners**= lots. Height limitations will be four feet eight inches (4'-8") for 4-rail fences (see Figure 1). All house Awing fences@ will be constructed per the detail on Figure 1. The **Committee** will require fence returns to be set back from the front of the house/garage a minimum of eight (8) feet (see Final Development Plan). The eight (8') foot setback requirement may be measured from a front porch, not stoop, if said porch has a concrete foundation and a full roof. Variances to this setback requirement may be granted in cases of conflict with doors, windows,

electric meters, gas meters, extreme slopes, etc.

- (2) **Perimeter Fences** - Fencing along the boundary between **Association** Tracts along major streets and individual lots will be per Figures 1, 2, 3, and 4. This fence will be constructed per the Final Development Plan. Gates, removal sections, or any other type of access through the solid perimeter fence is not permitted.
  - (3) **Perimeter Masonry Walls** - Walls along the boundary between certain **Association** Tracts and individual lots will be per the appropriate Final Development Plan. These walls will generally be a maximum of six feet (6') high per the Final Development Plan, except along E-470 where they will be a maximum of eight feet (8'). Gates, removal sections, or any other type of access through the perimeter walls are not permitted. **Owners** may not attach anything to the back side of these walls including fences.
  - (4) **Open Space Fence** - In addition to other locations where permitted, the 4' Open Rail Fence (see Figure 1) is the only fence that may be installed between those lots that back and or side to the open space and the open space adjacent to the Community. The location of this fence is shown on the Final Development Plan.
  - (5) **Fences or Screening Located Within Property Line** - Must be an integral part of the landscape design.
  - (6) **Double Fencing** - Not permitted, except see Dog Run, Section 2.25. Double fencing is not the same as double facing. Check with the **Committee**.
  - (7) **Solid Fences** - Not allowed except as specifically provided on an approved Final Development Plan (which will normally only be adjacent to major roads including collector streets and arterial streets).
  - (8) **Cluster Mail Boxes** - Fences adjacent to cluster mail boxes must allow three and one-half to four feet (3 1/2' to 4') clearance behind cluster box to allow for mail delivery.
- D. Welded galvanized wire (2"x4") mesh may be attached to an open fence, if installed on the inside of the fence and not extending above the top rail. No plastic, chicken wire, hog wire, barbed wire, or strand wire will be allowed. Chain link fences will only be allowed for Dog Runs (see Section 2.25).
- E. Fences shall not be constructed within the street right-of-way areas. The setback for the side yard fence adjacent to the street shall be a minimum of two and one-half (2-1/2) feet from the back of the sidewalk. The fence setback from the sidewalk shall be the same distance from all adjacent corner lots so that the side lot boundary fences of both **Owners** shall meet at the back property line shared between the two **Owners**. Front fence returns of adjacent homeowners should meet at the same point when possible with a minimum setback from the front of the house of eight feet (8'). See Section 2.32 C(1) above.
- F. **Maintenance Responsibility** -

- (1) **Perimeter Fences** - A six foot (6') solid perimeter fence and/or open rail fence may bound those homes with lots adjacent to residential collector streets or peripheral arterial streets. These fences have been constructed by the builder and/or developer. Maintenance of the fence is the responsibility of the homeowner. Maintenance of any brick columns is the responsibility of the Association. Deteriorated materials must be replaced by the homeowner with materials identical to the original in quality, quantity, and design. If the Board deems it necessary, it will direct the **Association** to repair the perimeter fence. The cost of repair may be assessed against the individual homeowner. Perimeter fences may not have gates or removable sections of any sort. There can be no rear or side yard access through perimeter fences.
- (2) **Perimeter Masonry Walls** - A six foot (6') solid masonry wall may bound those homes with lots adjacent to residential collector streets or peripheral arterial streets. The height of the wall along E-470 shall be eight feet (8'). These walls have been constructed by the builder and/or developer. Maintenance of the wall is the responsibility of the **Association**. Perimeter walls may not have gates or removable sections of any sort. There can be no rear or side yard access through perimeter walls.
- (3) **Lot Boundary Fences** - Lot boundary solid fences usually run along common lot lines separating two homeowners' yards. Ownership is sometimes shared between the two homeowners and maintenance is the shared responsibility of the two homeowners. Front wing fence returns between the house and side lot lines may have a gate. Preservatives that do not contain color tints are acceptable. BEHR Waterproofing Wood Finish Cedartone No. 401, or Booge Fence Defense Cedar RNF are the only acceptable colored stains. All other stains and paints are not permitted.
- (4) **Greenbelt Fences** - A greenbelt fence separates a homeowner's property from the greenbelt/public land/other landscaped tracts. These may have been constructed by the builder and/or developer. Maintenance is the responsibility of the homeowner. If the Board deems it necessary, it will direct the **Association** to repair the greenbelt fence. The cost of repair may be assessed against the individual homeowner. Color must not be altered from the original fence material. Gates in greenbelt fences are permitted if constructed per Figure 2. At such time as the **Association** deems it necessary to replace the greenbelt fence, the gate will not be replaced unless the homeowner assumes the replacement cost for said gate.
- (5) **Mesh Line Fences** - May be erected on the homeowner's side of a rail fence to assist in containment of pets or children (See Figure 1). Ownership and responsibility for maintenance is solely the homeowner's.
- (6) **Chain Link Fences** - Are only acceptable for construction of dog runs (except not permitted in Neighborhoods C & E). They may not be used as part of the lot boundary fencing. Ownership and responsibility for maintenance is solely the homeowner's.
- (7) **Fence Stain** - Preservatives that do not contain color tints are acceptable. BEHR Waterproofing Wood Finish Cedartone No. 401 or Booge Fence Defense Cedar RNF are the only acceptable colored stains. All other stains and paints are not permitted.

- 2.33 **FIREWOOD STORAGE** - See Wood Storage.
- 2.34 **FLAGS & FLAGPOLES** - Flagpoles attached to the front of the house or balcony do not require approval as long as the pole top does not rise above the level of the bottom sill of the second story windows and is a maximum of 8'-0" long. Free-standing poles are acceptable provided they do not exceed fifteen (15) feet in height and are located within six feet of the front of the house. All flagpoles are to be used for the flying of U.S. flags and military service flags only. U.S. and military service flags are also permitted to be displayed on the inside of a window or door of an **Owner=s** or occupant=s residence. Flags must be flown in accordance with the Federal Flag code. Flag sizes should be in proportion to the flagpole staff and military service flags may not exceed a dimension of thirty-six by forty-eight inches (36"x48"). Sport flags may be displayed on the date of a sporting event or game day only and must be removed within twenty (24) hours following the conclusion of the event/game. Holiday Flags may be temporarily displayed during the holiday and must be removed ten (10) days after the holiday. Small garden flags are permitted within six (6) feet of the front of the house. All flags displayed must be maintained and in good condition.
- 2.35 **GARAGES** - Garage doors shall be wood, hardboard or metal, painted to match the residence body color or trim. Outlining the garage door panels in a contrasting color or checker board design is not permitted.
- 2.36 **GARBAGE CONTAINERS AND STORAGE AREAS** - See Trash Containers And Enclosures.
- 2.37 **GARDENS-FLOWERS** - **Committee** approval is not required. All flower gardens must be weeded, cared for and carefully maintained.
- 2.38 **GARDENS-VEGETABLE** - **Committee** approval is not required, if located in the rear or side yard. Must be weeded, cared for and carefully maintained.
- 2.39 **GAZEBOS** - **Committee** approval is required. Must be an integral part of the landscape plan and must be located in the rear yard. Maximum height cannot exceed fifteen (15') feet. Materials must be compatible with the residence materials.
- 2.40 **GRADING AND GRADE CHANGES** - See Drainage.
- 2.41 **GREENHOUSES AND GREENHOUSE WINDOWS** - **Committee** approval is required. Must be located in rear yard; must be a contiguous integral part of the home.
- 2.42 **HANGING OF CLOTHES** - See Clotheslines and Hangers.
- 2.43 **HOT TUBS/SPAS & ENCLOSURES** - **Committee** approval is required. Hot tub/spa must be ground mounted and an integral part of the deck or patio area and of the rear yard landscaping. Must be in the rear yard. Must be installed in such a way that it is not immediately visible to adjacent **Property Owners**, i.e., hidden by fence, shrubs, etc., and the bottom of which may not be more than twenty-four inches (24") from the ground. Manufactured redwood enclosures must be submitted for approval and will be considered on a case-by-case basis, depending upon lot location, visibility, etc. In some cases, the **Committee** may require the enclosure to be constructed of materials similar to the residence.
- 2.44 **HOLIDAY DECORATIONS** - All seasonal decorations must be removed within thirty (30) days of that particular holiday or celebration. Consideration of neighbors should be exercised



when decorating for any occasion. Holiday decorations may not include any audio that can be heard beyond the limits of the lots.

- 2.45 **HOUSE NUMBERS** - See Address Numbers.
- 2.46 **IRRIGATION SYSTEMS** - Underground manual or automatic irrigation systems will not require approval of the **Committee**.
- 2.47 **JACUZZI** - See Hot Tubs.
- 2.48 **JUNK VEHICLES** - See Motor Home Vehicles.
- 2.49 **LANDSCAPE** - **Committee** approval required. **Use the Request For Approval form.** Landscaping must be installed within twelve (12) months after the conveyance of the unit by an approved builder to the first purchaser thereof who is not an approved builder. Landscaping portions in side yards in the front of the house and on corner lots between the street and a homeowner's fence must consist, at a minimum, of sod or groupings of shrubs/trees in addition to crushed gravel, rock, or bark mulch. In backyards, quality, state-of-the-art artificial turf grass may be considered for approval as an alternative to turf grass. Use of specialized turf grass that is promoted to conserve water, such as 90/10 bluegrass/fescue mix, is recommended. For purposes of this standard, turf grass is defined as continuous plant coverage consisting of hybridized grasses that, when regularly mowed, form a dense growth of leaf blades and roots.

**Owners** are encouraged to consider xeriscape applications when submitting plans. For the purposes of this standard, xeriscape is defined as the application of the principles of landscape planning and design, soil analysis and improvement, appropriate plant selection, limitation of turf area, uses of mulches, irrigation efficiency, and appropriate maintenance that results in water use efficiency and water-saving practices. The **Committee** shall not impose additional requirements on **Owners** who submit xeriscape plans. Plans that only include rock for the total yard without inclusion of the requirement organic materials noted above will not be approved.

(A) In addition, landscaping shall include, at a minimum:

(1) The maximum sod/seed area for the entire yard (front, back and side) shall be 50% of the permeable area unless governmental agencies having jurisdiction over the Association require a lower amount. See Section below on **Open Space Lots and Major Drainage Way Lots and Neighborhood C Lots**. Permeable area is that portion of the lot excluding the house footprint, sidewalks, driveway, etc.

(2) Tree requirement for front yard: Two (2) trees, except that for corner lots, this minimum shall be three (3) trees per the Final Development Plan. Caliper of trees must meet the Final Development Plan requirements. In general, deciduous ornamental trees must meet a minimum caliper of one and one-half inches (1-1/2"), deciduous shade trees must meet a minimum caliper of two inches (2"), and evergreen trees must be a minimum of six feet (6'-0") tall.

(3) Shrub requirements for the front yard: Five (5) shrubs

(4) Automatic underground irrigation systems are required.

(5) Additional landscape requirements may be imposed on the **Property Owner** by

Arapahoe County Final Development Plan requirements; these requirements shall be the responsibility of Arapahoe County for enforcement and not the **Committee** or **Association**.

**(6) Erosion Control techniques within the site to ensure protection of adjacent properties is mandatory and shall be in accordance with the requirements of Arapahoe County. All runoff must be controlled from each lot. No silt shall leave the lot. It is the responsibility of the Owner to control erosion. The Committee shall have the authority to require additional erosion control.**

(7) **Owner** is required to notify the **Committee** in writing upon completion of the landscape installation and shall grant the **Committee** the right to inspect the landscape installation.

**Additional Landscape Requirements for Open Space Lots, Major Drainage way Lots and Spruce Neighborhood Lots:**

**Tree/shrub Requirements** - Total yard landscape shall require twenty (20) shrubs total with a minimum of eight (8) shrubs in the front yard. In addition to the tree requirement in (A) 2 above, an additional two (2) trees are required in the rear yard.

**Roof Drains (Applies to Major Drainage Way Lots Only)** - Roof drains may not be piped to the open space but must "daylight" within the lot no less than twenty (20) feet from the rear property line.

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- (B) Gravel, rock and/or soil piles left in front or on visible side yards of houses, in the street, or on the driveway is not permitted. Leaving gravel, rock and/or soil piles in the street is a violation of Arapahoe County ordinance and should be reported to Arapahoe County and not the **Association**.
- (C) Delivery and placement of landscape materials shall not damage greenbelt or entry/median areas. Delivery trucks are not allowed to cross these areas (to avoid sprinkler and landscape damage). If this regulation is violated and damage to the common **Properties** results, the **Owner** will be held financially responsible for remedying the damage caused by **Owner** or their agents.
- (D) Landscape design and installation must take into account the Fire Department regulation that no obstruction may be placed within three (3) feet of a fire hydrant.
- (E) In accordance with the Final Development Plan, "the **Owners** of private property containing a traffic sight triangle are prohibited from erecting or growing any obstructions over three feet (3') in height above the elevation of the lowest point on the crown of the adjacent roadway within said triangle."
- (F) If the governing water municipality is not permitting new sod installation due to drought restrictions, then the **Owner(s)** must install the sod portion of the landscape installation within sixty (60) days from the date the water restriction is lifted. The **Owner** is still responsible to complete all other portions of their landscape

installation in accordance with this Section 2.49. This extension will be granted with the condition that the **Owner** must comply with the following requirements:

- 1) a minimum five foot (5') area around the entire yard perimeter must be covered with weed barrier fabric and rock mulch within the twelve-month time frame; and
- 2) weed control must be done on an ongoing weekly basis in the area designated for sod until the landscape installation is completed; and
- 3) any additional erosion control measures, such as silt fencing and hay bales, must be taken to prevent erosion into neighboring yards or adjacent property as necessary.

- 2.50 **LATTICEWORK (PATTERN)** - **Committee** approval is required. Latticework must be a minimum of one-half inch (1/2") thick if it does not adjoin directly to the house.
- 2.51 **LIGHTS AND LIGHTING** - **Committee** approval is not required for exterior lighting if in accordance with the following guidelines: Exterior lights must be of the traditional style and character as installed by builder on other residences in the **Subdivision**, and be as small in size as is reasonably practical. Exterior lighting should be directed towards the house and must be of low wattage to minimize glare sources to neighbors and other **Owners**. Lighting fixtures should be dark colored so as to be less obtrusive. Low voltage lighting offers safety advantages over conventional house-voltage systems. Any variance from these Guidelines or usage of high wattage spotlights or flood lights requires **Committee** approval. Lighting shall be down-directed and shall not cast a glare on adjacent **Properties**. No private lighting shall be erected higher than ten (10') feet from ground level, unless specifically approved by the **Committee**. Energy-efficient outdoor lighting devices, including without limitation, a light fixture containing a coiled or straight fluorescent light bulb, and any solar recharging panel, motion detector, or other equipment connected to the lighting device are permitted.
- 2.52 **LIVESTOCK** - See Animals.
- 2.53 **MAILBOXES** - Neighborhood Box Units (commonly called N.C.B.U. or cluster mailboxes) have been planned by the United States Post Office. Individual mailboxes are precluded by postal regulations. Snow removal on walkways surrounding the cluster mailboxes is the responsibility of the adjacent **Owner**.
- 2.54 **MICROWAVE DISHES** - See Antennas.
- 2.55 **MINING AND DRILLING** - Not permitted. The **Declaration**, Article 3, Section 3.22, prohibits use of the **Properties** for the purpose of mining, quarrying, drilling, boring, or exploring for or removing oil, gas, or other hydrocarbons, minerals, rocks, stones, gravel, or earth.
- 2.56 **MOTOR HOME & EMERGENCY VEHICLES** - Motor homes or other vehicles whose primary purpose is for recreational use are not permitted to be located or parked permanently on the **Properties** or on streets within the **Subdivision** unless in compliance with the Declaration. The **Declaration** provides that no trailer, towed trailer unit, motor home, camper, including vehicle-mounted camper, whether chassis or slide in, or pick-up coach, vehicle-mounted tent, boat, semi tractor-trailer, truck/van as outlined in section 3.18(b) of the Covenants, Conditions and Restrictions (except non-commercial van or pick-up) shall be parked or stored in, on, or about any **Unit** or street, except within an attached and enclosed garage or behind a privacy fence provided the vehicle cannot be seen from any public street, right-of-way or open space tract and/or park. These vehicles must be moved from the general area within twenty-four (24) hours unless approved in writing by the

**Committee.** Such vehicles may be kept only within garages. The Association does not permit enclosed structures other than garages for this type of storage.

Inoperable (or junk) vehicles, as defined in the **Declaration**, Article 3, Section 3.18, cannot be repaired, constructed or allowed to remain on any lot or on any private or public street in such a manner as to be visible from any portion of the **Properties**. Arapahoe County ordinances may also restrict the parking of vehicles described above on any public streets.

Emergency service vehicles as defined in Colorado statute 38-33.106.5(d) belonging to emergency service providers are permitted to be parked in an **Owner=s** or occupant=s driveway or community streets under the following conditions:

- a. The emergency motor vehicle **MUST** be required by an **Owner=s** or occupant=s employer to be parked at the **Owner=s** or occupant=s residence as a condition of the **Owner=s** or occupant=s employment; **AND**
- b. The emergency motor vehicle has a gross weight of ten thousand pounds or less; and
- c. The vehicle is used by an **Owner** or occupant who is a member of a volunteer fire department **OR** is employed by a primary provider of emergency firefighting, law enforcement, ambulance, or emergency medical services; and
- d. The parked emergency vehicle does not block emergency access or prevent other **Owners** from using the streets.

Emergency service provider is defined as a primary provider of emergency firefighting, law enforcement, ambulance, or emergency medical services.

- 2.57 **MOTORIZED VEHICLES** - Motorized Vehicles are not to be driven on greenbelts or **Common Areas**. This includes snowmobiles, golf carts, motorcycles, minibikes, go-carts, mopeds and delivery trucks, but excludes lawn cutting, snow removal or maintenance equipment. Such vehicles shall not be parked as to be visible from any of the **Properties**.
- 2.58 **OVERHANGS - CLOTH OR CANVAS** - **Committee** approval is required. The color must be the same as or complementary to the exterior of the residence, unless otherwise approved by the **Committee**. Metal or fiberglass awnings are not permitted.
- 2.59 **PAINTING** - **Committee** approval is not required if color and color combinations are identical to the original color painted by builder. Color or color combination changes require **Committee** approval.
- (A) All exterior colors must be reviewed for approval by the **Committee**, including repainting of existing homes. Colors specifically not allowed shall include but not be limited to purple, orange, red, or pink. The **Committee** will assess the overall color composition formed by the individual materials.
  - (B) All roof vent caps, louvers, plumbing stacks, chimney flashing, valley flashing, etc., are to be painted a color not in contrast with the color of the roofing.
  - (C) Whenever exterior painting is to be done, all changes must be approved by the **Committee** prior to any painting being done. Changes include any paint or color scheme other than the original brand paint, color number and scheme which is on file with the builder or the **Committee**.
  - (D) It is recommended that all homes be painted on a regular schedule to avoid chipping and peeling.
  - (E) Colors which will meet requirements for approval are best described as being soft, muted colors.

- (F) All paints are to be flat or semi-gloss paints, except in the case of doors and shutters. (Please note: metal doors may not successfully accept latex paint.)
- (G) Paint schemes must be different from neighboring homes. Submittals without a description of neighbors' paint colors will not be considered by the **Committee**.
- (H) Garage doors are to be the same color as the siding or trim, unless otherwise requested and approved by the **Committee**. Outlining the garage door panels in a contrasting color or in a checker board design is not permitted.
- (I) All window trim and wood and metal area surrounding window is to remain white, except where painted a different color originally by the builder.
- (J) Most homes in the **Subdivision** have multiple tone paint schemes (e.g., siding color, trim color and accent color for shutters and doors). New colors submitted should preserve this multiple tone scheme. For example, if the trim was a different color than the doors and shutters originally, they should also be different in the submitted colors.
- (K) Selections should be submitted to the **Committee** in the form of four (4) sets of manufacturer's paint chips. Please indicate which color chips are for trim, siding and accent (doors and shutters) color. **PLEASE PLAN SUBMITTAL AHEAD OF THE FORTY-FIVE (45) DAY REVIEW TIME FRAME ALLOWED FOR THE COMMITTEE.**
- (L) All selections are reviewed by the **Committee** and, in some cases, by a professional consultant.
- (M) In general, after approval, only those areas that are painted may be repainted; only those areas stained may be re stained; unpainted surfaces and unstained areas such as brick shall remain unpainted and unstained.

2.60 **PATIO COVERS** - **Committee approval** is required. Plans must show the exterior elevation, designate materials and colors, and include dimensions. A minimum roof pitch of a three on twelve (3/12) is preferred, and shingles must match the residence. Aluminum, fiberglass or steel covers are specifically prohibited. Flat Roofs@ will only be permitted on California-style (spaced beams) covers.

2.61 **PATIOS - ENCLOSED** - See Additions and Expansions.

2.62 **PATIOS - OPEN** - **Committee approval** is required. Must be an integral part of the landscape plan. Must be the same color and design as the residence, unless otherwise approved by the **Committee**. Patios and balconies shall not be used for storage other than patio furniture and barbecues.

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

2.64 **PETS** - See Animals.

2.65 **PIPES** - See Utility Equipment.

- 2.66 **PLAY AND SPORTS EQUIPMENT** - **Committee** approval is required. Equipment shall be located in the rear or side yard. Size of play yards will be considered on a case-by-case basis depending on lot size and proximity to neighbors. The maximum height of the equipment should not exceed fifteen (15) feet.
- 2.67 **POLES** - See Flags & Flagpoles, Utility Equipment, Basketball Backboard, etc.
- 2.68 **POOLS** - **Committee** approval is required. Fencing for safety reasons may be required per local codes. Ornamental iron fencing may be required to meet safety codes.
- 2.69 **RADIO ANTENNAS** - See Antennas.
- 2.70 **ROOFS** - It is desired that the roofing material in any related group of residences be the same in appearance and type. All roofs shall be of tile, upgrade synthetic material such as Masonite type material, or Class A fiberglass asphalt thirty (30) year or greater dimensional shingle. Any upgrade synthetic material may also need approval by Arapahoe County. All roof material must also meet all requirements of Arapahoe County. Colors shall be neutral, earth-tone colors. Bright red, green, blue or white colors are not acceptable.

In Filing No. 1 (Hawthorne Neighborhood), owners are required to use concrete tile with a 50-year warranty. The following concrete tile, WestTile, is approved in the colors of Victorian, Merlot or Sandstone.

In the Cottonwood Neighborhood (Filing No. 2, Parcel D), the builder-installed shingle product is approved as follows: Owens Corning Oakridge Pro 30 Asphalt Shingles in the colors of Desert Tan, Brownwood, Driftwood, Onyx Black, Sierra Gray, Estate Gray or Teak.

In the Spruce Neighborhood (Filing Nos. 2 & 7, Parcel C), the Golden Design Group/Exquisite Properties approved product is: Tamko Heritage Series 30-year laminated asphalt shingles in the colors of Natural Timber, Black Walnut, and Thunderstorm Grey.

In the Linden Neighborhood (Filing No. 2, Parcel B), 30-year architectural asphalt shingles are acceptable as noted below.

In the Cherry Neighborhood (Filing No. 2, Parcel A), 30-year architectural asphalt shingles are acceptable as noted below.

In neighborhoods (Filing Nos. 2 and 7), the following brands and colors of shingles with a minimum 30-year warranty are also acceptable products for approval:

<u>GAF/Elk Prestique</u>	<u>Grand Sequoia</u>	<u>Celestial Presidential</u>
Antique Slate	Weatherwood	Weathered Wood
Barkwood	Slate Blend	Shadowtone
Sandalwood	Mesa Brown	Autumn blend
Hickory	Cedar blend	Bark brown
Weatherwood	Antique Silver	Wood tone
<u>Presidential TL (Certain Teed)</u>	<u>Grand Manor (Certain Teed)</u>	
Autumn Blend	Gatehouse Slate	

Shadow Gray  
Weathered Wood  
Charcoal Black  
Bark Brown

Stonegate Gray

Tamko Heritage Series

Weathered Wood  
Natural Timber  
Oxford Gray  
Mountain Slate  
Autumn Brown  
Black Walnut  
Thunderstorm Grey

GAF Timberline Series

Weathered Wood  
Stone Wood  
Heather Blend  
Mission Brown

Owens Corning Oakridge

Driftwood  
Estate Gray  
Brownwood  
Desert Tan  
Onyx Black  
Sierra Gray

Chancellor RGM

Weathered Wood  
Black Walnut Teak

Residents may request other roofing products than those mentioned above, but they must submit six brochures describing the shingle and showing the color desired before approval can be considered. Shingle products must have a minimum 30-year warranty, must be of a neutral color (grey, brown, black, tan), and must be a dimensional shingle. In general, the ACC will not approve colors in the tones of green, blue, red, bright rust, or white.

Partial replacement or patching of damaged roof sections must be completed with the same brand and color of shingle to match existing house shingles. In cases where the existing shingle brand and color is no longer manufactured, replacement of damaged shingles must be done with a shingle that closely matches the existing shingles in texture and color.

- 2.71 **ROOFTOP EQUIPMENT** - Not permitted.
- 2.72 **SAUNAS** - See Additions and Expansions.
- 2.73 **SCREEN DOORS** - See Doors.
- 2.74 **SETBACKS** - Are defined by the Final Development Plan (F.D.P.) as approved by Arapahoe County.
- 2.75 **SEWAGE DISPOSAL SYSTEMS** - Are not allowed.
- 2.76 **SHEDS** - Free-standing sheds are not permitted. Attached sheds will only be allowed if constructed as an integral part of and attached with a concrete foundation to the house. Construction materials (siding, masonry, shingles, doors, windows, roof pitch, paint, etc.) must match the house. Committee approval is required. Homeowners should use the "Accessory Building Request Form" to request approval. Attached sheds shall not be more than eight (8'-6") feet six inches high at the peak, nor larger than eight (8) feet wide by ten (10) feet long. Sheds must be placed immediately up against and attached to the side of the house. Sheds siding must be constructed with siding to match the house. Shed will be painted to match the body and trim colors on the house. Eaves, gutters, etc. will be constructed on foundation or

slab. The shed must be attached permanently to the slab/foundation with anchors. Shed details (trim boards) must be consistent to match the house. Molding will be professionally installed, to attach the shed to the house. The pitch of the roof on the shed must match the pitch of the roof on the house. The structure will not be separate from the house, and barely visible from the street. It is possible that due to orientation of some houses, a shed may not be allowed. Space is provided around the building or design considerations have been made that will allow for future maintenance/repainting. The shed will be maintained in the same manner as the house and as required by the governing documents. Storage around the shed is strictly prohibited. A building permit and final inspection by the HOA is required. The Committee, in reviewing the application for shed approval, shall consider lot grading, fence locations, landscape screenings, etc., in granting any approvals for a shed. Only one (1) attached shed will be permitted per Lot.

For smaller shed options, see **DECK BOXES**

- 2.77 **SHUTTERS - EXTERIOR** - Committee approval is required. Should be of the same material and painted to match the color scheme of the exterior of the house, unless otherwise approved by the Committee.
- 2.78 **SIDING** - Committee approval is required. Siding must be essentially the same as the siding installed by the builder on other houses in the **Subdivision**, and must be painted according to guidelines in Section 2.59 "Painting." Aluminum, vinyl, or steel siding will not be permitted. When lap siding is used, a distance of no greater than eight and one-half (8-1/2") inches between boards is required.
- 2.79 **SIGNS** - The Arapahoe County Sign Code and Article 3, Section 3.21, of the **Declaration** control signs.
- (A) For Sale/For Rent signs: one professional sign per dwelling advertising a dwelling for sale or rent is permitted. Builder marketing signs are permitted.
  - (B) Business and Security System signs: non-advertising security system signs are allowed on the **Owner=s** property. Signs advertising a business are not permitted.
  - (C) Garage sale signs shall be removed at the end of the last sale day.
  - (D) Political signs: may be located on an **Owner=s** or occupant=s property in accordance with Arapahoe County sign code. Political signs are not allowed on **Common Areas**, including **Association** landscape tracts and perimeter fencing. Political signs may be displayed no longer than forty-five (45) days before an election and shall be removed within ten (10) days following an election. An **Owner** or occupant may display one political sign per political office or ballot issue that is contested in the election. A political sign may be no larger than 26"x48" or the maximum allowed by any applicable county ordinance that regulates the size of political signs on residential property, whichever is smaller. A political sign is defined as a sign that carries a message intended to influence the outcome of an election, including supporting or opposing the election of a candidate, the recall of a public official, or the passage of a ballot issue.
- 2.80 **SKYLIGHTS** - Committee approval is required. Skylights must be the same type as installed in new homes by builder, and exterior trim must be painted according to Guidelines.
- 2.81 **SOLAR ENERGY DEVICES** - Committee approval is required. Must be designed to appear as if it is an integral part of the roof. No exterior plumbing may be visible from adjoining street. Installation of netting or other pest abatement features may be necessary to



prevent habitation by squirrels, birds or other small animals around the solar improvements. Compliance with Arapahoe County codes is also required.

**\*\*See attachment at back of Design Guidelines\*\***

- 2.82 **SPAS** - See Hot Tubs.
- 2.83 **SPRINKLER SYSTEMS** - See Irrigation Systems.
- 2.84 **SQUARE FOOTAGE** - The Final Development Plan may define any minimum square footage requirements for the original living area (above finished ground level and fully enclosed) for residences.
- 2.85 **STATUARIES AND FOUNTAINS** - of any kind will not be allowed in the front yard without the prior approval of the Design Review Committee. The Design Review Committee will consider limited statuaries and fountains if the proposed improvement is consistent with the overall lot landscape theme, is consistent with house colors (both field and trim), and is located on porch steps or within a five foot (5') boundary from the front of the house. Height of the statuary shall not exceed forty-eight inches (48") unless otherwise approved by the **Committee**.
- 2.86 **STORAGE SHEDS** - See Sheds.
- 2.87 **SUNSHADES** - See Overhangs.
- 2.88 **SWAMP COOLERS** - Not permitted as rooftop equipment or in windows. See Air Conditioning Equipment.
- 2.89 **SWINGSETS** - See Play and Sports Equipment.
- 2.90 **TELEVISION ANTENNAS** - See Antennas.
- 2.91 **TEMPORARY STRUCTURES** - **Committee** approval is required. Camping tents set up for cleaning or occasional overnight sleeping by children will not require **Committee** approval if left up no longer than seventy-two (72) hours.
- 2.92 **TEMPORARY VEHICLES** - See Motor Home Vehicles.
- 2.93 **TRAILERS** - See Motor Home Vehicles.
- 2.94 **TRASH CONTAINERS AND ENCLOSURES** - See Article 3, Section 3.12 of the **Declaration**. Trash containers must be stored in an enclosed garage or stored behind the wing return fence at all times except between the hours of 6:00 AM until sundown on the day of trash pickup. Trash containers that are not stored in an enclosed garage must be must be secured with lids and are limited to four (4) containers with secured lids to prevent trash from blowing into neighboring yards. Trash contained in plastic bags and/or boxes must be stored in an enclosed garage at all times.
- 2.95 **TREE HOUSES** - Not Permitted.
- 2.96 **UNDERDRAINS** - Modification or impeding the flow is prohibited.
- 2.97 **UTILITY EQUIPMENT** - Installation of utilities or utility equipment requires **Committee** approval unless located underground or within an enclosed structure. Pipes, wires, poles,

utility meters and other utility facilities must be kept and maintained, to the extent reasonably possible, underground or within an enclosed structure.

- 2.98 **VANES** - **Committee** approval required.
- 2.99 **VEHICLES** - See Motor Home Vehicles.
- 2.100 **VENTS** - See Rooftop Equipment.
- 2.101 **WALLS** - See Fences.
- 2.102 **WALLS - HOUSE FOUNDATION** - No exposed foundation walls greater than eight (8) inches in height are permitted where feasible with a maximum of twelve (12) inches exposed concrete at grade transitions and twenty-two (22) inches exposed concrete at garden level and walkout side step-down. Side elevation exposed foundation walls must be mitigated by landscape, the continuation of masonry to ground level or by other means as approved by the **Committee**.
- 2.103 **WALLS - RETAINING** - A single retaining wall shall not be more than thirty-six (36) inches in height (measured at the exposed side) without a permit from Arapahoe County. Where required by the **Committee**, a detailed landscape plan, indicating the size and exposure of the retaining wall, shall be provided by the **Owner** at the time of plan review for approval. **Property Owners** are liable for their respective lot drainage. Retaining walls shall be constructed of: brick, treated wood, "Versalock" (TM), natural stone, or similar materials, subject to approval by the **Committee**. Exposed concrete retaining walls are permitted only with surface treatment approved by the **Committee**.
- 2.104 **WELLS** - Not permitted. Refer to the **Declaration**, Article 3, Section 3.28, for details.
- 2.105 **WIND TURBINES** - Wind-electric generators that meet interconnection standards established in rules promulgated by the Public Utilities Commission pursuant to Section 40-2-124, C.R.S. are permitted provided that the devices meet all local municipality requirements and that the sound associated with the wind-electric generators does not interfere with the use and enjoyment by residents of property situated nearby.
- 2.106 **WINDOWS** - **Committee** approval is required for all windows not of the same make or design as originally installed by builder. Submission of plans and specifications to the **Committee** shall include a description of the window frame material and color. Mill finish on aluminum windows is specifically prohibited. Replacement windows shall be substantially the same as those initially installed. See Section 2.41 for restrictions on greenhouse windows.
- 2.107 **WOOD STORAGE** - **Committee** approval is not required. Must be located in the garage, side or back yard behind and below the top of any fence, adjacent to the house, and must be neatly stacked, and must not be located so as to block any existing drainage pattern on the lot.
- 2.108 **WOOD STOVE STACKS** - **Committee** approval required. All new and added stove stacks shall be enclosed and shall meet the Arapahoe County specifications for fire hazard compliance.

### III. PROCEDURES FOR COMMITTEE APPROVAL

- 3.1 **GENERAL** - In a few cases, as indicated in the listing in the preceding Section II, a specific

type of **Improvement** is not permitted under any circumstances. In all other cases, including **Improvements** not included in the listing in Section II, advance or prior written approval by the **Committee** is required before an **Improvement to Property** is commenced. This section of the Guidelines explains how such approval can be obtained.

- 3.2 **DRAWINGS OR PLANS** - Article 4 of the **Declaration** requires an **Owner** to submit to the **Committee**, prior to commencement of work on any **Improvement to Property**, descriptions, plot plans, construction plans, specifications and samples of materials and colors, etc., as the **Committee** shall reasonably request, showing the nature, kind, height, width, color, materials and location of the proposed **Improvement**. In the case of major **Improvements**, such as room additions, decks, or structural changes, detailed plans should be professionally prepared by an architect, engineer, and/or draftsman and should meet Arapahoe County requirements. However, simple drawings and descriptions may be sufficient for other **Improvements**. Whether done by the **Owner** or professionally, 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. Drawings made from a lot survey base are preferred.
  - (B) Existing **Improvements**, in addition to the home, should be shown on the drawing or plan, and identified or labeled. Such existing **Improvements** include driveways, walks, decks, trees, bushes, etc.
  - (C) The proposed **Improvements** should be shown on the plan and labeled. Either on the plan, or an 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 **Owner**, the address of the home, and a telephone number where the **Owner** can be reached.
- 3.3 **SUBMISSION OF DRAWINGS AND PLANS** - Four (4) copies of the "Request for Approval Form" and four (4) copies of the drawing or plan shall be submitted to the **Committee**. Plans should be submitted to the **Design Review Committee** in care of the **Association's** property management company.
- 3.4 **REVIEW FEE** - No fee is charged at this time, for review/approval of plans by the **Committee**. All costs, if any, for submittals shall be borne by the **Owner**. Any engineering consultant fees or other fees reasonably incurred by the **Association** in reviewing any proposed **Improvement** will be assessed to the homeowner requesting the **Improvement**.
- 3.5 **ACTION BY THE COMMITTEE** - The **Committee** will meet as required to review plans submitted for approval and covenant/regulation violation complaint letters received. The **Committee** may require submission of additional information or material, and the **Committee** may deny the request until all required information or materials have been submitted. The **Committee** will contact the **Owner** by phone, if possible, if additional information or materials are required. The **Committee** will act upon all requests within forty- five (45) days of receipt of the initial request, or within forty-five (45) days after receipt of all additional information or materials requested by the **Committee**, unless the time is extended by mutual agreement. All decisions of the **Committee** will be in writing.
- 3.6 **PERFORMANCE OF WORK**- After approval by the **Committee**, a proposed **Improvement to Property** should be accomplished as promptly as possible, in accordance

with the approved plans, drawings and descriptions. The work must be completed, in any event (except for Declarant and Approved Builders), within twelve (12) months (except landscaping which must be completed per Section 2.49 of these Design Guidelines and per the **Declaration**, Article 3, Section 3.2) unless a shorter time period is specified by the **Committee**.

- 3.7 **RIGHTS OF APPEAL** - An **Owner** may appeal to the **Association** Board of Directors in the event of disapproval of a request by the **Committee**.
- 3.8 **COMPLAINTS** - Should be submitted to the **Committee**, in writing, and must be dated and signed by an **Owner**. The Board of Directors and the **Committee** will take all reasonable action to preserve the anonymity of complaining **Owners**.
- 3.9 **DECLARATION PREVAILS** - The Foregoing **Design Review Committee** Guidelines and procedures are supplementary to all of the terms and provisions of Article 4 of the **Declaration**, and shall remain in full force and effect. In the event of any actual or apparent conflict between these procedures and said Article 4, the latter shall prevail.

## FORMS

To retrieve the following forms, please print them from the Forms section of the Copperleaf Homeowners Association web site at [www.copperleafhoa.org](http://www.copperleafhoa.org).

**Design Review Committee Request for Approval Form**

(Use this form when submitting requests for general items as specified on the form checklist)

**Design Review Committee Accessory Building Request Form**

(Use this form when submitting requests for attached sheds, patio covers, or residence additions)

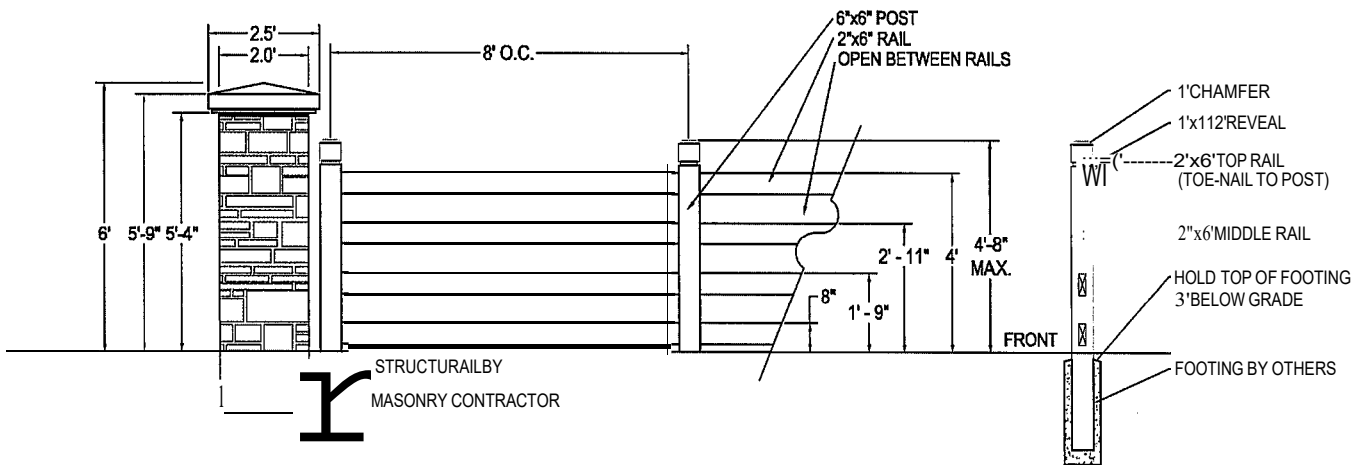
**Design Review Committee House Repaint Form**

(Use this form when submitting house repaint requests)

## **SCHEMATIC FIGURES**

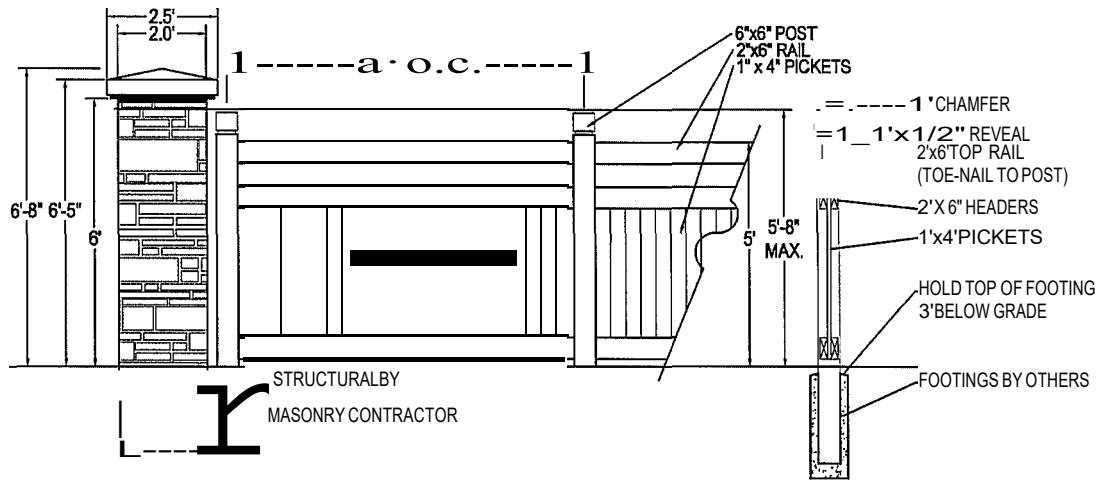
February 04, 2020

# 4" RAIL FENCE



Su FENCE WITH OPEN TOP-RAIL

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COPPER LEAF





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COPPERLEAF



# 6' FENCE WITH COPPER BAND

collector street transition :Eencing

