



Paradise @ Pikes Peak

DESIGN GUIDELINES

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I. **INTRODUCTION.**

1.01 **Basis for Guidelines.** These **DESIGN GUIDELINES** (the "Guidelines") are intended to assist Lot Owners, Builders/Contractors, Architects, and Designers with information for developing improvements in **Paradise @ Pikes Peak**. These provisions should be reviewed prior to any contemplated Construction, Landscaping, or other Improvements to the property. The **Protective Covenants of Paradise @ Pikes Peak** ("Covenants"), require the approval from the Architectural Control Committee ("ACC") prior to the construction, erection, installation, or alteration of any structure, attachment to any structure, or landscaping of any lot in **Paradise @ Pikes Peak**. For instance, prior approval

is required for any new construction, new landscaping, or change to the final grade of property; the construction or installation of any accessory, patio, deck, pool; or the demolition or removal of any building or other improvement including changing paint/stain colors.

1.02 **Contents of Guidelines.** In addition to the introductory material, these Guidelines Contain:

- (A) a listing of specific types of improvements which homeowners 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 Architectural Control Committee (as defined below); and
- (C) some helpful landscaping ideas and information.

1.03 **Architectural Control Committee.** The Architectural Review Committee ("ACC") consists of up to three (3) members, all of whom are appointed by the Metropolitan District. The ACC is to review all requests for approval.

1.04 **Committee Address and Phone.** The address of the Architectural Control Committee is as follows:

Management Company	Office Number	Facsimile
Paradise @ Pikes Peak PO BOX 9 Woodland Park CO 80866	719 433 4055 tony@paradiseatpikespeak.com	719 687 8704

1.05 **Scope.** According to the Protective Covenants of Paradise @ Pikes Peak, the Architectural Control Committee is charged with ensuring compliance with the Design Guidelines as well as the Protective Covenants. The Protective Covenants requires the submission of plans, detail, and specifications to the Architectural Control Committee prior to any construction and provides the ACC with the right to disapprove any plans, specifications or details submitted to it if it determines:

- (A) If the plans and specifications submitted are incomplete
- (B) The proposal is not consistent with the Covenants and/or Design Guidelines
- (C) If the Architectural Committee deems the plans, specifications, or details, or any part thereof, to be contrary to the interest, welfare or rights of all or any part of Paradise @ Pikes Peak.

1.06 **Purpose.** Our Covenants and our Design Guidelines exist to insure that Paradise @ Pikes Peak is a community of well-designed, well crafted homes that are built with quality materials and that provide comparable value within the community. It should be understood that if any construction is initiated prior to written approval of plans by the ACC or if construction does not comply with approved plans, the ACC may require the removal of the construction at the cost of the Person responsible for the construction, whether he or she thinks the construction complies with the Covenants and the Design Guidelines or not. Nothing in these Guidelines supersedes or alters the provisions or requirements of the Protective Covenants and, if there is any conflict or inconsistency, the Protective Covenants control.

1.07 **Natural Amenities.** Paradise @ Pikes Peak is set in a beautiful environment with differing vistas from all parts of the subdivision. Paradise @ Pikes Peak has a variety of slopes and hill sides. The area is blessed with a combination of Douglas Fir, Ponderosa Pine, Blue Spruce, and Aspen, and exceptional topsoil for a mountainous terrain. Views of the City Woodland Park, Rampart Range and Pikes Peak are common. The individual sites lend themselves to creativity and to originality in keeping with the beauty and uniqueness of Paradise @ Pikes Peak. Homes of unique design incorporating a broad range of materials, shapes, and techniques are allowed within the parameters of these guidelines. The intent of these guidelines is to give the lot owner an insight into the design parameters and acceptable concepts. The goal is to make the necessary home improvements and alterations to the land with the least impact on natural amenities. As an example, within Paradise @ Pikes Peak there are various terrain and vegetation conditions which fall into different landscape types. This criterion was established for development which adapts to differences found from site to site. Because of the various on-site conditions with potential for views of the finished home from many angles, an on-site visit by the homeowner and the homeowner's designer is very important. Representative of the Developer would also be helpful. The unique topography and planned low density of Paradise @ Pikes Peak result in most building sites being visible from many directions, including distant views across valleys, through trees, from public areas and other lots. When designing your home or other improvements, assume that each side is as important as the entry side.

1.08 **Designing For The Site.** The goal for use of land in Paradise @ Pikes Peak is to cause the least disturbance possible and have the home design and improvements conform to the land. Some sites are steep with slopes exceeding a 15% grade. It may be rocky with some areas of boulders. Maximum building height is 30 feet as determined by the City of Woodland Park calculation method. Follow the slope with roof lines and multi-level step down. Adapt to contours with access and building. The Design may require a low profile building set into the hillside or with one story on the high side. Preservation of all natural features is very important. Flexibility to include drive under or detached garage with a minimum access drive will be encouraged. In any event, the designs when repeated can result in a monotonous row-house appearance when viewed from a distance if the Improvements are not properly planned.

1.09 **Special Site Considerations.** Lots 2 through 7, 17 through 20, and 25 through 27 require special attention to the location of the Improvements. The grades and height of the Improvements must be carefully designed to maximize the views and not to cause undo interference with the adjacent Lots. It is impossible and not practical to avoid any impact on adjacent lots, however, careful planning can preclude undo hardships. Preliminary contact and discussion with the Architectural Control Committee is encouraged on these lots.

II. SPECIFIC TYPES OF IMPROVEMENTS-GUIDELINES.

2.01 **General.** The following is a listing, in alphabetical order, of a wide variety of specific types of improvements which homeowners typically consider installing, with pertinent information as to each. **Unless otherwise specifically stated, drawings or plans for a proposed improvement must be submitted in duplicate to the Architectural Control Committee, and written approval of the Architectural Review Committee must be obtained before commencing the construction of the improvement.** In some cases, where it is specifically so noted, a homeowner may proceed with improvements without advance approval if the homeowner follows the stated guideline. In some cases, where specifically stated, some types of improvements are prohibited. For any improvement not listed below, Architectural Control Committee approval is required.

2.02 **Accessory Buildings.** Will not be permitted.

2.03 **Additions and Expansions.** Approval is required. Additions or expansions must be constructed with wood, glass, stucco, stone, or other material resembling the material used in construction of the exterior of the home. The design must be the same or generally recognized as a complimentary architectural style and meet all design guidelines as may be applicable. Colors must be the same as that of the existing residence.

2.04 **Address Numbers.** Approval is required for the location, type, and background for street address numbers. The background must complement the Improvement and landscaping.

2.05 **Advertising.** All trade signs, which includes, but not limited to, landscaping, pavers, and roofing, may only be displayed while work is in progress and must be removed upon completion of the job. Realty signs may only be displayed while the home is for sale. Builder and Developer Provisions are detailed below. **See Signs, Section 2.68.**

2.06 **Air Conditioning Equipment.** Approval is required for all air conditioning equipment including evaporative coolers (e.g. swamp coolers) and attic ventilators. No heating, air conditioning, air movement (e.g. swamp coolers) or refrigeration equipment may be placed or installed on rooftops or extended from windows. Ground mounted or exterior wall air conditioning equipment installed in the yard must be installed in a manner so as to be screened or enclosed with like materials which match the home, or with approved plant material. Further, these must be installed to minimize any noise to adjacent property owners.

2.07 **Antennae.** Paradise @ Pikes Peak has adopted the following rules, regulations and restrictions for the installation and maintenance of exterior antennas in the community in compliance with applicable FCC rules and regulations, which became effective October 4, 1996:

Notification: Before installation of any DBS (direct broadcast satellite) satellite dish that is one (1) meter or less in diameter, MMDS (multi-channel multi point distribution service wireless cable) antenna that is one meter or less in diameter or diagonal measurement, or television (TBS) antenna (collectively referred to as an "Antenna") is permitted, the Owner of the property where the Antenna is being installed must notify the Architectural Review Committee in writing using an Architectural Request Form.

Antenna Location: 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.

2.08 **Awnings. See Overhangs/Awnings-Section 2.45.**

2.09 **Balconies. See Decks, Section 2.17.**

2.10 **Barbecue/Gas Grills.** No open fires shall be lighted or permitted on any Lot except in a contained barbecue unit while attended and in use for cooking purposes or within an interior fireplace. Gas fired outdoor grills, smokers, fireplaces, and fire pits shall be permitted.

2.11 **Basketball Backboards.** Permanent/attached backboards will not be permitted.

2.12 **Birdbaths.** Approval is not required if placed in the rear yard and if the finished height is no greater than five (5) feet including any pedestal. Placement in front or side yards require approval. **See Statues or Fountains, Section 2.73.**

2.13 **Birdhouses and Bird Feeders.** Approval is not required if (i) the size is limited to one foot by two feet, (ii) if mounted on a pole and (iii) if installed in the rear yard. Other locations require approval. No more than three birdhouses and three bird feeders shall be installed on any lot. Please be sensitive to the habitat of Bears.

2.14 **Carports.** Will not be permitted, however this does not restrict porte cochere if designed and approved as part of the Residence.

2.15 **Clothes Lines and Hangers.** Will not be permitted.

2.16 **Compost.** Approval is required. Container must not be immediately visible to adjacent properties and odor must be controlled.

2.17 **Decks.** Approval is required. The deck must be constructed of decking products approved by the Architectural Control Committee which includes concrete, composite, and wood. Deck materials and design must be architecturally compatible with the Improvements.

2.18 **Dog Houses.** Will not be permitted.

2.19 **Dog Runs.** Small in size will be permitted and must be approved. **See Fences, Section 2.26.**

2.20 **Doors.** The Principal Entry Door must be considered as an important architectural feature to the home. The design and materials should reflect the character of the neighborhood. Approval is not required for repair or replacement of an existing entry door to a home if the material matches or is similar to existing doors on the house and if the color is generally accepted as a complimentary color to that of the existing doors.

2.21 **Drainage.** The Protective Covenants require that there be no interference with the established drainage pattern over any property. The "established drainage pattern" means the drainage pattern as engineered and constructed by the developer and or homebuilder. When performing any landscaping work or performing any work to maintain the established drainage pattern, it is very important to insure that water drains away from the foundation of the house into the street and that the flow patterns prevent water from flowing under or against the house foundation, walkways, sidewalks, and driveways. The Architectural Control Committee may require a report

from a drainage engineer as part of landscaping or improvement plan approval. Landscaping should conform to the established drainage pattern. Adverse affects to adjacent properties and the Street will not be tolerated.

2.22 **Driveways.** The first fifty (50) feet of all driveways will be pavers, natural stone or concrete. Walkways will be of decorative concrete or pavers. Additional materials that can be used in combination are colored and stained concrete, exposed aggregate, stamped concrete, and stone. Approval is required.

2.23 **Evaporative Coolers.** Approval is required. No rooftop or window mount installations are allowed. **See Air Conditioning Equipment, Section 2.06.**

2.24 **Exterior Lighting.** **See Lights and Lighting, Section 2.42.**

2.25 **Exterior Finishes.** A minimum of twenty percent of the exterior of the Improvements will be natural or manufactured stone. Flexibility will be given with design as to the location of the twenty percent. The balance of the materials including the garage doors must have a custom finish and be approved by the Architectural Control Committee. All windows shall be metal clad. All metal and/or concrete surfaces must be finished. Stucco, Wood Siding, and rock are included in the approved finishes. **See Masonry, Section 2.43.**

2.26 **Fences.** Fences are not allowed. Small dog runs are permitted with approval.

2.27 **Firewood Storage.** **See Wood Storage, Section 2.89.**

2.28 **Flagpoles.** Fixed freestanding flagpoles, or freestanding flagpoles that are not portable, are not permitted. Approval is required for any portable freestanding flagpole. Approval is not required for flagpoles mounted to the front of the residence provided that they are temporary in nature and are only displayed on holidays or in celebration of specific events.

2.29 **Garbage Containers and Storage Areas.** **See Trash Containers, Enclosures and Pickup, Section 2.80.**

2.30 **Gardens- Flower or Vegetable.** Approval is not required for flower or vegetable gardens which are located in the rear or side yard and screened from view of adjacent homeowners. All gardens must be weeded, cared for and maintained.

2.31 **Gazebos.** Approval is required and must be archecturally integral to the Improvement.

2.32 **Grading and Grade Changes.** **See Drainage, Section 2.21.**

2.33 **Greenhouses.** Approval is required and must be architecturally intergral to the Improvement.

2.34 **Hanging of Clothes.** See **Clotheslines and Hangers, Section 2.15.**

2.35 **Hot Tubs and Jacuzzis.** Approval is required. Must be an integral part of the deck or patio area and of the yard landscaping. Must be installed in such a way that it is not immediately visible to adjacent property owners and that it does not create an unreasonable level of noise for adjacent property owners. In some instances, additional plant material around the hot tub may be required for screening. See **Gazebos, Section 2.31.**

2.36 **Improvement Sizes.** Single Family Residences must have a minimum of 2,750 square feet finished together with a three car garage. Each Individual Residence shall have unique architectural features.

2.37 **Irrigation Systems.** Underground automatic irrigation systems will not require approval.

2.38 **Jacuzzis.** See **Hot Tubs and Jacuzzis, Section 2.35.**

2.39 **Kennels.** Breeding or maintaining animals for a commercial purpose is prohibited. See **Dog Runs, Section 2.19.**

2.40 **Landscaping.** Approval is required. All disturbed areas shall be restored and or improved. A minimum of four (4) evergreen trees maintained on the front 50 feet of each lot as measured from the curb at all times. The Trees will be a minimum of seven feet in height. With the submittal of the plans, details, and specifications for a new Improvement a preliminary landscape plan will be included. The final landscape plan will be submitted at such time the Improvement is fifty per cent completed (50%). On all homes, erosion control measures are to be installed prior to the completion of the Improvement. After completion, it is the responsibility of the homeowner to maintain the erosion control measures. Landscaping is to be installed by the Homeowner within 90 days of the completion date for all homes completed and closed between April 1 and August 31. On all homes completed and closed from September 1 to March 31, the Homeowner is to complete the landscaping by the following June 30th. The Homeowner is required to obtain Architectural Control Committee approval upon completion of the landscaping.

2.41 **Latticework.** Approval is required for any type of trellis or latticework.

2.42 **Lights and Lighting.** Exterior lighting must be approved and must be conservative in design and be as small in size as reasonably practical. Exterior lighting should be directed toward the ground and be of low wattage to minimize the glare to neighbors and other homeowners. **Preservation of the night sky is critical.** Lighting fixtures should be dark colored so as to be less obtrusive. The use of high-wattage

spotlights or floor lights, or ballasted fixtures (sodium, mercury, multi-vapor, fluorescent, metal halide, etc.) require approval. **For holiday lighting, See Seasonal Decorations, Section 2.62.**

2.43 **Masonry.** A variety of Masonry Products may be approved consistent with the design of the Improvement. The exterior of the Residence shall be a minimum of 20% stone. The total exterior square footage including the Garage and all other improvements shall be computed to obtain the 20%. The placement/location of the stone shall be dependent upon the Design of the Residence.

2.44 **Microwave Dishes. See Antennae, Section 2.07.**

2.45 **Overhangs/Awnings.** Approval is required. The overhang is to be an integral part of the Design of the Residence or patio. Overhangs shall be substantial and constructed in a manner to convey a custom expression. In the case of an awning, the color must be the same as, or generally recognized as, a complementary color to the exterior of the Residence. The owner must provide the Architectural Review Committee with the material to be used. **See Patio Covers, Section 2.47.**

2.46 **Painting.** Approval is not required if color and/or color combinations are identical to the original color of the home. Any changes to the color scheme or color changes must be submitted for approval and must conform to the general scheme of the community. If a different color on the home is desired by the owner, the owner must submit, with the Architectural Request Form, samples painted on a hard surface at least 12" x 12" , with a general description of the colors of the house on either side of the home, to the Architectural Review Committee.

2.47 **Patio Covers.** Approval is required. Patio covers must be constructed of material consistent with the home and be similar or generally recognized as complementary in color to the colors on the house. Freestanding patio covers may be permitted as well as extensions of the roof.

2.48 **Patios-Enclosed. See Additions and Expansions, Section 2.03.**

2.49 **Patios-Open.** Approval is required. Open patios must be an integral part of the landscape plan and must be located so as not to create an unreasonable level of noise for adjacent property owners. In some instances, additional plant material around the patio may be required for screening. The patio and materials must be similar or generally accepted as a complementary color and design to the residence.

2.50 **Paving.** Approval is required for all walks, patio areas, or other purposes and for all materials used, including concrete, brick, flagstones, stepping stones, pre-cast patterned or exposed aggregate concrete pavers. Asphalt will not be allowed. **See Driveways, Section 2.22.**

- 2.51 **Pipes.** See **Utility Equipment, Section 2.83.**
- 2.52 **Play Structures and Sports Equipment.** Will be permitted with approval and must be properly screened.
- 2.53 **Playhouses.** Will be permitted with approval and must be properly screened.
- 2.54 **Poles.** See **Flagpoles, Section 2.28** and **Utility Equipment, Section 2.83.**
- 2.55 **Pools.** Will be permitted as an architecturally intergral part of the residence. See **Hot Tubs and Jacuzzis, Section 2.35.**
- 2.56 **Radio Antennae.** See **Antennae, Section 2.07.**
- 2.57 **Rooftop Equipment.** Approval is required.
- 2.58 **Roofing Materials.** Approval is required and aall roof material will be natural, clay, or concrete tile. Approval is required for materials which differ from the materials used as part of the initial construction of the home. Repairs to an existing roof with the same building material that existed on the home prior to making the repairs do not require prior approval.
- 2.59 **Satellite Dishes.** See **Antennae, Section 2.07.**
- 2.60 **Saunas.** See **Accessory Buildings, Section 2.02.**
- 2.61 **Screen Doors.** See **Doors, Section 2.20.**
- 2.62 **Seasonal Decorations.** Approval is not required, provided that such seasonal decorations are installed on a lot, are consistent with the community standards, and are removed within twenty-one (21) days of the holiday.
- 2.63 **Setbacks.** All Improvements shall be located a minimum of 25 feet from all property lines.
- 2.64 **Sewage Disposal Systems.** Will not be permitted.
- 2.65 **Sheds.** Will not be permitted.
- 2.66 **Exterior Shutters.** Approval is required. Shutters should be of a similar material and of a color and design generally accepted as complementary to the exterior of the house.
- 2.67 **Siding.** Approval is required.
- 2.68 **Signs.** Approval is required for most signs. Without Architectural Control

Committee approval, one temporary sign advertising a property for sale or lease which is no more than six (6) square feet in aggregate, and which is discreet in color and style. The sign and any marketing brochure box must be removed immediately after closing.

All other signs, including address numbers and name plate signs must be approved. No lighted sign will be permitted unless utilized by the Developer. Political signs during an election season may be placed in the front yard of the lot, no more than thirty (30) days prior to the election date. All political signs must be removed within 48 hours of said election. No trade signs of any kind are allowed on the lot or home, which include, but are not limited to: landscaping, painting, construction and roofing. Notwithstanding the foregoing, reasonable signs, advertising, or billboards used by the Developer and/or Builder in connection with the sale of the lots and/or building Residences, shall be permissible in accordance with the Covenants.

2.69 **Skylights.** Approval is required. In no event will bubble-type skylights be approved.

2.70 **Solar Energy Devices.** Approval is required. **See Rooftop Equipment, Section 2.57.**

2.71 **Spas.** **See Hot Tubs and Jacuzzis, Section 2.35.**

2.72 **Sprinkler Systems.** **See Irrigation Systems, Section 2.37.**

2.73 **Statues or Fountains.** Approval is not required if installed in the rear yard with a height not greater than five (5) feet, including any pedestal. Approval is required if the statue or fountain is proposed for the front or side yard.

2.74 **Storage Sheds.** Will not be permitted.

2.75 **Sunshades.** **See Overhangs/Awnings, Section 2.45 and Patio Covers, Section 2.47.**

2.76 **Swamp Coolers.** **See Air Conditioning Equipment, Section 2.06, Evaporative Coolers, Section 2.23, and Rooftop Equipment, Section 2.57.**

2.77 **Swing Sets.** **See Play and Sports Equipment, Section 2.52.**

2.78 **Television Antennae.** **See Antennae, Section 2.07.**

2.79 **Temporary Structures.** The Protective Covenants prohibit certain types of temporary structures. However, during the actual construction, alteration, repair, or remodeling of a structure or other improvements, necessary temporary structures for storage of materials or for portable bathrooms may be erected and maintained by the Declarant, a builder, or a Person doing such work. The work of constructing, altering, or

remodeling any structure or other Improvements shall be prosecuted diligently from the commencement thereof until the completion thereof. **For permanent sheds, See Sheds Section 2.65.**

2.80 **Trash Containers, Enclosures and Pickup.** No refuse, garbage, trash, lumber, grass, shrubs or tree clippings, plant waste, metal, bulk materials, scrap or debris of any kind shall be kept, stored, or allowed to accumulate except inside the residence on any Lot nor shall such items be deposited on a street, unless placed in a suitable, tightly-covered container that is suitably located solely for the purpose of garbage pickup: provided, however, no such container may be deposited on a street for garbage pickup prior to 6:00 a.m. on the day before trash is to be picked up. *Trash containers must be properly stored the evening of pickup.* **See Compost, Section 2.16.**

2.81 **Tree Houses.** Will not be permitted.

2.82 **Underground Installations.** Approval is required.

2.83 **Utility Equipment.** Installation of utilities or utility equipment requires approval. Pursuant to the Protective Covenants, pipes, wires, poles, utility facilities must be kept and maintained, to the extent reasonably possible, underground or within an enclosed structure.

2.84 **Vanes.** **See Weather Vanes and Directional, Section 2.88.**

2.85 **Vents.** **See Rooftop Equipment, Section 2.57 and Air Conditioning Equipment, Section 2.06.**

2.86 **Walls.** **See Fences, Section 2.26.**

2.87 **Walls-Retaining.** Approval is required. **See Retaining Walls, Section 4.05.**

2.88 **Weather Vanes and Directionals.** Approval is required.

2.89 **Wood Storage.** Approval is required.

III. PROCEDURES FOR COMMITTEE APPROVAL.

3.01 **General.** As indicated in the listing of specific types of improvements, there are some cases in which advance written approval is not required if the guidelines with respect to that specific type of improvement are followed. In a few cases, as indicated in the listing, a specific type of improvement is not permitted under any circumstances. **In all other cases, including improvements not included in the listing, advance or prior written approval is required before construction or installation of an "Improvement to**

Property” is commenced. This section of the Guidelines explains how such approval can be obtained.

3.02 Drawings or Plans. Lot Owners are required to submit complete plans, and details, and specifications prior to commencement of any work on any improvement. Said plans and specification shall show all the elevations, the exterior design, height, materials, color, location of the structure or addition to the structure, plotted horizontally and vertically, location and size of driveways, preliminary plan for landscaping as discussed under Landscaping, walls, windbreaks and grading plan, as well as such other materials and information as may be required. In most cases, the materials to be submitted will be professionally prepared by an architect, or a landscape architect, or an experienced designer. The following guidelines should be used in preparing the drawings or plans.

1. Elevation drawings of the proposed improvement will be required. The elevation drawings should indicate materials. The drawing or plan should be done to scale of ¼ inch equals one foot. A topographical survey prepared for the grading plan should depict the property lines of the lot, all recorded easements and the outside boundary lines of the residence to be located on the lot. If a copy of an improvement location certificate (survey) of the lot is available, it should be used as a base from which to design.
2. Existing improvements, should be shown on the drawing or plan and identified or labeled. Such existing improvements include structures, driveways, fencing, walks, decks, trees, shrubs, etc.
3. The proposed improvements should be shown on the plan and labeled. Either on the plan or on an attachment, there should be a brief description of the proposed improvement, including the materials to be used and the colors.
4. The plan or drawing and other materials should show the name of the homeowner, the address of the home and a telephone number where the homeowner can be reached.
5. The proposed improvements must take into consideration the easements, building location restrictions, and sight distance at intersections.
6. Homeowners should be aware that most improvements require a permit from the City of Woodland Park and the Teller County Building Department. The Architectural Control Committee reserves the right to require a copy of such permits as a condition of its approval.

3.03 Submittal Requirements. Once a landscape plan has been developed, three copies of an 18" x 24" (minimum acceptable size 11" x 17") plan shall be submitted to the Architectural Review Committee. **Plans not submitted in this format will be rejected.** The plan must contain the following information:

1. Project Approval Request Form (Appendix A)
2. Lot, Filing Number and Owner's name, address, and telephone number.
3. Designer's name, address, and telephone number (if applicable).
4. Scale and north arrow.
5. All existing conditions including house, walks, driveways, patios, decks, walls, plants, trees, drainage ways, property lines, and any easements.
6. All proposed landscape planting improvements and landscape features such as walls, patios, structures, hot tubs, water features, shrubs, trees, reclaimed disturbance areas.

3.04 Review Fee. The Protective Covenants authorize the Architectural Control Committee to collect a fee for review of the plans of proposed improvements.

3.05 Action by Architectural Control Committee. The Architectural Control Committee will regularly review all plans submitted for approval. The Architectural Control Committee may require submission of additional material and may postpone action until all required materials have been submitted. The applicant will be contacted by phone, if possible, if the Architectural Control Committee feels additional materials are necessary or if the same have any suggestions for change.

3.06 Prosecution of Work. A proposed improvement to property should be accomplished as promptly and diligently as possible and in accordance with the approved plans and description. The work must be completed, in any event, within Twelve Months. The Architectural Control Committee reserves the right to inspect the work and to file a notice of noncompliance where warranted as provided for in the Covenants.

3.07 Rights of Appeal. A homeowner may appeal in the event of an adverse action by the Architectural Control Committee to the appointer of the Committee, at present the Declarant, provided such appeals are submitted within thirty (30) days after the applicant received notice of such adverse action.

3.08 Questions. If you have any questions about the foregoing procedures, feel free to contact the Architectural Control Committee's representative at the phone number and address listed in Section 1.04.

IV. LANDSCAPING SUGGESTIONS.

4.01 **General.** The purpose of this section of the Guidelines is to help the owner prepare an appropriate landscaping plan for your homesite. Careful landscape planning and design of your site will greatly enhance the ultimate appearance of the community. The information set forth in this section is suggestive only and, unless otherwise required in a separate document, not mandatory.

4.02 **Slopes.** In some cases, there may be relatively steep slopes on an owner's property. It is important to note that if slopes are not landscaped severe erosion and silting may occur. Therefore, it is recommended that the homeowner landscape slopes as soon as possible after moving in. Slopes and banks should be planted with drought tolerant plants. Terracing, or surfacing with stone or other free draining materials can lessen erosion of slopes. Loose aggregate or wood chips are not recommended on slopes unless measures are taken to prevent erosion or displacement by wind and/or water. Slopes can also be planted with ground covers and shrubs to prevent erosion. Rock gardens are another technique to help prevent slope erosion and create a landscape amenity. Slopes given proper design treatment can become an attractive, interesting part of the landscape. Retaining walls like the ones in the Subdivision are also very effective and pleasing.

4.03 **Soils/Drainage/Grading.** Residents should investigate the existing drainage conditions and preserve and accommodate the drainage situation which exists on their particular site at the time they had the improvements completed or they purchased their home. See Drainage, Section 2.23. Minor drainage modifications may be made to your lot providing you do not alter the engineered drainage pattern of the lot existing at the time the lot was conveyed to you. Grading can be used to create berm, slopes and swales which can define space, screen undesirable views, noise and high winds. It is suggested that berm slopes not exceed three (3) feet of horizontal distance to one (1) foot of rise or vertical height (3 to 1 slopes) in order to permit revegetation and reduce erosion and promote general maintenance.

4.04 **Soil Preparation.** Soil conditions may vary throughout the project. Individual soil testing is suggested for each lot to determine the exact nature of the soil. Local nurseries may offer assistance in determining the proper quantity and type of soil amendment.

4.05 **Retaining Walls.** Stone and concrete modular units, that compliment the color of the house, are preferred materials for walls. Retaining walls may be used to create or accommodate abrupt changes in grade. Such walls should be properly anchored to withstand overturning forces. Stonewalls should be made thicker at the bottom than at the top to achieve stability. To avoid destructive freeze-thaw action, all retaining walls should incorporate weep holes into the wall design to permit water trapped behind

them to be released. Walls should **not** be located so as to alter the existing drainage patterns, and should provide for adequate drainage over or through.

4.06 **Climate.** Typical climatic conditions of this area include low precipitation, low average humidity, variable winds, and a fairly wide temperature range. Materials and species should reflect the various constraints for these locations.

4.07 **Screening Views.** Plant materials and trellises can frame pleasant vistas such as views of the mountains. Care should be taken, however, to respect and preserve views of adjacent lots.

4.08 **Rockscapes.** Boulders and cobbles present an attractive alternative landscape element if used sensitively within the overall landscape composition. Large expanses of rock mulch without substantial shrub or groundcover plantings are unacceptable.