RESIDENTIAL IMPROVEMENT REGULATIONS FOR

GOVERNOR'S RANCH HOMEOWNERS ASSOCIATION

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RESIDENTIAL IMPROVEMENT REGULATIONS

FOR

GOVERNOR'S RANCH HOMEOWNERS ASSOCIATION

Updated January, 2012; Replaces previous editions

I. INTRODUCTION

1.01 **Definitions** - The following words, when used in these regulations shall have the meaning hereinafter specified:

A. **Association** - shall mean Governor's Ranch Homeowners Association, Inc., a Colorado corporation not for profit its successors and assigns.

B. **Declaration** - Shall mean the Declaration of Covenants and Restrictions for Governor's Ranch Homeowners Association recorded in Denver, County, Colorado on May 7, 1979 and in Jefferson County, Colorado, on Oct. 31, 1980 under Reception No. 80082625, as thereafter amended and supplemented.

C. **Committee** - Shall mean the Design Review Committee, (DRC)duly appointed in conformance with Article X, Section 1 of the Declaration, to review the erection, placement, and alteration of Improvements to Property in Governor's Ranch Subdivision.

D. **Subdivision** - Shall mean the Governor's Ranch Subdivision, which includes Filing 1,2,3,4,5,7,8.

E. **Properties** - shall mean all lots and common areas, developed or undeveloped within the Governor's Ranch Subdivision.

F. **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.

G. **Common Area** - Shall mean all the real property including, improvements thereon, owned by the Association for the common use and enjoyment of the owners of the Properties.

H. **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.

I. **Front and Back Yard** - The front yard is defined as everything in front of the main foundation including porches and driveways. The backyard is defined as everything behind the rear main foundation.

J. **Public View** - Public View means seen by any homeowner from any location.

1.02 **Regulations for the Design Review Committee** - The Declaration requires prior approval by the Committee or its designated representatives before any building, fences, or other structure is erected, placed, or altered "Improvements to Property". Improvements to Property include, but are not limited to, any landscaping or change of the grade 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 regulations contained herein establish certain acceptable designs for different types of improvements. These regulations apply to residential property in the Governor's Ranch Subdivision. The regulations are intended to assist the Owners in the Association. All proposed Improvements to Property must be submitted to the Committee.

1.03 **Content of Regulations** - In addition to the introductory material, these regulations 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.

1.04 **Effect of the Declaration** - Copies of the Declaration will be sent to Owners by Registered Mail, Return Receipt Requested upon notification from the Title Company. Owner should receive and become familiar with the Declaration. Nothing in these Regulations shall supersede or alter the provisions or requirements of the Declarations Provisions relating to the use of the Properties, and to Improvements to Property, which are found in Articles VII, IX, and X of the Declaration. It is the Owners responsibility to insure that Renters are provided a copy of the Declaration of Covenants and Restrictions and a copy of the Residential Improvement Regulations.

1.05 **Effect of Governmental and Other Regulations** - Use of the Properties and improvements to Property must comply with applicable building codes and other governmental requirements and regulations. Approval by the Committee will not constitute assurance that improvements comply with applicable governmental requirements and regulations, or that a permit or approvals are not also required from applicable governmental bodies. For information about

Jefferson County requirements, Owners must write or call the Jefferson County Building Department.

1.06 **Interference with Utilities** - In making Improvements to Property, Owners are responsible for locating all water, sewer, gas, electric, cable television or other utility lines or easements. Owners should not construct any improvements 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 Utilities Notification Center of Colorado, please dial 811. Please call 48 hours in advance. They can also help you with the following:
Southwest Suburban Denver Water & Sanitation District
Denver Water Board

1.07 **Goal of Regulations** - Compliance with these regulations and the provisions of the Declaration will help preserve the inherent architectural and aesthetic quality of the Governor's Ranch 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 Design Review Committee and neighbors will go far in creating an optimum environment, which will benefit all Owners. By following these regulations 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 Governor's Ranch Subdivision.

1.08 **Interpretation of the Regulations** - The Design Review Committee shall maintain strict interpretation of, and shall not approve any variation to these Regulations. If a question arises as to the correct interpretation of any terms, phrases or language contained in these Regulations, the Association Board of Directors' interpretation thereof shall be final and binding. The Board of Directors shall also have the right to overrule the Committee's decision on any matter at any time.

1.09 **Enforcement of Covenants and Regulations** -
1. Pursuant to the Association's Declaration and/or pursuant to the Colorado Common Interest Ownership Act (the Act"),the Association or any member of the Association, or both, may bring an action to enforce the terms of the Association's Declaration. The collection of delinquent assessments shall be governed by the Association's collection policy, except to the extent that the Association's desires to suspend an Owner's membership privileges for the non-payment of assessments, in which case the suspension procedure set forth herein shall apply

(but it shall not apply to the Association's efforts to collect the assessments).

2. The Association's primary objective is to uphold the terms of the Declaration and other governing documents that benefit the community at large. To the extent that a neighbor-to-neighbor dispute exists, the Board encourages the neighbors to resolve the dispute in an informal and cooperative manner if possible. In some cases, a community mediator may be brought in to resolve such disputes.

3. In the event that a claimed violation of the Association's governing documents is brought to the Board's (as used in this procedure, the term "Board" shall mean the Board of Directors, any Committee of the Board, Association staff acting as managing agent, or any other body established by the Association's governing documents such as, but not limited to, an independent Design Review Committee) attention through written complaint, the Board shall review the complaint to determine whether the Board should take further action. Any complaint submitted to the Board shall be sufficiently detailed to provide the provisions of the governing documents alleged to have been violated, together with the date and place of the violation. If the Board determines, in the exercise of its reasonable discretion, that the claim merits no further action, the Board shall document such a decision in the minutes of the Association.

4. If the Board determines that the complaint sets forth a potential violation of the Association's governing documents and that the Board is justified in pursuing the matter further, the Board shall send a notice to the Owner claimed to have caused the violation. If the person causing the violation is a guest, tenant, family member, invitee or licensee of an Owner, then the Owner shall be responsible for the act or omission (the term "Owner" used in this policy shall refer to the responsible Owner). The Board may but need not send a notice to the person causing the violation if such a person is not also an Owner.

1.10 **Fine and Lien System** - If the Owner does not cure the violation after the thirty (30) days allotted by the first notice, a second notice will be sent. The second notice will provide that the violation must be cured within fifteen (15) days from the date of the second letter. If the Owner does not respond in writing with a request for a hearing within the time frame set forth herein, the Owner shall be deemed to have admitted the facts set forth in the notice of violation at which time the Board may impose a fine or penalty, or both, for the violation and may suspend the Owner's privileges as the Board deems appropriate and pursuant to the governing documents of the Association.

1. The procedure to be followed at a hearing shall be as follows:

   a. The President of the Board or his/her designee shall be the Chairperson of the meeting (Chair). The Chair shall conduct the hearing and shall recognize people prior to them speaking and shall direct them to stop speaking as the Chair deems appropriate. At the conclusion of the hearing, the Board may, but need not make a final decision at the hearing. In any case, the Board shall send a written notice of its decision to the Owner within a reasonable time after the hearing. Any fine, penalty or suspension of privileges shall not take effect until at least five days after the Board's decision.

   b. If any person present at the hearing continues to speak or continues to be disruptive during the remainder of the meeting, the Board may vote to adjourn the hearing. In the alternative, or in addition to adjourning the hearing, the Chair, in the exercise of his/her reasonable discretion shall be entitled to contact law enforcement and request that the disruptive person be removed from the hearing.

2. The Board shall exercise its discretion with regard to the amount of any particular fine levied but shall be limited to the following fine schedule:

   a. First violation: 30 day warning letter
   b. Second violation: 15 day warning letter
   c. Third violation: Up to $100 fine
   d. Fourth and subsequent violation: Up to $200 fine
   e. Continuing violations shall be considered a separate violation for each 24 hour period that the violation continues. All fines assessed shall be collectible as assessments

3. The above listed fine schedule shall not limit the Association's ability to assess the Owner for any damages arising from the Owner's violation of the governing documents.

4. Notwithstanding anything in this policy to the contrary, the Association shall have the right, at any time and without proceeding through the steps outlined herein and without regard to the fine schedule, to bring action at law to compel compliance with the terms of the Association's governing

documents. Nothing in this paragraph constitutes an election of remedies nor precludes the Board from levying fines as set forth above while at the same time seeking injunctive relief for violations of a continuing nature or violations that affect the health, safety, or welfare of the residents or the property. The prevailing party to any action shall be entitled to recover its costs, expenses and reasonable attorneys' fees.

5. Failure of the Association to enforce its governing documents pursuant to this policy shall not constitute a waiver of the right to enforce the same thereafter.

II PROCEDURES FOR COMMITTEE APPROVAL

2.01 **General** - In a few cases, as indicated in the listing in Section III, a specific type of improvement is not permitted under any circumstances. In all other cases, including improvements not included in the listing in Section III, advance or prior written approval by the Committee is required before an Improvement to Property is commenced. This section of the Regulations explains how such approval can be obtained.

2.02 **Drawings or Plans** - Article X 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, or structural changes, detailed plans should be professionally prepared by an architect, engineer, and\or draftsman and should meet Jefferson County requirements. However, simple drawings and descriptions may be sufficient for other improvements. Whether done by the Owner or professionally, the following regulations should be followed in preparing drawings or plans:

1. 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.

2. 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.

3. 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.

4. 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.

5. Please be aware that there is a separate process required by Jefferson County. Please contact the Building Department at the County for the requirements specific to your project.

2.03 **Submission of Drawings and Plans** - One original and one copy of the drawing or plan shall be submitted to the Committee. One copy will be returned to the Owner after the Committee has acted. The copy will be attached to the request form showing Committee's decision. The original will be kept for the Association's records. Plans should be submitted to the HOA office - Attention: Design Review Committee.

2.04 **Review Fee** - No fee is charged at this time, for review/approval of plans by the Committee. All costs for submittals shall be borne by the Owner.

2.05 **Action by the Committee** - The Committee will meet regularly 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 defer the request until all required information or materials have been submitted. The HOA Office will contact the Owner by phone, if possible, if additional information or materials are required. The Committee will act upon all requests within thirty (30) days of its regularly scheduled meetings or within thirty (30) 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 recorded. The Board of Directors shall have the right to overrule the Committee's decision on any matter at any time.

2.06 **Completion 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 within one year of the approval date.

2.07 **Rights of Appeal** - An Owner may appeal to the Association

Board of Directors in the event of disapproval of a request by the Committee.

2.08 **Questions** - Owners should contact the HOA Office if they have questions about the Committee's decisions or procedures.

2.09 **Complaints** - Should be submitted to the HOA Office in writing, and must be dated and signed by an Owner. The HOA Office, the Board of Directors, and the Committee will take all reasonable action to preserve the anonymity of complaining Owners.

2.10 **Regulations Supplementary to Declaration** - The following Committee Regulations and procedures are supplementary to all of the terms and provisions of Article X 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 X, the latter shall prevail. The Board of Directors and/or the Design Review Committee has the right to amend the Residential Improvement Regulations from time to time as the Board or Committee finds necessary.

III REGULATIONS

3.01 **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. Exterior improvements , roofing, structures, changes to existing structures, any type of hardscape, even if not specifically listed, must be approved by the Committee.

B. The architectural style of a proposed residence shall be consistent with the traditional style and character of

the other single-family residences built in Governor's Ranch Subdivision, per the opinion of the Committee.

3.02 **Additions and Expansions** - Committee approval is required. Additions or expansions to the home will require submission of detailed plans and specifications, including description of materials to be used, and plan and elevation drawings showing dimensions, setbacks, roof slopes, etc. Additions and expansions must be of the same architectural style and color as that of the residences. It is required that Homeowners notify and receive neighbors signature approval prior to submitting forms for Additions and/or expansions. It is the responsibility of the homeowner to obtain any applicable permits. Cross reference 3.79 setbacks.

3.03 **Address Numbers** - Requires Committee approval to relocate to a position different from that originally installed by Sanford Homes and/or builder. Address numbers should be located in a position clearly visible and legible from the street. House numbers are assigned by the County Building Department.

3.04 **Advertising** - See Signs. Section 3.84.

3.05 **Air Conditioning Equipment** - Committee approval is required. Air conditioning equipment should not be immediately visible and must be screened from view. Equipment should be installed in such a way that any noise to adjacent property Owners is minimized. Installation of air conditioning equipment on the roof of the house or in a window of the house will not be permitted. It is required that Homeowners notify and receive neighbors signature approval prior to submitting forms for Air Conditioning Equipment.

3.06 **Animals** - 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 two (2) 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 including Common areas. Habitually barking, howling or yelping dogs shall be deemed a nuisance and shall not be permitted. Jefferson County ordinances also apply.

3.07 **Antennae** - No radio or TV antennae of any kind shall be displayed to the public view on any part of the property.

3.08 **Astro-Turf** - Or other floor covering cannot be used on front porch or balconies.

3.09 **Awnings** - Cloth or Canvas - Committee approval is required. Material must be made of cloth or canvas and durable enough to last several years. A brochure and sample of the material must be submitted to the committee for approval. The color must be the same as/or in harmony with the exterior of the residence, unless otherwise approved by the Committee. Awnings on the front of the home must have a straight edge.. Retractable awnings are permitted to be used as patio covers and must follow the above listed guidelines and regulations. Metal, fiberglass or plastic awnings are not allowed.

3.10 **Balconies** - See Decks, Section 3.25.

3.11 **Basketball Backboards** - Committee approval is required. No freestanding or pole mounted backboard may be constructed in the front yard. Garage mounted backboards in the front yard may not project more than two (2) feet from the front of the garage. Portable Basketball Backboards are permitted in the driveway, but they must not interfere with public right of way ie. sidewalks and street. Also see Sports Equipment, Section 3.88.

3.12 **Birdhouses, Birdbaths and Birdfeeders** - Birdhouses, birdbaths and/or birdfeeders may only be installed in the back yard.

3.13 **Boats** - see Sports and Recreational Vehicle, Section 3.89

3.14 **Bug Zappers** - If used, shall only be in the backyard and may not be kept on overnight.

3.15 **Building Height** - No single-family residence shall be more than two stories in height (story defined by the Uniform Building Code, latest edition), including the main floor level. The maximum height for residential structures is thirty-five (35) feet, as measured from a point which is the average elevation of the natural grade at the extreme four (4) corners of the proposed residence as it is to be located on the site.

3.16 **Cable TV Antennae** - See Antennae, Section 3.07.

3.17 **Campers** - See Sports and Recreational Vehicles, Section 3.89.

3.18 **Carports** - Not permitted.

3.19 **Circular Drives** - See Driveways, Section 3.29.

3.20 **Clotheslines and Hangers** - Committee approval is required. Clotheslines may be installed in the backyard of the residence but must be of the retractable type. Items should not be hung on the line for more than a day. The line must be retracted when not in use.-

3.21 **Cloth or Canvas Overhangs** - See Awnings, Section 3.09.

3.22 **Color** - See Painting, Section 3.60.

3.23 **Compost Bins** - Committee approval is required. Bins should be of muted colors that blend with the landscape. They should be wildlife proof and odors musty bot disturb neighboring homes.

3.24 **Corner Visibility** - Article X Section 2. Subsection E of the Declaration - "No fence, wall hedge or shrub planting which obstructs sight lines at elevations between 2 and 6 feet above the roadways shall be placed or permitted to remain on any corner Lot within the triangular area formed by the street property lines and a line connecting them at points 25 feet from the intersection of the property lines, or in the case of a rounded property corner, from the intersection of the street property lines extended. The same sight line limitations shall apply on any Lot within 10 feet from the intersection of a street property line with the edge of a driveway or alley pavement. No tree shall be permitted to remain within such distances of such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of such sight lines."

3.25 **Decks** - Committee approval is required. Must be constructed of wood or other 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. Must be located so as not to obstruct or diminish the view of the adjacent property Owners. Decks must be skirted from the bottom of the deck floor to ground level. Construction of decks over easement areas is not permitted. It is the Homeowners responsibility to obtain any permits required by County Regulations. Also see Latticework Section 3.53.

3.26 **Dog Runs** - Committee approval is required. Dog runs must be constructed with fencing of the same design as approved in Fencing, Section 3.34 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 250 square feet and can be no more than six(6')high. Wood screening or mature landscape

screening is required to hide a substantial view of the run. May not be constructed adjacent to common areas and greenbelts. Requires the signature of neighbors as indicated on the Design Review form.

3.27 **Doors** - Committee approval is required for the addition of screen or other type doors to 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 require Committee approval. All solid doors without windows must be painted one color. On doors with windows, the frames of the window may be painted to match the trim of the house.

3.28 **Drainage** - Sanford Homes' and/or builder or Jefferson County approval is required for any change affecting drainage. The established drainage pattern means the drainage pattern as engineered and constructed by Sanford Homes and\or builder prior to conveyance of title from Sanford Homes and\or builder to the original Owner. When installing landscaping, it is very important to ensure that water drains away from the foundation of the house and that the flow patterns prevent water from flowing under or forming a pond near or against the house foundation, walkways, sidewalks, and driveways or neighboring properties.

3.29 **Dumpsters/Roll Offs/San-O-Lets** - Homeowners should notify the Association office if any of these items are necessary at their residence. Dumpsters/Roll Offs/San-O-Lets should be limited to a period of not more than forty-five days and must be placed so they do not impeded traffic or traffic sight lines.

3.30 **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 inch (4") minimum thickness). Modifications to the original driveway require Committee approval. Widening for the purpose of extra parking space is not permitted.

3.31 **Evaporative Coolers** - Committee approval is required. Cannot be visible from the street and must be screened from view. Requires neighbor's signature on the Design Review Request form. Not permitted as rooftop equipment.

3.32 **Exterior Lighting** - See Lights and Lighting, Section 3.54.

3.33 **Exterior Materials** - The only acceptable exterior building materials are brick, natural stone (or a pre-cast stone approved by the Committee), natural wood, siding material of natural wood or pressed hardboard siding not less than 7/16" thickness with horizontal pattern not more than 8" on center, and natural wood shingles. For roofing materials

see 3.75. Exterior materials need to be replaced with a type of material consistent with products as originally installed.

3.34 **Fences.**

A. Fence Design - Fences may not be constructed or replaced without Committee approval. Fencing requests must be submitted with the signatures of the neighbors who are adjacent to the fence construction or change. Neighbors should discuss whose property line the fence will be constructed on, who will pay and if the fence is a replacement, who owned the original fencing. The recommended construction shall be in accordance with the specifications shown on Figures 1 through 5, following, and in compatibility with neighbors' existing fences. Property line fences abutting public or private streets, such as perimeter fences, may be dog-eared picket solid fence (Figure 3) and those property line fences abutting common walkways and greenbelts must be split rail (Figure 1 and 2). An open fence must be between three feet six inches (3'6") and four feet six inches (4'6") in height and must be constructed in accordance with Figures 1 or 2. Transitions between a three foot six inch (3'6") fence and a six-foot (6') fence must be as shown in Figure 3. Gates in fencing must be constructed in accordance with Figures 4 or 5. Fences should be constructed of rough sawn material and split rail fences must be constructed with jumbo rails. Replacement pickets should be of the 4" dog-eared type. Fences should be constructed with level side rails and pickets and posts that are vertically straight and even at the top of the fence.

1) Front Yard Property Line Fencing - Height limitation will be three feet six inches (3'6"). Design must be similar to that shown in Figure 1.

2) Property Line or Perimeter- Height limitations will be six feet(6')for privacy fences (see Figure 3), 4'6" for 3-rail split rail fences (see Figure 2), and 3'6"for 2-rail split fences (see Figure 1).

3) Fences or Screening Located Within Property Line Must be rough sawn wood. Must be an integral part of the landscape design.

4) Double Fencing - Not permitted. Double fencing is not the same as double facing. Check with Design Review Committee.

5) Solid Fences - Privacy fence must be constructed with the 2x4 framing and 4x4 posts on the constructing owner's property (i.e., the smooth side of the wood

slats on the front elevation of the fence in Figure 3 must face away from the Owners house).

6. The direction of the smooth side between adjacent homes should be agreed upon by neighbors in advance of the construction. Alternating panels (smooth side in, then smooth side out of no more than eight feet (8') in width are allowed only between adjacent properties.

7. Cluster Mail Boxes - Fences bordering cluster mailboxes must allow 3 ½' to 4' clearance behind cluster box to allow for mail delivery.

8. Underground electric fencing requires Committee approval.

B. No plastic, chicken wire, hog wire, barbed wire, strand wire or chain link fences (Dog Runs see Section 3.26) will be allowed. Weld wire (2"x4", 14 ga.) mesh may be attached to an open fence, if installed on the inside of the fence and **not extending above the top rail**. Fences cannot be stained or painted or treated in any way that would change the color of the fence.

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

D. Fencing must be regularly maintained in a manner that does not detract from the value of an attractive, residential community. For privacy fencing, panels should be secure with pickets and stringers in place and attached securely. Split rail fencing should b=have secure upright posts and stringers that fit properly into side posts.

3.35 **Firewood Storage** - Must be split, neatly stacked as in a cord (4x4x8feet) and screened from view from the street. Also see Wood Storage, Section 4.14.

3.36 **Flagpoles** - Free standing, permanently anchored Flag Poles are permitted in the backyard with a pole not to exceed twelve feet (12') in height. Flags may also be flown in the front of the house but must be on a pole attached to the house and hung from a pole not more than 48" in length.

3.37 **Foundation Concrete -Exposed** - Exposed foundation concrete more than eight inches (8") in height is not allowed.

3.38 **Garages** - Replacement doors must be approved by the Committee. A double car garage or maximum three-car garage is to be attached as an integral part of the residence design. Garage doors shall be wood, hardboard, fiberglass, metal, or other material as approved by the Committee. painted to match the residence body color or trim. Garage doors shall be kept closed when not in immediate use.

3.39 **Garbage Containers and Storage Areas** - See Trash and Recycling Containers Storage, Section 4.02.

3.40 **Garden-Flower** - Committee approval is not required. All flower gardens must be weeded, cared for and maintained regularly throughout the growing season.

3.41 **Garden-Vegetable** - Committee approval is not required, if located in the rear or side yard. Must be weeded, cared for and maintained regularly throughout the growing season.

3.42 **Gazebos/Seasonal Gazebos** - Committee approval is required. Gazebos may not be more that eight- (8) feet high at its highest peak, nor larger than eight feet (8) feet wide at its widest point. Permanent Gazebos must be constructed of wood or other 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 located in the rear yard so as not to obstruct or diminish the view of the adjacent property owners. Gazebo decks must be skirted from the bottom of the deck floor to ground level.
Seasonal Gazebos with cloth or canvas covering must also be approved by the Committee. Cloth or canvas must be of a color that is in harmony with the colors of the residence and must not be more than eight feet (8') in height. Cloth or canvas must be removed November 1st through May 1st.

3.43 **Grading and Grade Changes** - See Drainage Section 3.28.

3.44 **Greenhouses and Greenhouse Windows** - Committee approval is required. Greenhouses must be in the rear yard. Green house windows must be in the rear yard.

3.45 **Hanging of Clothes** - See Section 3.20, Clotheslines and Hangers.

3.46 **Holiday Decorations** - All seasonal decorations must be removed within 30 days of that particular holiday or celebration. Consideration of neighbors should be exercised when decorating for any occasion.

3.47 **Hot Tubs** - Committee approval is required. Adjacent homeowners signature required on the Design Review Request form. Must be in the rear yard and be an integral part of the deck or patio area and of the rear yard landscaping. Hot tub structure and hot tub users must be screened from view to adjacent neighbors.

3.48 **House Numbers** - House numbers should be located in a position clearly visible and legible from the street. House numbers are assigned by the County Building Department. Also see Address numbers, Section 3.03.

3.49 **Irrigation Systems** - Underground manual or automatic irrigation systems will not require approval of the Committee.

3.50 **Jacuzzi** - See Hot Tubs, Section 3.47.

3.51 **Junk Vehicles** - Inoperable (or Junk) vehicles 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. Also see Vehicles, Section 4.07.

3.52 **Landscape and Maintenance** -

1. It is required that at least 50% of the front yard be grass. The front yard is defined as everything in front of the main foundation on line facing the street, excluding the driveway.

2. Gravel, rock and/or soil piles left in front or on visible side yards of houses, in the street, or on the pavement driveway shall be left no longer than a period of 30 days. This is also a violation of Jefferson County ordinance.

3. Delivery and placement of such materials shall not damage greenbelt or boulevard 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 causing the damage will be held financially responsible for remedying the damage.

4. As the growing season permits, the grounds around all Living Units should be reseeded, sodded or otherwise planted with grass, ground cover or other plant materials to keep the appearance of front yards maintained in an attractive weed free appearance.

5. Dead trees and shrubs should be removed so that the overall appearance of the yard remains attractive. Trees

and shrubs must be pruned/trimmed so that they do not interfere with usage of pathways, sidewalks. greenbelt irrigation, traffic visibility or hang over fences in an unsightly manner.

6. Lawns must be mowed on a regular basis during the growing season which is generally defined from mid-April through mid-October.

3.53 **Latticework (Pattern)** - Committee approval is required. Detailed plans and specifications, including description of materials to be used, dimensions, setbacks, roof slopes and method of installation must be submitted.

3.54 **Lights and Lighting** - Committee approval is not required for exterior lighting if in accordance with the following regulations: Exterior lights must be of the traditional style and character as installed by Sanford Homes and\or 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 homeowners. Any variance from these regulations or usage of high wattage spotlights or floodlights require Committee approval.

3.55 **Livestock** - See Animals, Section 3.06.

3.56 **Mail Boxes** - Post Office must approve design and placement. All colors should be black or earth tones or shall be cluster boxes.

3.57 **Motor Homes** - See Sports and Recreational Vehicles, Section 3.89.

3.58 **Motorized Vehicles** - Motorized Vehicles are not to be driven on greenbelts or Common Areas. This includes snowmobiles, motorcycles, mini-bikes, go-carts, mopeds, go-peds, motorized scooters and delivery trucks, but excludes lawn cutting or maintenance equipment. Such vehicles shall not be parked as to be visible from any of the Properties.

3.59 **Overhangs** - See Awnings, Section 3.09.

3.60 **Painting** - Committee approval is required for **ALL** exterior painting.

1. All exterior colors must be reviewed for approval by the Committee, including repainting of homes using existing colors. Colors specifically not allowed shall be purple, orange, pink, or any variations thereof. The Committee will assess the overall color composition formed by the individual materials.

2. All roof vent caps, louvers, plumbing stacks, chimney flashing, valley flashing, etc. are to be painted a dark tone similar to the roofing color.

3. Whenever exterior painting is to be done, **ALL** proposed painting must be approved by the Committee prior to any painting being done. This includes any paint or color scheme.

4. All homes (and appurtenant structures) must be painted on a regular schedule to avoid chipping and peeling.

5. Colors which will meet requirements for approval are best described as being soft, muted colors. These colors tend to appear "dirty" or gray on paint chips, rather than clear and bright.

6. All siding and trim paints should be of a finish described as flat, low-luster, eggshell or low sheen. Siding and trim cannot be painted in semi-gloss or high gloss sheens.

7. Paint schemes must be different from neighboring homes. The Committee will not approve submittals without a description of neighbors paint colors.

8. Garage doors are to be the same color as the siding or trim, unless otherwise requested and approved by the Committee.

9. All window trim and wood and metal area surrounding window is to remain white, except where painted a different color originally by Sanford Homes and\or builder. All solid doors without windows must be painted one color. On doors with windows, the frames of the windows may be painted to match the trim of the house.

10. Most homes in Governor's Ranch have multiple tone paint schemes (i.e., 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.

11. Selections should be submitted to the HOA office in the form of manufacturer's paint chips. Please indicate which color chips are for trim, siding and accent (doors and shutters) color. The Committee may request a larger paint sample if the submitted color is deemed questionable by the Committee.

12. 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.

13. TRIM - Boards which overlap exterior siding in vertical, horizontal and/or diagonal positions along the corners, sides and roof lines are considered trim. This includes gutters and downspouts affixed to the trim and may also include windows and doors.

3.61 **Patio Covers** - Permanent - Committee approval is required. Must be constructed of wood and, if painted, must be the same color scheme as the exterior of the home.

3.62 **Patio - Enclosed** - Committee approval is required. Additions or expansions to the home will require submission of detailed plans and specifications including description of materials to be used, and plan and elevation drawings showing dimensions, set backs, roof slope etc. Additions and expansions must be of the same architectural style and color scheme as that of the residence. Neighbors signature is required on the Design Review Request form.

3.63 **Patio - Open** - Committee approval is required. 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. 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.

3.64 **Paving** - Committee approval is required for front yard changes to any hard surface paving including walks, porches and landscape edging. Materials such as concrete, brick, flagstones, stepping stones, pre-cast concrete, patterned concrete, stamped concrete or exposed aggregate concrete must all be approved.

3.65 **Pets** - See Animals, Section 3.06.

3.66 **Pipes** - See Utility Equipment, Section 4.05.

3.67 **Playhouse** - See Sheds Section 3.81.

3.68 **Play and Sports Equipment** - Committee approval is required. Adjacent neighbors signature is required on the Design Review Request form. Equipment shall be located in the rear or side yard. Total height of the equipment shall not exceed eight feet (8′) at its highest point.

3.69 **Poles** - See Basketball Backboard, Section 3.11; Flagpoles, Section 3.36 and/or Utility Equipment, Section 4.05.

3.70 **Pools** - Committee approval is required. Aboveground pools

will not be allowed.

3.71 **Porches** - Porches whether in front, back or side of the residence are not to be used for storage.

3.72 **Portable Basketball Backboards** - See Basketball Backboards, Section 3.11.

3.73 **Radio Antennae** - See Antennae, Section 3.07.

3.74 **Railings** - Committee approval is required. Submission of detailed plans and specifications, including description of the materials to be used must accompany the request form. Railings should be of a traditional style.

3.75 **Roofing/Roofs** - The major roof areas covering the residence shall have a minimum roof slope of five inches (5") in twelve inches (12"). A residence may have a portion of the structure in a flat roof configuration; however, this portion shall not exceed five percent (5%) of the total floor area (first and second, if applicable, floors). It is required that the material in Governor's Ranch be the same in appearance and style. Replacement roof shingles, which are the same material and type as the shingles to be replaced, do not require DRC review and approval. Design Review Committee approval is required for replacement shingles of a type other than that which presently exists on the home. A list of approved roofing products and colors is available at the Association office. Samples are also available for review. Submittal must include one original and one copy of the Roofing Change Request form. Any partial roofing repair must be completed with material of the same type and kind as the existing roof.

It is the Homeowner's responsibility to insure that the installation of lightweight concrete roofing does not compromise the structural integrity of their home. The DRC strongly recommends that the Homeowner consult with a structural engineer before installation of a lightweight concrete roof. The Board of Directors or the Design Review Committee shall not be responsible for reviewing, nor shall its approval of an improvement be deemed approval with respect to:

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

improvements or alteration to the property.

The approval by the DRC does not constitute an endorsement, recommendation or warranty by the DRC, the Board, the Association or any of their respective members, officers, managers, agents or employees of any particular brand, type or style of roofing material.

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

3.76 **Satellite Dishes -** Please turn in a Design Review Request for Satellite Dishes. Placement of dishes should be as unobtrusive as possible. Dishes may not exceed one (1) meter or 39.37" in diameter per Federal Regulations.

3.77 **Saunas** - See Additions and Expansions, Section 3.02.

3.78 **Screen Doors** - See Doors, section 3.27.

3.79 **Setbacks** - The following requirements for single family lots are taken from the Official Development Plan for Governor's Ranch, as approved by the Board of County Commissioners for Jefferson County. Patio homes are not the same as single family lots.

1. Area of Lot - For each single family dwelling, there shall be provided a minimum land area of not less than five thousand (5000) square feet.

2. Front Setback - The minimum depth of front setback for each single-family dwelling shall be twenty (20) feet. Private garages and parking spaces shall have the same front setback as the building to which they are an accessory. This shall not preclude the use of a garage driveway supplemental parking space.

3. Side Setback - Distance Between Structures - The minimum width of side setback for each single family dwelling shall be five (5) feet on each side, and the minimum distance between structures shall be ten (10) feet. When the side setback is adjacent to a street, the minimum dimension shall be ten (10) feet. Corner lots shall also comply with Sections, V, G, 1, of the Jefferson County Zoning Ordinances." Visual Clearance at Corners". Private garages shall have the same side setback as the building to which they are an accessory.

4. Rear Setback - The minimum depth of rear setback shall be twenty (20) feet for each single-family dwelling. Accessory structures and landscape structures shall have a

minimum rear setback of five (5) feet.

3.80 **Sewage Disposal Systems** - Committee approval is required. Cesspools, septic tanks or other non-central systems, other than recycling systems, will not be approved.

3.81 **Sheds** - Committee approval is required. One shed per property is allowed when all other criteria are met. Materials must be wood or the same materials and design as on the exterior of the house including the roofing material. Siding must run the same direction as the siding on the home. Sheds must be screened from view, and must be located in the side or rear yard. Submission of a plot plan detailing shed location, as well as the location of any screening fences or landscaping is required. Sheds must be the same color as the exterior of the house, unless otherwise approved by the Committee. Sheds may not be more than eight(8)feet high at their highest point, nor larger than eight (8) feet wide by ten (10) feet long. Cross reference Setbacks, Section 3.79.

3.82 **Shutters - Exterior** - Committee approval is required. Shutters must be painted to match the color scheme of the exterior of the house, unless otherwise approved by the Committee. Must be maintained as originally installed by builder.

3.83 **Siding** - Committee approval is required. Siding must be essentially the same as the siding installed by Sanford Homes and/or builder on other houses in the subdivision, and must be painted according to guidelines in Painting, Section 3.60. Siding must be consistent with material as originally installed on all sides of the house unless otherwise approved by the Committee.

3.84 **Signs** - Signs for the purpose of advertisement are not permitted with the exception of one (1) For Sale or one (1) For Rent sign to be displayed on the homeowner's property. Political signs are permitted for forty-five (45) days before an election and until seven (7) days after an election. One sign per candidate and one sign per ballot issue is permitted with the size of each sign to be no more than four (4) square feet per the Jefferson County Signs and Outdoor Advertising Devices Section 10, Part D, 8. The State Statute 38-33.3-106.5, (c) (I) also applies.

3.85 **Skylights** - Committee approval is required. Skylights with a lower profile are recommended. The manufacturer's brochure must be submitted with the request form.

3.86 **Solar Energy Devices** - Committee approval is required. Must be designed to appear as if it is an integral part of the roof. Must be enclosed in a gable effect by matching siding

or roofing material. No exterior plumbing may be visible from adjoining street. The Committee will require in writing proof of compliance with 100 MPH wind load stamped by a registered professional engineer.

3.87 **Spas** - See Hot Tubs, Section 3.47.

3.88 **Sports Equipment** - Committee approval is required. Skate ramps, soccer goals, football goals, or other similar sports equipment may not be permanently installed in the front yard. Portable sports equipment may be used in the front of the house but must be out of view from the street i.e. must be moved inside or to the back of the house, out of view, when not in use, except Portable Basketball Backboards. All permanently mounted sports equipment must receive committee approval. Also see Basketball Backboards, Section 3.11.

3.89 **Sports and Recreational Vehicles** - Not permitted to be located or parked on the properties or on the streets within the Governor's Ranch subdivision. No trailer, motor home, camper, including but not limited to the following: vehicle mounted camper, whether chassis or slide in, pick-up coach, tent, boat, semi tractor-trailer, truck (except Pick-Up), motorcycles, jet skis, all terrain vehicles and snow mobiles shall be parked, placed, erected, maintained or constructed on any lot for any purpose. Vehicles equipped with kitchen and/or lavatories are considered recreational vehicles. Such vehicles may be kept only within the garage or in storage facilities of the Properties. The Association does not permit enclosed structures for this type of storage. Thirty days to comply with Improvement Regulations guidelines on complaints regarding the aforementioned vehicles is waived under 3.89. Any vehicle so named must be removed within ten days of the date of the complaint letter sent by the Association and will be stated in the letter. If the vehicle is not moved within ten (10) days a second letter will be sent allowing for an additional five(5) days. If there is still no resolution to the violation a fine may be imposed after the second letter.

1. In order to allow for visitors, motor homes or campers may be allowed for a seventy-two (72) hour period. If the homeowner requests an extended time period by calling the Association office and stating the exact time frame for the visiting motor home or camper to be present, the Manager may allow for an extended time period of up to one week. Motor homes and/or campers must not interfere with traffic flow, traffic sight lines or parking for other neighboring homes.

2. Homeowners may park their recreational vehicles at their home for a limited time if they notify the Association office of the time period the vehicle needs to be parked for purposes of minor repair or loading and unloading. The total time allowed for a one year period is fourteen (14)

days (any portion of a day is considered one day). If the homeowner has not notified the Association office in advance of parking the vehicle, the vehicle will be considered in violation of the Regulations. Section 3.89 is in accordance with Jefferson County ordinances.

3.90 **Sprinkler Systems** - See Irrigation Systems, Section 3.49.

3.91 **Square Footage** - The Declaration and the supplements thereto define the square footage requirements for the original living area (above finished ground level and fully enclosed) for residences. Porches, terraces, unfinished basement areas, guest or separate quarters and garages are not construed as living areas.

3.92 **Statuaries and Fountains** - Any type or kind of statuaries and fountains will not be allowed in the front yard, including the front porch.

3.93 **Storage/Temporary Storage** - Items including but not limited to, fertilizer bags, dirt, rocks, windows, construction materials, landscape debris, furniture, (except patio furniture) etc. may not be stored against the house, shed, on porches, patios or decks. Commercial storage containers may be parked in the driveway of the home for a period of thirty days. The homeowner should notify the Association office in advance of the delivery of the unit and state the proposed project time frame.

3.94 **Storage Sheds** - See Sheds, Section 3.81.

3.95 **Sunshades** - See Awnings, Section 3.09.

3.96 **Swamp Coolers** - See Evaporative Coolers, Section 3.31.

3.97 **Swing Sets** - See Play Equipment, Section 3.68.

3.98 **Television Antennae** - See Antennae, Section 3.07 or Satellite Dishes, Section 3.76.

3.99 **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 72 hours. See Gazebos/Seasonal, Section 3.42.

4.00 **Temporary Vehicles** - See Sports and Recreational Vehicles, Section 3.89.

4.01 **Trailers** - See Sports and Recreational Vehicles, Section 3.89.

4.02 **Trash and Recycling Containers and Enclosures** - Recommended

to be kept in the garage but must be kept screened from view and behind a privacy fence and cannot be in the front yard. They should be wildlife proof and odors must not disturb neighboring homes. May be visible only on designated pickup days. Enclosures are not permitted. See Article VII, Section F of the Declaration.

4.03 **Tree Houses** - Not Permitted.

4.04 **Trellis** - Free standing garden trellises do not require committee approval. Trellises which are connected to another structure must be approved by the Committee. A drawing of the design, necessary attachments, dimensions and materials must accompany the submittal.

4.05 **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.

4.06 **Vanes** - See Weather Vanes, Weather Stations, and Directionals, Section 4.10.

4.07 **Vehicles** - Vehicles that are not licensed with current registration and license tags may not be kept on the driveway or on the street. Operable vehicles may be parked only on the driveway or on the street consistent with the direction of the flow of traffic. Vehicles cannot block sidewalk or street access. Also see Sports and Recreational Vehicles, Section 3.89.

4.08 **Vents** - Need Committee approval.

4.09 **Walls - Retaining** - Committee approval is required. A single retaining wall shall not be more than four (4) feet in height (measured at the exposed side). 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. Contractor and/or property Owner is liable for their respective Lot drainage. Retaining walls shall be constructed of: brick, treated wood, natural stone, or similar materials, subject to approval by the Committee. Concrete foundation systems for such retaining walls shall not have more than eight- (8) inch exposure. Exposed concrete retaining walls are specifically forbidden. Must have signature of the neighbor adjacent to the wall as indicated on the Design Review Request form.

4.10 **Weather Vanes, Weather Stations and Directionals** - Committee approval is required.

4.11 **Wells** - Not permitted. The Declaration prohibits use of the Properties for the purpose of mining, quarrying, drilling, boring, sandblasting, bushhammering or exploring for or removing oil, gas, or other hydrocarbons, minerals, rocks, stone, gravel, earth, water, etc.

4.12 **Windows** - Committee approval is required for all new windows or existing windows that are to be replaced. Submission of plans and specifications to the Committee shall include a description of the frame material. If requesting a new window, an elevation drawing showing the location of the new window is required. Replacement windows shall be substantially the same as those originally installed. This includes window grids, commonly known as Colonial grids as originally installed by the builder. Screens must be maintained in good repair. Window trim is to remain white.

4.13 **Wind Turbines, Vanes, and Directionals** - Committee approval is required.

4.14 **Wood Storage** - Must be split, neatly stacked as in a cord (4x4x8feet) and screened from view from the street. Also see Firewood Storage, Section 3.35.

4.15 **Wood Stove Stacks** - Committee approval required. All new and added stove stacks shall be enclosed and shall meet Jefferson County specifications for fire hazard compliance.