

**RESIDENTIAL IMPROVEMENT GUIDELINES AND SITE  
RESTRICTIONS  
FOR  
ARRAS PARK**

AS OF FEBRUARY 23, 2021

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# **1 INTRODUCTION**

## **1.1 Basis for Guidelines**

These Residential Improvement Guidelines and Site Restrictions (the “Guidelines”) are intended to assist Owners in the Arras Park community (the “Community”) in implementing landscaping and other Improvements to their property. The Declaration of Covenants, Conditions and Restrictions of Arras Park (the “Declaration”) requires prior approval from the Architectural Review Committee (the “ARC”), before any Improvement is made to upon any Lot. Note that, per the Declaration, “Improvement” is defined as all improvements, structures, buildings, and any and all landscaping, features, buildings, outbuildings, geothermal systems, solar systems, hot tubs, satellite dishes, patios, patio covers, awnings, solar collectors, painting or other finish material on any visible structure, walkways, sprinkler systems, garages, roads, driveways, parking areas, fences, gates, basketball backboards and hoops, swing sets or other play structures, screening walls, retaining walls, stairs, decks, fixtures, outdoor sculptures or artwork, landscaping, hedges, windbreaks, plantings, trees, shrubs, flowers, vegetables, sod, gravel, bark, exterior light fixtures, poles, signs, exterior tanks, and exterior air conditioning, cooling, heating and water softening equipment. In order to assist Owners, these Guidelines establish certain pre-approved designs for several types of Improvements and exempt certain Improvements from the requirement for approval.

The Community is or will be partially comprised of Lots improved with detached single family homes, some with alley loaded garages in the rear and little or no rear yard areas, and some with front-loaded garages and larger rear yard areas (“SF Lots”). Also, there are or will be Lots within the Community developed with attached homes, but which do not have side yard areas (“Townhome Lots”). Because of the differing size, yard area and character between the SF Lots and the Townhome Lots, there may be different guidelines or standards for each, and the same will be specifically set forth in these Guidelines. Unless otherwise stated or differentiated, the following Guidelines shall apply to both SF Lots and Townhome Lots, and any references to a Lot or Lots shall include both SF Lots and Townhome Lots.

All capitalized words and phrases used in these Guidelines shall have the meaning provided in the Declaration unless otherwise defined herein.

## **1.2 Contents of Guidelines**

In addition to the introductory material, these Guidelines contain (A) a summary of procedures for obtaining approval from the ARC (see Section 2); (B) a listing of specific types of Improvements that Owners might wish to make with specific information as to each of these types of Improvements (see Section 3).

**1.3 Architectural Review Committee or Representative**

The ARC consists of persons, representatives or a committee appointed to review requests for approval of architectural or site changes.

Per the Declaration, the Declarant is entitled to appoint the ARC until such time as the Declarant no longer owns any Property subject to the Declaration. After such time, the authority to appoint the ARC goes to the governing board of Home Place Metropolitan District (the “District”).

**1.4 ARC Contact Information**

The contact information of the ARC, persons, committee or representative authorized to administer the architectural review process is:

COMPANY NAME AND ADDRESS	PHONE	CONTACT	E-MAIL ADDRESS
Advance HOA Management	303-482-2213	Jackie Casas	<a href="mailto:jackie.casas@advancehoa.com">jackie.casas@advancehoa.com</a>

**1.5 Effect of Covenants**

The Declaration governs the property within the Community. Each Owner should review and become familiar with the Declaration. Nothing in these Guidelines supersedes or alters the provisions or requirements of the Declaration and, if there is any conflict or inconsistency, the Declaration will control.

**1.6 Effect of Governmental and Other Regulations**

Use of property within the Community and any Improvements must comply with any applicable building codes and other governmental requirements and regulations. Owners are encouraged to contact the City of Thornton for further information and requirements for any Improvement they wish to undertake.

**APPROVAL BY THE ARC DOES NOT CONSTITUTE ASSURANCE THAT IMPROVEMENTS COMPLY WITH APPLICABLE GOVERNMENTAL REQUIREMENTS OR REGULATIONS OR THAT A PERMIT OR APPROVALS ARE NOT ALSO REQUIRED FROM APPLICABLE GOVERNMENTAL BODIES. IT IS THE OWNER’S RESPONSIBILITY TO REVIEW ANY APPLICABLE GOVERNMENTAL REQUIREMENTS OR REGULATIONS TO ENSURE COMPLIANCE THEREWITH AND TO OBTAIN ANY NECESSARY PERMITS OR APPROVALS.**

## **1.7 Interference with Utilities**

In undertaking any Improvement, Owners are responsible for locating all water, sewer, gas, electrical, 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 any utility lines. In the event any utility company must perform work on any of their facilities located within a utility easement located on a Lot, neither the ARC nor the District shall be liable for any damage caused by such utility company's work to any Improvements installed by an Owner within such utility easement on the Owner's Lot. All underground utility lines and easements can be located by contacting:

**Utility Notification Center of Colorado  
Dial 811 before you dig**

## **1.8 Goal of Guidelines**

Compliance with these Guidelines and the provisions of the Declaration will help preserve the inherent architectural and aesthetic quality of the Community. It is the responsibility of the ARC to ensure that any proposed Improvement meets or exceeds the requirements of these Guidelines and to promote the highest quality design for the neighborhood. It is important that Improvements to property be made in harmony with and not detrimental to the rest of the Community. A spirit of cooperation with the ARC and neighbors will go far in creating an optimum environment, which will benefit all Owners. By following these Guidelines and obtaining prior written approval for Improvements to property from the ARC, Owners will be protecting their financial investment and will help insure that Improvements to property are compatible with standards established for the Community. If a question ever arises as to the correct interpretation of any terms, phrases or language contained in these Guidelines, the ARC's interpretation shall be final and binding.

## **1.9 Enforcement of the Declaration and Design Guidelines**

The District shall have responsibility for the enforcement of the architectural requirements of the Declaration and these Guidelines, as more fully provided in the Declaration. The District will investigate written complaints concerning violations of the requirements/prohibitions of the Declaration or these Guidelines, if such complaints are signed and dated by the person making the complaint. The District shall use all reasonable means to maintain the anonymity of complainants. If a violation is found as a result of a complaint or through its own inspections, the ARC shall notify the Owner whose property is in violation, in writing, requesting that appropriate action be taken to achieve compliance. If compliance is not achieved, the District may take enforcement action (including assessing fines, fees, and penalties) in accordance with the Declaration and the District's compliance and fee policy then in effect. Specific duties and powers of the ARC and the District are more fully set forth in the Declaration.

## **2 PROCEDURES FOR DESIGN REVIEW APPROVAL**

### **2.1 General**

As indicated in Section 3, there are some cases in which advance written approval of the ARC is not required if the guidelines with respect to that specific type of Improvement are followed. In a few cases, as indicated in Section 3, a specific type of Improvement is not permitted under any circumstances. In all other cases, including types of Improvements not included in Section 3, advance, or prior written approval of the ARC is required before any Improvement to property is commenced.

### **2.2 Drawings or Plans**

Owners are required to submit to the ARC an Architectural Review Request Form (which can be obtained from the entity listed in Section 1.5 of these Guidelines), and complete plans and specifications (said plans and specifications to show exterior design, height, materials, color, location of the structure or addition to the structure, plotted horizontally and vertically, location and size of driveway, general plan of landscaping, fencing, walls, windbreaks and grading plan, as well as such other materials and information as may be required, collectively the “Plans and Specifications”), which Plans and Specifications must be approved by the ARC prior to commencement of work on any Improvement to property. In most cases, the materials to be submitted will not have to be professionally prepared by an architect, a landscape architect, or draftsman, and a simple drawing with dimensions and description will be sufficient. In the case of major improvements, such as room additions, structural changes or accessory building construction, detailed plans, and specifications, prepared by a licensed architect, may be required. Whether done by the Owner, or professionally, the following guidelines should be followed in preparing plans and specifications:

- A.** The drawing or plan should be done to scale and shall depict the property lines of the Lot and show the home as located on the Lot. A copy of the plot plan of the Lot obtained when it was purchased would be an excellent base from which to start.
- B.** Existing improvements, in addition to the home, should be shown on the drawing or plan and identified or labeled as existing. Such existing improvements include driveways, walks, decks, trees, shrubs, fences, etc. The proposed Improvement should be shown on the plan and labeled as proposed. 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 and size, including height. For Example: Redwood deck, ten (10) feet by twelve (12) feet with two inch by four inch (2”x4”) decking and natural stain.
- C.** The plan or drawing and other materials should include the name of the Owner, the address of the home, and the e-mail address and telephone number where the Owner can be reached.



- D. The proposed Improvement must take into consideration the easements, building location restrictions and sight distance limitations at intersections. This information may be obtained from the City of Thornton (the “City”).
- E. Owners should be aware that many types of Improvements require a permit from the City.
- F. In some instances, elevation drawings of the proposed Improvement will be required. The elevation drawings should indicate materials.
- G. Photographs of existing conditions and of proposed materials and colors are encouraged to be included, and are helpful to convey the intended design, but should not be used solely to describe the proposed changes.

### **2.3 Submission of Drawings and Plans**

Drawing or plans (unless otherwise specified, minimum acceptable size 8.5" x 11") must be submitted to the ARC, in care of the entity listed in Section 1.5) along with a completed Architectural Review Request Form, which may be done electronically. Color photographs, brochures, paint swatches, etc. will help expedite the approval process. Specific dimensions and locations are required.

A review fee may be established for the review of Architectural Review Request Forms and Plans and Specifications by the ARC. Any such fee shall be in such amount as may be set forth on the Architectural Review Request Form from time to time. Please contact the entity specified in Section 1.5 to obtain the most current version of the Architectural Review Request Form.

If a review fee is imposed, the same shall be submitted with the Architectural Review Request Form.

The ARC may engage consultants as it deems appropriate to advise and assist it in carrying out its duties, including but not limited for the review of requests or the inspection of Improvements during or after construction to ensure compliance with any approval granted by the ARC. Any costs incurred by the ARC for the same shall be borne by the Owner. Any such costs incurred for assistance in the review of any request shall be payable prior to final approval.

### **2.4 Action by the ARC**

Upon submission of an Architectural Review Request Form to the entity listed in Section 1.5, the person designated therein shall review the submission and determine if complete Plans and Specification have been submitted. Upon such a determination, that person shall then forward the Architectural Review Request Form and the complete Plans and Specification to the ARC. The ARC will review each request for architectural or

landscape approval and approve and/or disapprove in writing each such request (which may be with conditions and/or requirements) within thirty (30) days after the ARC receives the Architectural Review Request Form and complete Plans and Specifications.

## **2.5 Revisions and Additions to Approved Plans**

Any revisions and/or additions to approved plans made by the Owner or as required by any governmental agency, must be re-submitted for approval by the ARC. The revised plans must follow the requirements as outlined above.

## **2.6 Completion of Work**

After approval (which may be with conditions and/or requirements) of any proposed Improvement by the ARC, the proposed Improvement shall be completed and constructed as promptly and diligently as possible, and in complete conformity with all conditions and requirements of the approval. Except as otherwise provided in relation to the installation of initial landscaping on a Lot, failure to complete the proposed Improvement within six months from the date of the approval (the "Completion Deadline"), or to complete the Improvement in complete conformance with the conditions and requirements of the approval, shall constitute noncompliance; provided, however, that the ARC may grant extensions of time to individual Owners for completion of any proposed Improvements, either (a) at the time of initial approval of such Improvements, or (b) upon the request of any Owner, provided such request is delivered to the ARC in writing; provided that the Owner is diligently prosecuting completion of the subject Improvements or other good cause exists at the time such request is made.

## **2.7 Inspection of Work**

The District, the ARC or designated representatives of either may monitor and conduct on-site inspections of any Improvement on a Lot to the extent required to determine that the Improvement thereon complies with this Declaration, these Guidelines and any applicable approvals, conditions or construction procedures issued, imposed or prescribed by the ARC. The District, the ARC or designated representatives of either may enter upon any Lot at any reasonable time for the purpose of observing the progress, status or completion of any Improvement.

## **2.8 Notice of Non-Compliance**

Any Improvement constructed, installed, modified or renovated in violation of Article 2 of the Declaration shall be deemed to be nonconforming. Upon written request from the District, the Owner of the Lot on which such Improvement is located shall, at such Owner's own cost and expense, restore the Lot a condition acceptable to the District. Should an Owner fail to do so within the time required, then the District, acting through its Board of Directors, shall have the right to enter the exterior portions of the Lot, remove the nonconforming Improvement, and restore the Lot to substantially the same condition as previously existed. All costs of any such entry, removal and restoration,

together with interest at the maximum rate then allowed by law, may be assessed against the subject Lot and collected by the District.

## **2.9 Amendment**

These Guidelines may at any time, from time to time, be added to, deleted from, repealed, amended, and modified, reenacted, or otherwise changed by the Declarant or the District, as applicable.

## **2.10 Questions**

If you have any questions about the foregoing procedures, feel free to call the ARC at the phone number and address listed in the Section 1.5 of these Guidelines.

### **3 SPECIFIC TYPES OF IMPROVEMENTS / SITE RESTRICTIONS**

#### **3.1 General**

The following is a listing, in alphabetical order, of a wide variety of specific types of improvements which Owners typically consider installing, with pertinent information as to each. Unless otherwise specifically stated, drawings or plans for a proposed Improvement must be submitted to the ARC and written approval of the ARC obtained before the Improvement is commenced. In some cases, where it is specifically so noted, an Owner may proceed with the Improvement without advance approval if the Owner follows the stated guideline. In some cases, where specifically stated, some types of Improvements are prohibited. ARC review and approval is required on any external items not be listed below.

#### **3.2 Variances**

Approval of any proposed plans by the granting of a variance from compliance with any of the provisions of these Guidelines is at the sole discretion of the ARC when circumstances such as topography, natural obstructions, hardship, aesthetic or environmental considerations may require.

#### **3.3 Waivers; No Precedent**

The approval or consent of the ARC to any application for approval shall not be deemed to constitute a waiver of any right to withhold or deny approval or consent as to any application or other matters whatsoever, as to which approval or consent may subsequently or additionally be required. Nor shall any such approval or consent be deemed to constitute a precedent in any other matter.

#### **3.4 Liability**

Neither the ARC, nor the members thereof, shall be liable in damages to any person submitting requests for approval or to any approval, or failure to approve or disapprove in regard to any matter within its jurisdiction. Neither the ARC, nor the members thereof, shall bear any responsibility for ensuring structural integrity or soundness of approved construction or modifications, or for ensuring compliance with building codes and other governmental requirements. The ARC will not make any investigation into title, ownership, easements (including any side yard use easements), rights-of-way, setbacks or other rights appurtenant to property with respect to architectural requests and shall not be liable for any disputes relating to the same.

### **3.5 Accessory Buildings**

Due to the size of the Townhome Lots, accessory buildings are not permitted on the Townhome Lots. Approval is required for any accessory building on a SF Lot. Approval will be based upon, but not limited to, the following criteria:

- A.** No more than one accessory building shall be permitted on any SF Lot.
- B.** Accessory buildings are not permitted in the front yards.
- C.** Storage sheds and accessory buildings must be aesthetically compatible and consistent with the style and character of the home and other homes in the same general area of the Community. Storage sheds and/or any accessory buildings shall not be more than 200 square feet and no taller than 15 feet high at the peak measured from the lowest point of finished grade adjacent to the structure. The roof pitch must be complementary to the existing roof on the home, unless otherwise approved by the ARC. Such storage sheds and/or accessory buildings must be permanent in nature.
- D.** Exterior materials must match those on the home, unless otherwise approved by the ARC.
- E.** Accessory buildings are to be screened, to the extent possible, from public streets and sidewalks, either by screening, landscaping, location or other techniques deemed sufficient by the ARC.
- F.** The ARC, in reviewing and approving or denying an application for approval of a storage shed or accessory building, shall take into consideration Lot size, square footage of the home, the existing grading, fence locations, landscape screenings, etc.
- G.** Any utilities serving the storage shed or accessory building shall be underground.
- H.** A playhouse or play structure shall not be considered an accessory building.

### **3.6 Additions and Expansions**

Due to the size of the Townhome Lots, additions or expansions of homes constructed on Townhome Lot are not permitted. For additions or expansions of homes constructed on SF Lots, approval is required. Additions or expansions must be constructed of wood, masonite, glass, brick, stone, or other material as 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 residence.

### **3.7 Address Numbers**

Approval is required to replace, alter or relocate existing address numbers, unless the address numbers are replaced using the same style, type and color of numbers currently on the residence.

### **3.8 Air Conditioning Equipment**

Approval is required for all new installations of air conditioning equipment, including evaporative coolers (swamp coolers) and attic ventilators, installed after the initial construction. Notwithstanding, approval is not required for replacement of existing air conditioning equipment with like equipment.

No heating, air conditioning, air movement (e.g. swamp coolers) or refrigeration equipment shall be installed on the roof or extended from windows. Ground mounted or exterior wall air conditioning equipment installed in the side yard must be installed in a manner so as to minimize visibility from the street and minimize any noise to adjacent property Owners.

### **3.9 Antennae/Satellite Dishes**

#### **3.9.1 General**

"Permitted Antennas" are defined as (a) an antenna which is less than one meter in diameter and is used to receive direct broadcast satellite service, including direct-to-home satellite services, or is used to receive or transmit fixed wireless signals via satellite; (b) an antenna which is less than one meter in diameter and is used to receive video programming services via multipoint distribution services, including multichannel multipoint distribution services, instruction television fixed services, and local multipoint distribution services or is used to receive or transmit fixed wireless signals other than via satellite; (c) an antenna which is designed to receive broadcast television broadcast signals; or (d) other antennas which are expressly permitted under applicable federal statutes or regulations. In the event a Permitted Antenna is no longer expressly permitted under applicable federal statutes or regulations, such antenna will no longer be a Permitted Antenna for purposes of this Section. Installation of Permitted Antennas shall not require the approval of the ARC.

A. All Permitted Antennas shall be installed with emphasis on being as unobtrusive as possible to the Community. To the extent that reception is not substantially degraded or costs unreasonably increased, all Permitted Antennas shall be screened from view from any street and nearby Lots to the maximum extent possible, and placement shall be made in the following order of preference:

- (1) Inside the structure of the house, not visible from the street
- (2) Rear yard or side yard, behind and below the fence line
- (3) Rear yard or side yard, mounted on the house, in the least visible location below roofline
- (4) Side yard in front of wing fence, screened by and integrated into landscaping
- (5) Back rooftop
- (6) Front yard screened by and integrated into landscaping.

- B.** If more than one (1) location on the Lot allows for adequate reception without imposing unreasonable expense or delay, the order of preference described above shall be used, and the least visible site shall be selected.
- C.** Permitted Antennas shall not encroach upon common areas or any other Owner's property.

### **3.9.2 Installation**

- A.** All installations must comply with all applicable building codes and other governmental regulations, and must be secured so they do not jeopardize the safety of residents or cause damage to adjacent properties. Any installation must strictly comply with FCC guidelines.
- B.** All Permitted Antennas shall be no larger, nor installed more visibly, than is necessary for reception of an acceptable signal.
- C.** Owners are responsible for all costs associated with the Permitted Antenna, including but not limited to costs to install, replace, repair, maintain, relocate, or remove the Permitted Antenna.
- D.** All cabling must be run internally when feasible, must be securely attached, and must be as inconspicuous as possible. Permitted Antennas, masts and any visible wiring may be required to be painted to match the color of the structure to which they are attached. The Owner should check with the installer/vendor for the appropriate type of paint.
- E.** All other antennas, not addressed above, are prohibited.

### **3.10 Awnings/Overhangs**

Approval is required. Awnings should be an integral part of the house or patio design. The color shall be complimentary to the exterior of the residence.

### **3.11 Barbecue/Gas Grills**

Natural gas and propane grills and smokers are permitted on decks, patios and balconies without approval, in accordance with applicable local fire codes. Charcoal grills of any kind are not permitted on the Townhome Lots. Built-in outdoor grills/kitchens require approval.

### **3.12 Basketball Backboards**

Basketball backboards attached to the house above the garage door may be approved by the ARC after review of submitted plans by the ARC. Approval is not required for portable basketball backboards, subject to the following limitations.

- A. Portable units cannot be placed in the public rights-of-way, streets, alleys, sidewalks or street lawns.
- B. Location must be in the driveway, at least half of the length of the driveway away from the street, or in the side or rear yard.
- C. Portable basketball backboards may be left out when not in use only if the backboard, hoop, and net are in good repair. Portable basketball backboards that are not in good repair, including the hoop and net, must be stored out of sight when not in use and may not be left out for more than 24 hours.

### **3.13 Carports**

Approval will not be granted.

### **3.14 Clothes Lines and Hangers**

Due to the size of Townhome Lots, clotheslines are not permitted on Townhome Lots. For SF Lots, clotheslines may only be placed in the rear yard. Fixed clotheslines and hangers are not permitted. Temporary drying structures will be permitted so long as such structures are used solely in the rear yard of a SF Lot and are immediately removed from sight after each use. Retractable clotheslines with permanent fixtures require approval.

### **3.15 Decks**

Due to the size of Townhome Lots, new or expanded decks not constructed as part of the original construction of the home are not permitted on Townhome Lots. Approval for any new or expanded deck on any SF Lot constructed or expanded after the initial construction of any deck by the builder of the home on the SF Lot is required. The deck must be constructed of wood or composite type decking products and approved by the ARC. The decking material must be of a color that matches or compliments one of the exterior paint colors or the masonry on the home. The deck should be located so as not to create an unreasonable level of noise for adjacent property Owners.



All deck columns shall be integrated into the architectural style/character of the home. Covered decks shall be compatible with the architectural style of the home through roof form integration, column design, and railing details. Supporting posts and columns associated with all covered decks or those more than thirty (30) inches above grade shall be a minimum eight (8) inches by eight inches unless grouped and wrapped (two or more 4"x4" posts) or enhanced with a masonry base. When possible, matching the column style present on the front of the home is preferred.

Decking that is less than thirty (30) inches above grade of the Lot may utilize a lattice skirting provided the skirting is made of redwood, cedar, stained fir, or composite wood material, with a minimum one-half (½) inch thick boards and stained or painted to match the remaining portions of the deck. Construction shall not occur over easements or beyond the side plane of the home and must be set back a minimum of ten (10) feet from the rear property line. Construction of decks over a sloped area is discouraged. Deck rails should not exceed 42" in height with a maximum spacing of 4" on center.

Owners are reminded that as with wood, some types of "maintenance free" decking products may also require periodic maintenance for proper care and to retain the product's aesthetic conformity, including but not limited to, fading, warping, etc. Decks may be finished with clear semi-transparent sealer, stained to match a cedar tone, an oil-based wood finish or a similar product that matches. The deck may also be painted to match the body or trim color of the home.

### **3.16 Dog Houses**

Due to the size of Townhome Lots, dog houses are not permitted on Townhome Lots. Dog houses are also not permitted on alley-loaded SFR Lots. For front-loaded, SF Lots, approval is required. In some instances, additional plant material may be required around the dog house for screening. Dog houses must be located within the rear yard or within a side yard of the alley-loaded SF Lot, behind the wing fence.

### **3.17 Dog Runs**

Due to the size of Townhome Lots, dog houses are not permitted on Townhome Lots. Dog houses are also not permitted on alley-loaded SF Lots. For front-loaded, SF Lots, approval is required. Dog runs must be located in the rear yard or within a side yard on the front-loaded SF Lot and behind the wing fence, abutting the home and substantially screened from view by planting fast-growing or mature trees or shrubs. Dog runs will be limited to two hundred (200) square feet, unless a variance is granted by the ARC. Dog run fences should be compatible with other fencing on the Lot and in the community. Chain link fencing will not be permitted. Covers (ex: tarps, sheets, blankets, etc.) on dog runs are not allowed.

Invisible pet fencing located on or within the perimeter boundary of an Owner's site does not require approval.

### **3.18 Doors**

Approval is not required for an already existing entrance door to a home if the same building materials and colors are used. Any modification to door material, character or color requires approval from the ARC. Garage doors may not be removed and replaced with siding, windows or otherwise.

#### **3.18.1 Storm Doors.**

Approval is not required for storm doors as long as the door is complimentary with the color scheme of the home. Owners wishing to utilize a different color must first obtain approval.

#### **3.18.2 Security Doors and Windows.**

All security or security-type doors and windows must be approved prior to installation.

### **3.19 Drainage**

The Declaration prohibits alteration of the established drainage pattern. When installing your landscaping, it is very important to insure that the drainage pattern established at the time your home was constructed is maintained and that water drains away from the foundation of the house and that the flow patterns prevent water from flowing under or against the house foundation, walkways, sidewalks, and driveways into the street. The ARC may require a report from a drainage engineer as part of landscaping or improvement plan approval. Landscaping and all drainage from downspouts off the house should conform to the established drainage pattern. Sump pump drainage should be vented a reasonable distance from the property line, on the Owner's property, to allow for absorption. Adverse effects to adjacent properties, including District lands, sidewalks and streets, will not be tolerated.

### **3.20 Driveways**

Approval is required for any changes or alterations to driveways. This includes construction of a pull-off area to the side of the driveway and/or driveway extensions. Only clear sealant may be used on the driveway (no colors) and Owners will be required to maintain the driveways against oil spills, spalling/peeling/etc.

## **3.21 Fences**

### **3.21.1 General Statement**

Fences constructed by the Declarant, the District, or a Builder along or abutting property lines, arterial streets, collector streets, and local streets may not be removed, replaced, painted a different color or altered, including, adding a gate, without approval of the ARC.

- A. If any such fences constructed by the Declarant or a Builder which are located upon an Owner's property are damaged or destroyed, the Owner shall repair or recondition the same at the Owner's expense.
- B. Some fences may be located upon property owned by the District and, if so, the approval of the District shall also be obtained before any such fence is removed, replaced, painted, or altered.

### **3.21.2 Fence Designs**

All front, rear or side yard fences along property lines or within the boundaries of any Lot require approval of the ARC.

- A. Fences (not previously installed by a Builder or the Declarant) are required to be constructed in accordance with the specifications shown in Schedule 1. Except for fences installed by the builder of the home as part of the original construction, no fencing shall be permitted on any alley-loaded Townhome Lot.
- B. Double fencing of property lines is not permitted.

### **3.21.3 Maintenance/Staining**

All fences constructed on a Lot shall be maintained, repaired, and replaced by the Owner of such Lot. Regular physical and aesthetic maintenance of fencing is required. Fences shall not be painted. Fences may be sealed with clear sealant only.

### **3.21.4 Additional Fence Requirements**

- A. No electric fences are permitted (other than pet containment fencing installed below grade), and all wire installed (permitted only on the inside of the fence) must comply with the specifications in Schedule 1.
- B. 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 adequate space between the fence and the ground to accommodate these drainage patterns.

- C. When making a submittal for fencing, include the style and height of the fence, type of stain/sealant, and all other descriptive details, as well as an elevation drawing with dimensions of the fence and a plot plan with the location of the fence clearly marked.

### **3.21.5 Prior Approved Fencing**

To the extent that fencing has been previously approved by the ARC based on a prior version of these Guidelines or otherwise, such fencing will be required to be compliant with this section and Schedule 1 when the fence is replaced, or whenever any repair is required or made to more than twenty-five (25) percent of the existing fencing material.

### **3.21.6 Pet Fencing**

Pet fencing may include any invisible fence on or within the perimeter boundary of an Owner's site per the above fencing standards. See Section 3.16, Dog Houses and Section 3.17, Dog Runs.

## **3.22 Fire Pits**

Due to the size of Townhome Lots, fire pits are not permitted on Townhome Lots. For SF Lots, approval is required for all permanent or built-in structures, whether gas or wood fired. Approval is not required for portable units as long as the fire pit is located at grate and is at least 15 feet from any structure. Fire pits shall only be permitted in the rear yard.

## **3.23 Flags/Flagpoles**

No ARC approval is required for flagpoles attached to a home. Freestanding flagpoles are prohibited. Any flagpoles attached to a home shall not extend higher than the roof of the home.

## **3.24 Gardens – Flower or Vegetable**

Approval is not required for flower or vegetable gardens. All flower and vegetable gardens must be weeded, cared for and maintained.

## **3.25 Gazebos**

Due to the size of Townhome Lots, gazebos are not permitted on Townhome Lots. For SF Lots, approval is required. A gazebo must be an integral part of the rear yard or side yard landscape plan and must be similar in material and design to the residence. The color must be generally accepted as a complementary color to the exterior of the residence.

### **3.26 Greenhouses**

Due to the size of Townhome Lots, greenhouses are not permitted on Townhome Lots. For SF Lots, approval is required. Approval will be based upon but not limited to general aesthetics, quality and permanence of materials used. Greenhouses may only be located in the rear yard or a side yard.

### **3.27 Hot Tubs and Jacuzzis**

Due to the size of Townhome Lots, hot tubs and Jacuzzis are not permitted on Townhome Lots. For SF Lots, approval is required. Hot tubs and Jacuzzis must be an integral part of the patio, rear yard or side yard area, and be installed in such a way 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. Non-vegetative screening materials should match or complement the house or deck structure and the overall landscaping aesthetic. Prefabricated hot tub enclosures will be evaluated on a case-by-case basis and may require additional plant material screening.

### **3.28 Irrigation Systems**

Approval is not required for underground automatic irrigation systems. Such systems may require approval through the City. An underground automatic irrigation system install with the landscape is encouraged for all Lots. All irrigation systems should be designed by a landscape architect, designer or irrigation specialist to ensure water management and plant growth. The irrigation system must be designed to a 70% distribution uniformity with multi-stream rotary nozzles (conventional spray heads are NOT allowed), must meet head to head coverage, and have a rain shut-off sensor. The use of a smart irrigation controller is highly encouraged. Shrub beds must be irrigated with a line source drip and shall comply with the individual home's soil report recommendations, specifically with regard to the no-irrigation zone at the edge of the home's building foundation. Notwithstanding anything to the contrary contained in these Guidelines, any irrigation system on any Lot that is maintained by the District shall not be altered in any manner by the Owner of the Lot.

### **3.29 Landscaping**

Approval is required. The plot plan of the residence and yard must be provided at a measurable scale. All organic materials (plants, shrubs, trees, etc.), building materials (stone, wood, edging, etc.), must be clearly labeled in detail. Soil amendment consisting of four cubic yards of Class I compost per 1,000 square feet, tilled to a depth of six inches is required for all planting areas.

The Lot landscaping should be designed to create a coherent environment which complements the overall Community. Plant material should relate to the scale and character used in the Community landscape areas and to the Lot improvements. Attention should be paid to the functional aspects of planting design. Consideration should be given

to the use of plants for screening, space definition, erosion control, glare reduction, dust control, and aesthetics. The use of drought tolerant plants is highly encouraged. This means that in the landscaping of each Lot, plant materials, irrigation systems and maintenance practices should be utilized to conserve water, wherever possible. Up to 80% of the landscape area of a Lot may consist of drought-tolerant plantings. It should be noted that if Xeriscape landscaping is selected a more traditional “green” appearance can still be achieved.

Landscaping must consist of trees, shrubs, ornamental grasses, ground covers, annual and perennial flowers, mulches, and automatic irrigation. Artificial turf may be installed, subject to ARC approval. Total artificial turf area of any height may not exceed 70% of the total yard area, and in relation to a front or unenclosed side yard, artificial turf shall not exceed 25% of the landscape area. The color must be similar to the geographical area, preferably a blended, multi-color monofilament fiber. The design intent is for artificial turf to emulate natural grass. Submittal must include the intended use and a sample of the proposed material showing the color and pile height.

An approved Plant List can be found on the City of Thornton’s website:

<https://www.thorntonco.gov/government/citydevelopment/Pages/landscape-architecture.aspx>

Please note that no Ash (Fraxinus) or Silver Maple crosses such as Autumn Blaze Maple (Acer Freemanni) trees are allowed in the City.

### **3.29.1 Landscape Installation Schedule**

Initial landscaping of all yards shall be installed within one year after the acquisition of the Lot by the Owner from the Declarant or a Builder.

### **3.29.2 Landscape Maintenance**

- A.** In some areas of the Community, the District maintains the landscaping in the area between the sidewalk and the curb of the street (the “Street/Tree Lawn Area”). In such cases, Owners are not permitted to make any alterations to the landscaping maintained by the District without approval of the ARC.
- B.** The Owner of each Lot shall maintain all landscaping on such Owner's Lot in a neat and attractive condition, including periodic and horticulturally correct pruning, removal of weeds and debris, and replacement of landscaping. This applies to the front, back, and side yards as well as the Street/Tree Lawn Area, unless the maintenance of the Lot and/or Street/Tree Lawn Area is performed by the District.

### **3.30 Latticework, Trellis, Arbors and Pergolas**

Approval is required for any type of installation of latticework, trellis, arbor or pergola. Adequate framing is required. The inside height of a proposed latticework, arbor, trellis or pergola must not exceed nine (9) feet, six (6) inches from the lowest point of finished grade to the highest portion of the arbor, trellis or pergola. Considerations will include, but may not be limited to, height, color and material. Latticework, arbors, trellises and pergolas must be complementary to the residence and/or an integral part of the landscaping plan. Professionally prepared plans for the same are highly encouraged to expedite the approval process; otherwise a photograph or catalog picture must be provided.

### **3.31 Lights and Lighting**

Approval is not required for replacing existing lighting, including coach lights, with the same or similar lighting and style as originally installed.

Approval is required to install motion detector spotlights, spotlights, floodlights, or ballasted fixtures (sodium, mercury, multi-vapor, fluorescent, metal halide, LED, etc.).

Approval is required to modify or add exterior lighting, subject to the following:

- A.** Considerations will include, but may not be limited to, the visibility, style and location of the fixture.
- B.** Exterior lighting for security and/or other uses must be directed at the ground and house, whereby the light cone stays within the property boundaries and the light source does not cause glare to other properties (bullet type light fixtures are recommended).
- C.** Ground lighting along walks must be maintained in a working and attractive manner. Low-voltage or solar powered ground lighting fixtures which are typically affixed by stakes or similar posts are to be maintained in good aesthetic repair, be functional, not be a tripping or other physical hazard along pedestrian pathways, and remain generally vertical in their presentation.
- D.** The addition of a front yard light post will be allowed with approval and pursuant to the following:
  - Exterior lights must be conservative in design and be as small in size as is reasonably practical.
  - Exterior lighting should be directed toward the ground and be of low voltage to minimize glare onto neighboring properties and the street.
  - Soft, outdoor pedestrian-oriented lighting should be used with dark colored lighting fixtures so as to be less obtrusive.
  - The light post should match or complement the architecture of the home in design, size, color, and finish along with any existing light fixtures.

- Light posts shall be located at an appropriate distance from the right-of-way and property line to minimize glare onto neighboring properties and the street and should be integrated into the natural or architectural features of the site.
- Light or lamp posts shall not be erected higher than 6' feet from ground level, unless approved by the ARC.
- All lighting should not be intrusive to neighboring properties and must meet all City requirements.

Seasonal lighting and decorations do not require approval. It is required that they not be installed more than thirty (30) days prior to the holiday or seasonal event. They shall be removed within thirty (30) days following the holiday or seasonal event.

### **3.32 Painting**

Approval is required for all house painting activities.

The following guidelines are applicable to all SF Lots:

- A.** The Architectural Review Request Form must be submitted with color samples shown on a swatch of at least 2" x 2". Color samples must be mailed or delivered to the ARC. E-mailed color samples will not be considered.
- B.** The Architectural Review Request Form must also include photos showing the colors of the two homes on each side of and across the street from the home (four total).
- C.** The ARC will not approve submittals without a description or photos of neighbors' paint colors.
- D.** Outlining the garage door panels in a contrasting color or in a checker board design is not permitted.
- E.** Most homes have multiple tone paint schemes (e.g., body color, trim color and accent color for shutters and doors). New colors submitted should preserve this multiple tone scheme, and shall be in harmony with the character of the community and the particular filing or neighborhood in which the home is located.
- F.** Color selections should be submitted to the ARC in the form of manufacturer's paint chips. Please indicate which color chips are for trim, body and accent (doors and shutters) color.
- G.** In general, after approval, only those areas that are painted may be repainted and only those areas that are stained may be re-stained; unpainted and unstained areas (such as brick or stone) shall remain unpainted and unstained.

The following additional guidelines are applicable to all Townhome Lots:



Because the individual homes on the Townhome Lots are attached via party walls (each building containing such attached homes shall be referred to herein as a “Townhome Building”), and the colors used on each individual home within a Townhome Building were designed to coordinate and complement one another, careful consideration must be given to maintaining the overall appearance of any particular Townhome Building in the event any or all of the individual homes in a Townhome Building is to be painted.

All Owners of the individual homes within a Townhome Building are encouraged to coordinate the repainting of the exterior of the homes within that Townhome Building at the same time, even if painting in the same colors as originally used, to maintain uniformity of colors, finish, condition, etc.

In the event any one, but not all, of the Owners of individual homes in a Townhome Building submits a painting request to the ARC, the request must be for the same colors as existing on that home, or if the homes within that Townhome Building are or have been painted in different colors, the color must be complementary to the colors existing on the other homes within that Townhome Building.

### **3.33 Patio Covers**

Patio covers are not permitted on Townhome Lots. For SF Lots, 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 on SF Lots as well as extensions of the roof.

### **3.34 Patios**

Due to the size of the Townhome Lots, new or expanded patios not constructed as part of the original construction of the home are not permitted on Townhome Lots. Approval for any new or expanded patio on any SF Lot constructed or expanded after the initial construction of any patio by the builder of the home on the SF Lot is required, subject to the following. 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 or integration into the landscape design. The patio and materials must be similar or generally accepted as a complementary color and design to the residence.

### **3.35 Paving**

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

### **3.36 Pipes**

Approval is required for all exterior pipes, conduits and equipment. Any such pipes, conduits and equipment must be painted to match the color of the portion of the house lying behind the pipe, conduit, or equipment. Adequate screening may also be required.

### **3.37 Play Structures and Sports Equipment**

Due to the size of Townhome Lots, play structures and sports equipment are not permitted on Townhome Lots. For SF Lots, approval is required. Play structures and sports equipment shall only be permitted in the rear yard or within a side yard. Consideration will be given to adjacent properties so as not to create an undue disturbance. A minimum five (5) foot setback from the property line is required for trampolines, swing sets, fort structures, etc. In some instances, additional plant material around the equipment may be required for screening. Wood structures must be constructed of weather resistant materials. All play equipment must be maintained in a good and attractive manner. The use of multi-colored cloth/canvas tarps will not be approved. Height of any play structure (such as a swing set) or sports equipment may not exceed twelve (12) feet.

### **3.38 Playhouses**

Due to the size of Townhome Lots, playhouses are not permitted on Townhome Lots. For SF Lots, approval is required for both design and location. Playhouses shall only be permitted in the rear yard or within a side yard. No playhouses shall exceed 12 feet in height at the roof pitch.

### **3.39 Ponds and Water Features**

Due to the size of the Townhome Lots, ponds and water features are not permitted. For SF Lots, approval is required. Considerations by the ARC will include, but not be limited to, the following criteria:

- A. Must be integrated into landscape scheme.
- B. Setback shall be a minimum of five (5) feet from all property lines.
- C. Must not affect existing drainage on the Lot or off the property.
- D. Must be maintained at all times.
- E. The maximum height of all fountain/pool elements and their spray is not allowed to be higher than four (4) feet from the ground plane.
- F. Must be a minimum of 5' from the building foundation.

### **3.40 Pools**

Due to the size of the Lots, pools, whether in-ground or above ground, are prohibited. Notwithstanding the above, one (1) wading pool, if less than eighteen (18) inches high and eight (8) feet in diameter, per Lot, is permitted on a temporary basis without prior approval and may not remain in a front yard when not in use.

### **3.41 Radon Mitigation Systems**

Approval is required. Equipment must be painted a color similar or generally accepted as complementary to the exterior of the house. All equipment shall be installed so as to minimize its visibility and shall not be installed on the front of the home.

### **3.42 Retaining Walls**

Due to the size of Townhome Lots, retaining walls are not permitted on Townhome Lots. For SF Lots, approval is required. Front yard retaining walls shall not exceed thirty (30) inches in height. In the side yard, retaining walls up to thirty (30) inches high, with a planted slope above the wall, may be constructed. In no event shall rear yard retaining walls exceed four (4) feet in height unless installed by a Participating Builder or Declarant. Retaining walls shall not significantly alter the drainage patterns on the Lot or adjacent properties (including District or public areas). Retaining walls shall be constructed with boulders, stone, brick or split face modular concrete block facing units installed per manufacturer instructions.

New or old creosote treated timber railroad ties and split faced blocks are prohibited.

### **3.43 Roofing Materials**

Approval is required for all roofing materials other than repair or replacement with roofing materials that are substantially identical to the roofing materials being replaced. All buildings constructed on a Lot should be roofed with the same or greater quality and type of roofing material as originally used by the builder of the home on the Lot.

In the event the shingles on any one, but not all, of the individual homes in a Townhome Building are to be replaced, the replacement shingles must be of the same color as exists on the other homes in that Townhome Building in order to maintain a consistent and uniform appearance of the roof. If the shingles on all of the homes in a Townhome Building are to be replaced at one time, all Owners of those homes must agree on the color of the shingles to be used for all of the homes within that Townhome Building, subject to approval by the ARC.

### **3.44 Rooftop Equipment**

The addition of additional rooftop equipment not installed by the builder of the home on the Lot is not permitted.

### **3.45 Seasonal Decorations**

Approval is not required if installed on a Lot within thirty (30) days of a holiday or seasonal event, provided that an Owner is keeping with the Community standards, and provided that the decorations are removed within thirty (30) days of the holiday or seasonal event.

### **3.46 Siding**

Approval is required.

Because the type or types of siding used on each individual home within a Townhome Building were designed to coordinate and complement one another, careful consideration must be given to maintaining the overall appearance of any particular Townhome Building in the event the siding on any or all of the individual homes in a Townhome Building is to be replaced.

In the event an Owner of an individual home in a Townhome Building submits a siding request to the ARC, the request must be for the same or substantially the same type or types of siding as existing on that home, or if the siding is to be changed to a different type, the requested type of siding must be complementary to the type or types of siding existing on the other homes within that Townhome Building.

### **3.47 Signs**

Subject to the restrictions below, signs no more than 36" by 48" in size each may be displayed on a Lot without approval.

- Commercial signs, defined as signs that carry a message making or intended to make a project, or advertising for the same purpose, of any size may not be displayed on a Lot.
- One for sale or for rent sign per Lot may be placed on a Lot during the marketing period of that Lot. Such sign must be removed upon sale or rental of the Lot.

### **3.48 Skylights**

Approval is required. Bubble type skylights are prohibited. Skylight glazing must be clear, solar bronze, or white.

### **3.49 Solar Energy Devices**

Except for solar energy devices installed by the builder of the home on the Lot, approval is required in order to review aesthetic conditions. Photovoltaic (PV) solar panels must lay flat on the roof, meet all applicable safety, building codes and electrical requirements, including solar panels for thermal systems (solar water heaters). The edges of solar panels must be of a color compatible to the color of the roof. Conduits and wires must, to the extent possible, following the eaves, direction of the siding, gutters, etc., and be painted to match the roof, siding or other material to which the conduit or wire is attached. Panels shall be installed to be low profile. The ARC is allowed to request changes as long as they don't significantly increase the cost or decrease the efficiency of the proposed device and panels. Please also see Colorado Law C.R.S. 38-30-168, which governs the review and the Owner's installation of such devices.

### **3.50 Statues, Yard Art or Fountains**

Due to the size of Townhome Lots, statues, yard art, and fountains are not permitted on Townhome Lots. For SF Lots, approval is not required if statues, yard art or fountains are installed in the rear yard and are not greater than four (4) feet in height from the highest point, including any pedestal.

Approval is required for any and all statue, yard art or fountain proposed for the front yard of a SF Lot.

### **3.51 Temporary Structures**

No structure of a temporary character, including, but not limited to, a shack, mobile home, or other temporary structure shall be placed or erected upon any Lot. However, during the actual construction, alteration, repair or remodeling of a structure or other Improvements on a Lot, necessary temporary structures for storage of materials or waste may be erected and maintained by the person doing such work. The work of constructing, altering, or remodeling any structure or other Improvements on a Lot shall be diligently pursued from the commencement thereof until the completion.

### **3.52 Trash Enclosures**

Due to the size of Townhome Lots, trash enclosures are not permitted on Townhome Lots. For SF Lots, approval is required for any trash or garbage enclosure. The enclosure shall be constructed of similar materials to that of the home or in accordance with the privacy fence specifications in Schedule 1. The enclosure must be located adjacent to either the rear or side of the house. The enclosure must be four-sided and completely enclosed, with one side being a side or rear wall of the home. No more than one enclosure will be permitted on any Lot. The size of a trash enclosure is limited to a size no larger than necessary to appropriately screen the trash receptacles. The enclosure must screen trash receptacles from all sides. The enclosure must be painted to match the siding or be stained to match the existing fence depending on the materials used.

### **3.53 Utility Equipment**

Approval is required for installation of utilities or utility equipment. Utility facilities must be kept and maintained, to the extent reasonably possible, underground or within an enclosed structure.

### **3.54 Window Replacement**

Approval is required unless the replacement windows are substantially identical to the windows being replaced. Considerations will include, but may not be limited to, size, color, existing and proposed window style and style of home.

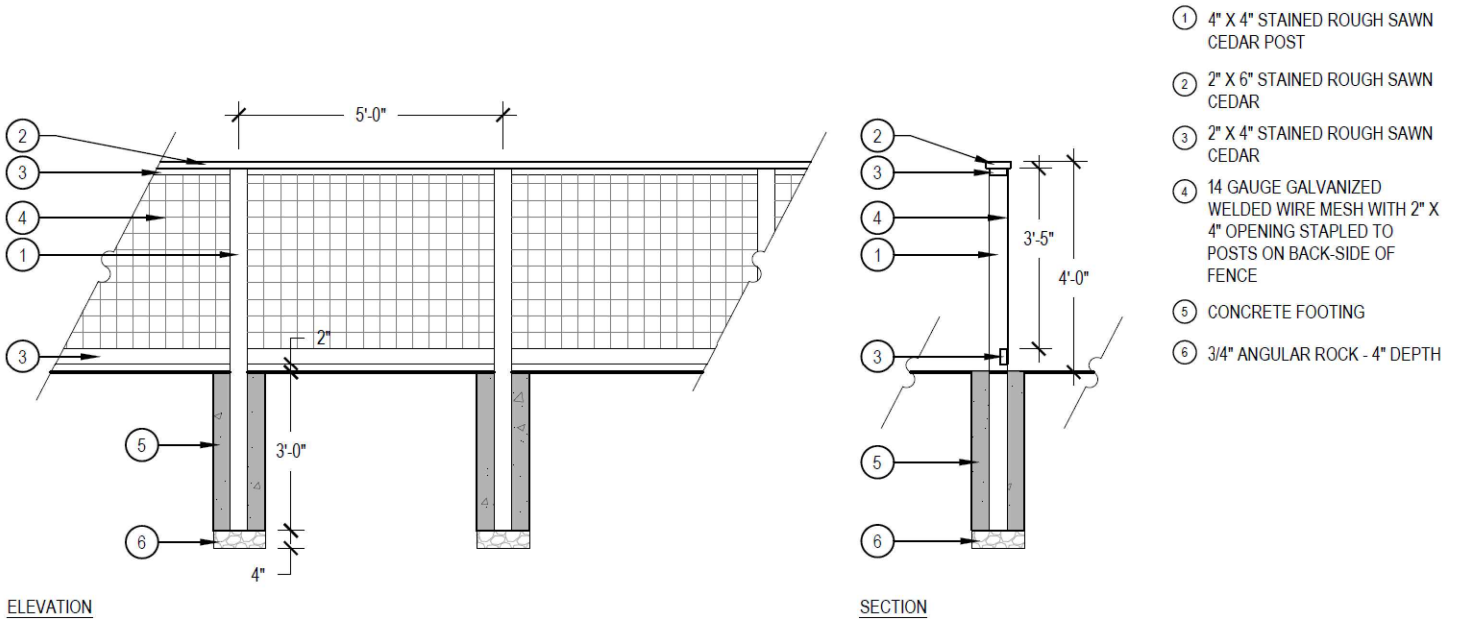
### **3.55 Window Tinting, Security Bars, Well Covers, etc.**

Approval is not required for window well covers that are manufactured with metal or plexiglass. Domed or bubble window well covers are not permitted. All others will require ARC approval.

Approval is required for any visible window tinting. Highly reflective and/or dark tinting is considered too commercial for residential applications and is not permitted.

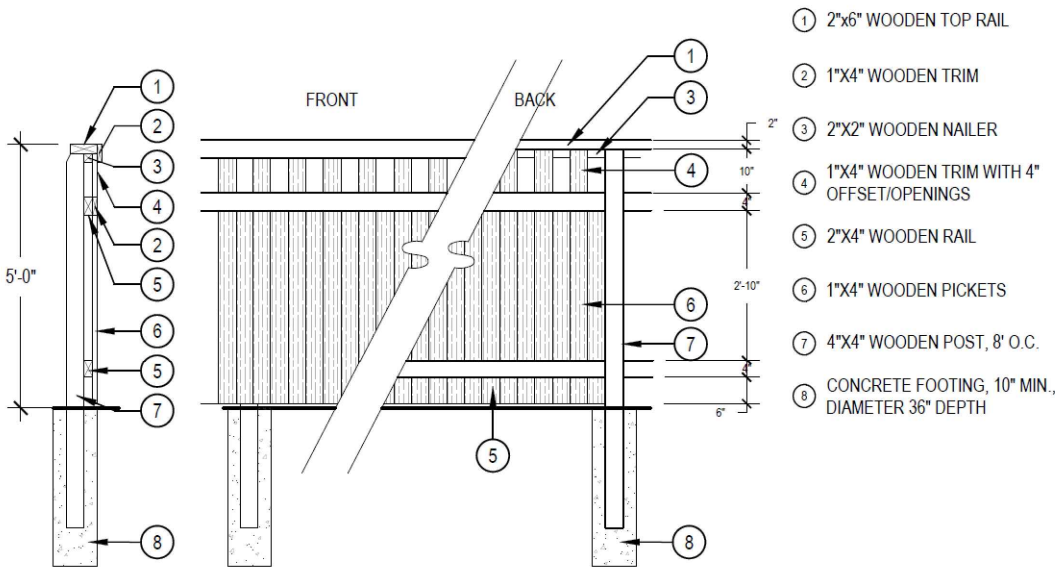
Security bars are prohibited.

**SCHEDULE 1**  
**FENCE GUIDELINES**



**1 OPEN WIRE FENCE** ■■■■■■■■■■

NOT TO SCALE



**2 5' WOODEN PRIVACY FENCE** ■■■■■■■■■■

NOT TO SCALE

**NOTE:**  
NO STAIN, TYPICAL

FENCING TYPES - FENCING TYPE LOCATIONS SPECIFIC TO REQUIREMENTS FOR LOT TYPE

