

# **Amended and Restated Architectural Guidelines For Peakview Estates Community**

**(Winter Farm Subdivision)  
As Of 01/02/08**

**“Disclaimer:” This property is also subject to a detailed Declaration of Covenants, Conditions, Restrictions and Easements (“CCRs”) which contains further restrictions and limitations which are also binding on the owners of all lots within the Community. The ACC or HOA (Homeowners Association) shall have the right, power and authority to amend these Architectural Guidelines as they from time to time deem appropriate in the future.**

## ***Introduction:***

The intent of these Architectural Guidelines is to govern, and to protect and preserve the livability and attractiveness of, the Community for many years to come. To achieve that end, an Architectural Control Committee (hereafter referred to as the “ACC”) will review the designs and architectural styles of proposed plans for any improvements or construction contemplated, reserving the right to grant or deny approval based on the criteria provided below, and in the CCRs or otherwise determined by the ACC. Unless otherwise specifically stated, drawings and plans for all proposed improvements or construction must be submitted to the ACC (along with any required ACC form[s] and/or fees as applicable) prior to commencing any improvement or construction, and written approval by the ACC must be obtained before commencing any such improvement or construction. If any improvement is being considered that is not specifically addressed in these Architectural Guidelines or in the CCRs, written ACC approval shall also be required prior to commencing such improvement. The ACC may require such drawings, plans or further information as it deems appropriate before granting any requested approval.

It is also important that each builder, contractor and/or owner preparing or planning to construct or install any improvement, construction or other activity governed by these Architectural Guidelines or the CCRs, contact the Town of Windsor (“Town”) to inquire about any Town requirements and/or necessary permits. Approval by the ACC does not constitute approval by the Town. Any conditions imposed by the Town shall be in addition to, and not in lieu of, any conditions imposed by the ACC or the CCRs.

## ***Submittal Process:***

Application forms for architectural and landscape reviews are available on our website at [www.Peakview-Windsor.com](http://www.Peakview-Windsor.com). All submittals must contain the required documents as specified on the application form, including the review fee (checks made payable to Winter Farm Metropolitan District) to be considered complete. Complete packets for review need to be dropped off at 612 Yukon Ct. Windsor, CO 80550. Call (970) 686-6861 for drop off times. Please note that accessory reviews for playground equipment, fencing, etc. will require a \$50.00 review fee if review requested separately from landscape plan review.

## ***Square Footage:***

Square footage will be computed on the exterior dimensions of “finished living space” within a home, excluding any square footage contained in the garage, any porch (covered or uncovered), deck (covered or uncovered), or basement (except as specified below). “Finished living space” is defined as space at least fully dry-walled and textured, painted, trimmed out, and floor covering installed. The minimum “finished living space” for all ranch style homes (one single level home/main level which is built completely

above/at grade/on top of ground surface) shall be 1,250 square feet. The minimum "finished living space" for all "multi-level" style homes shall be 1,450 square feet. The "finished living space" of the main-level (first level at or about prevailing grade) and any upper second story shall aggregate a minimum of 1,000 square feet; the balance of "finished living space" may be constructed within a garden level basement. A multi-level style home may also include a bi-level style home (elevated main floor level, with a garden level basement directly below). For a bi-level, the "finished living space" of the elevated main floor level shall be a minimum of 1,000 square feet; the balance of "finished living space" may be constructed within the garden level basement.

***Exterior Finish:***

All home plans shall be designed to provide an attractive appearance from all four sides. Decorative elements (masonry, veneer, shutters, dormer windows, etc.) should not be limited to the front side of the house. Fireplaces and the full height of any chimney (also including any combustion gas flue material/piping) must be fully enclosed with materials compatible with the exterior siding of the house. A 3' minimum wainscot on front elevation with a minimum 2' wrap around to each side of home is required. Such wainscot may consist of approved brick or stone, but not both. Exterior siding may be of redwood, brick, stone, wood shingles, synthetic stucco, architectural concrete, synthetic stone, or hardboard or masonite lap siding with a maximum 8" siding reveal, subject to ACC approval of design and quality of materials in each instance. Vertical siding may be used only as an accent or similar design feature on specific styles, subject to ACC approval. The ACC reserves the right to approve or reject any exterior finish and/or combination thereof, in an effort to maintain the attractiveness of the Community.

***Fascia & Soffits:***

Fascia shall be a minimum 8" and soffits shall be a minimum 12".

***Building Height Restrictions:***

Building height restrictions imposed by the Town must be followed. Currently, the Town allows residential structures up to a maximum height of 35 feet. The ACC reserves the right to impose stricter height requirements than the Town as the ACC deems appropriate from time to time.

***Windows:***

All windows shall be wrapped with a minimum 4" wide material (which shall be consistent with the approved siding material). Window design shall be consistent with the architectural design statement in size, proportion, detail and placement on the elevation. All windows must be manufactured of the same material. Painted wood, natural wood, painted steel, anodized aluminum, anodized metal clad/wood, vinyl clad or solid vinyl windows are allowed. No multiple material combinations will be allowed. Windows must be at minimum with "grid" on curb side(s) of home. Windows must be aligned vertically and horizontally.

***Roofing:***

Roof shall be a minimum 5/12 pitch. All roof vents, plumbing vents, HVAC vents shall be located at the rear of the roof peak if practical. Any vents permitted in front of the roof peak shall be painted to match the roof color. Roofing material shall be asphalt type, Tamco Heritage II, 25 year minimum, in Weather Wood color only (or such substitute as may be approved by the ACC from time to time).

**Colors:**

Color selection for home body and trim (whether paint, brick or stone, and any other siding/exterior color[s]), and wood trim paint or stain must be approved by the ACC. A detailed description of how each color component will be used shall be submitted to the ACC. All exterior railing, decks, wood, trim must be painted or stained unless approved vinyl material is used. Exterior colors must be subdued and blend with colors of the natural landscape (generally muted earth tones are required). Accent colors on exterior doors, window frames, fascia, soffits and trim may be used, with restraint, but shall not exceed 20% of the exterior surface of the home. Duplicate color schemes will not be allowed on adjacent lots. If the exterior of a home is to be painted, color selection shall be limited to those shown on (i) Diamond Vogel Paint's Colorizer Group 2001 "Exterior Coordinates" (except those colors identified as #8260 Mercury, #7330 Young Boy Blue, #7302 Pleasant Lake/ OW122 Pat O'Butter, #7479 Teal Tease, #8697 Spring Thing/ #8476 White Now!/ #7968 Citrus Sherbet, #7471 Teal Lake are not allowed) ; or (ii) Kwal Paint Exterior Colors "C/G 100M 6/00" exterior colors combination chart. Other brands of paint may be used if "colorized" to match any of the permitted color schemes. The ACC reserves the right to allow any other exterior colors (paint, stain, brick, stone, stucco and etc.) as it deems appropriate. A minimum of two colors and a maximum of three colors (excluding porch and deck materials if stained or made of vinyl) may be used on a home. All other approved siding materials shall also consist of at minimum of two colors, and a maximum of three colors. Repainting shall require approval by the ACC if a new color scheme is to be used.

**Decks:**

All decks require prior approval by the ACC. Deck flooring and railings shall be constructed of redwood, vinyl, composite type material made specifically this purpose, or iron, as approved by the ACC. All deck framing/construction, flooring and railing shall be stained or painted (except approved vinyl material).

**Other:**

**Setbacks:** All construction must conform to all setback and easement requirements of the Town and of the CCRs.

**Top of Foundation:** Foundation walls shall not be exposed, except 8" above prevailing grade.

**Underground Interior/Exterior Perimeter Water Drain System:** Developer STRONGLY RECOMMENDS that builders install appropriate exterior perimeter drain system or interior perimeter drain systems, and possibly sump pump(s), in homes built within the Community. However, subject to compliance with Town requirements (which are mandatory), the final determination as to the type of drainage protection and/or engineering of the foundation of the homes constructed within the Community should be determined by builder in consultation with its own engineer. Notwithstanding the foregoing, Developer and ACC reserve the right to require specific drainage and/or sump systems and/or engineered foundations for homes constructed on specific lots as may be designated by Developer or ACC from time to time on the basis of information provided by Developer's own engineer. The engineer responsible for design of an engineered foundation for a particular lot, if such design includes a drain system, shall inspect the drain system prior to backfilling and shall certify installation per his design requirements and shall certify such completion to the Town.

***Alphabetical Topical List/Architectural Guidelines:***

**Accessory Buildings, Storage Buildings:** Accessory buildings and storage buildings shall be submitted to the ACC for approval prior to construction. All such buildings shall be consistent with the siding, roof and colors of the primary residence. All accessory buildings and storage buildings shall be located to the rear of the primary residence.

**Additions and Expansions:** Additions and expansions of any improvements require prior ACC approval in accordance with the CCRs and these Architectural Guidelines.

**Advertising:** See "Signs".

**Air Conditioning Equipment:** Installation of air conditioning equipment on the roof of a residence, in a window of a residence or through a wall, is not permitted.

**Antennae:** Exterior antennae are not allowed. No exterior radio antennae, television antennae, or any other antenna may be erected. Microwave and/or satellite television dishes are permitted on sides and rear of residence only. Antennae may be erected within the attic of the residence.

**Astroturf:** Astroturf is not allowed.

**Awnings:** See "Overhangs".

**Balconies:** Construction of a balcony must receive prior approval by the ACC.

**Basements:** Homes shall include a full basement (or garden level or daylight basement). Slab on grade and crawl spaces will not be permitted.

**Basketball Backboards:** Placement and design must be approved by the ACC. Only free-standing basketball backboards will be allowed.

**Bird Houses and Feeders:** Bird houses and feeders do not require ACC approval up to a maximum size of 1 foot by 2 feet. No bird houses or bird feeders (of any size) may be attached to fencing.

**Building Plans:** The review and plan submittal procedures have been written to accommodate the wide variety of conditions that may exist in the variety of construction activities that may occur in the Community. There may be specific instances where certain of the step-by-step procedures will not have to be followed or certain listed submittal items may not be required. The ACC Coordinator shall be consulted to determine what information will be required for review by the ACC prior to making submission. Every submittal shall include the name, address and telephone number of the submitting party, and any required submittal form(s) and fee(s). It is also the responsibility of the party who will perform the construction to inquire of the Town and comply with all Town requirements. All future desired additions/improvements/modifications to home/residence shall also follow these guidelines and procedures. All construction drawings, building plans and other submittals shall be prepared by an architect, professional draftsman or similar qualified professional or technician. The ACC shall not be required to consider any submittal which is not substantially complete (i.e., does not include all items required by these Guidelines), and until such time as a complete submittal has been made, the requesting party will not be deemed to have requested approval of its submittal.

**a: Construction Drawings:** All construction drawings shall be drawn to conform with all current applicable local, state, national & federal building codes and Town requirements at time of submittal.

**b: Construction Drawings Submittal:** All construction drawings MUST be approved by the ACC prior to commencing construction. In addition, a valid building permit must be obtained from the Town when required by the Town. The Town may require different information than what the ACC may require. For the ACC, a total of two (2) sets of construction drawings shall be submitted. Foundations

must be engineered by a Colorado licensed engineer and each engineered foundation must be "site specific" to the lot. See also, "**Underground Interior/Exterior Perimeter Underground Water Drain System**", above. Two (2) sets of the engineered drawings shall also be submitted to the ACC. Scale for all drawings shall be either 1/8" = 1' or 1/4" = 1'. Each set should consist of the following:

- i: Roof plan showing pitch, valleys, hips, gables, materials & overhangs.
- ii: Floor plan showing main structures, accessory structures, including balconies, decks, porches, garage stalls, garden level/walk out basements, full sub grade basements, and square footage of each floor within main building, square footage of each accessory, and total square footage.
- iii: All exterior elevations showing materials and dimensions, with finished floor elevations clearly indicated.
- iv: Sections including finished grade, finished floor and maximum roof height.
- v: Site, grading & drainage plot plan(s) for each residential lot = are to be submitted with construction drawings, and should be at a scale of not less than 1" = 20' and should include at minimum the following:
  - 1. Legal description, street address/town/zip/county, north arrow, builder/contractor name, builder/contractor phone number, scale used to draw plot plan and name of Community.
  - 2. Property lines, easements and setback markings and figures/measurements, and lot size/square footage.
  - 3. Building envelope dimensions with the location of the envelope established in relationship to property lines.
  - 4. Drives, parking areas, walkways and any other paved areas.
  - 5. Square footage of the building footprint, with and without any accessory structures.
  - 6. Locations, elevations, and square footage of any other improvements such as swimming pools, patios, decks, hot tubs, sun rooms, etc.
  - 7. Final grading/drainage (storm water or other) of lot. **Note:** At present, the Town requires that each residential lot be "site/grading & drainage" certified by a Colorado licensed engineer. Each builder/contractor shall obtain and pay for engineer certification that each lot provides drainage as established according to the final engineered plans for Peakview Estates Community. A copy of this certification must also be submitted to the Town.

**Landscaping:** Landscaping plans must be approved by the ACC prior to installation. Plans shall be drawn by a landscape design professional whose name and phone number shall appear on the plan. Plans/drawings shall be prepared at a scale of 1" = 10'. Once the landscaping plan has been approved, no alterations can be made unless approved by the ACC. The ACC may require form(s) to accompany submitted landscaping plans and payment of a review fee. Plans shall depict types and locations of: fencing, decks, playground areas, sod, seeded areas, edging, retaining walls, rock areas, railroad ties, sprinkler systems, types of nursery items, flower beds/gardens, other planting beds, mulch areas, landscape lighting and any other components of the proposed plan. All landscape plans shall provide for 4 shrubs in the minimum size of 2 gallon or 12"-18" tall located in the front yard, a minimum of 2 shade trees, of 1¾ inch caliber, at least one in the front yard and one in the rear yard; front yards shall consist of at least 30% blue grass or fescue sod. Landscaping work/installation can be accomplished by a professional landscaping designer/contractor, by construction contractor or by residence owner(s). Such

landscaping shall be installed as soon as weather permits, but in no event longer than one (1) year after home occupancy. Although landscaping is not required for unoccupied homes, builders will be required to perform weed mitigation and snow removal. The ACC may request additional information and/or resubmittal, as it deems appropriate. Sprinkler systems must be installed to irrigate landscaping. Such systems shall be attached to the non-potable water system provided by the Metropolitan District. The Metropolitan District will activate specific lot system upon request. This non-potable water will be "metered" and the homeowner invoiced by the Metropolitan District for water used.

Weeds on all lots (including, without limitation, lots owned by builders) shall be kept mowed/cut (weeds must be mowed/cut when they exceed 4 to 6 inches in height).

**Carports:** Carports are not allowed.

**Clotheslines and Hangers:** Clotheslines and hangers are allowed.

**Concrete:** It is recommended that only a neutral tone concrete be used for all concrete work. Colored concrete will be allowed only with specific approval by the ACC.

**Dog Houses:** Dog house(s) require plan submittal to the ACC prior to installation/construction. This also includes "dog runs". Also, dog house and dog runs must be appropriately concealed from the street and neighboring yards. Acceptable methods of concealment include vinyl fencing or other method approved by the ACC.

**Drainage:** Any changes desired to be made to lot drainage must be approved PRIOR to performing change(s) by first the Town and then the ACC. There shall be no interference with the established/approved drainage pattern over a lot except as approved in writing by the Town and the ACC. When performing landscaping, it very important to insure that water drains away from the foundation, driveways and sidewalks, and that flow patterns prevent water from flowing under or "pooling" near or against the house foundation, walkways, concrete patios, sidewalks, driveways, etc. Each builder shall perform the initial "final grade" for drainage of the lot according to the original submitted approved plot plan. Builder shall then engage a licensed engineer to check and make certain that grading and drainage is consistent with the approved plot plan and that positive drainage will occur away from home. Upon installation of landscaping, the original approved grading and drainage plan must be maintained. It is highly recommended that a licensed engineer recheck drainage of the lot as landscaping is being installed and upon completion to assure that proper drainage was maintained. Any deficiencies must be corrected promptly.

**Driveways:** Driveways to the garage shall be constructed only with neutral tone concrete. There shall be no extension or expansion of driveways without prior ACC approval. If driveway extension or expansion is desired, drawings shall be submitted to the ACC showing the desired changes/additions (also including description of materials).

**Elevation Treatments:** Architectural design shall incorporate a consistent level of architectural interest in all elevations. The use of a walkout or garden level basement, architectural features such as cantilevers, window projections/bay windows, roof elements, decks, etc. shall be used to add contrast to elevation.

**Evaporative Coolers:** Evaporative coolers are not allowed.

**Fences:** Fences require ACC approval prior to installation. Drawings showing fence location, layout, design, height and material shall be submitted to the ACC. No fencing will be allowed anywhere within the front yard of residence. Only property perimeter fencing of the rear yard of residence will be allowed. Solid fencing is not permitted along rear yards that abut the split rail fence. Upon review and approval by the ACC, installation of wire mesh to split rail may be allowed for pet containment purposes. Fencing may extend from the rear yard onto each side of the residence to no more than 5' beyond the rear corners of

the residence on both sides. Notwithstanding the foregoing, in those instances where a home has an exterior door on the side of a garage, fencing may extend up to 2' beyond the front edge of said exterior door (but in no event beyond the front edge of the garage). Fencing materials allowed are as follows: vinyl fencing is allowed (white only) and shall not exceed 6' in height. Three variations of white vinyl solid fencing are allowed. Contact Masters and Norris, CPA's P.C. (970) 494-0342 for detailed specifications. Homeowners are advised that various utility companies and other service vendors may have the right to access the lot because of established easements (including removal of fence with no obligation to restore).

**Flagpoles:** Free standing poles are not allowed. One wall mounted bracket per residence shall be allowed.

**Foundation Exposure:** Foundation walls shall not be exposed, except 8" above prevailing grade of residence.

**Garages:** Every residence shall have, at minimum, a fully enclosed two (2) car garage. Garage doors shall incorporate windows acceptable to the ACC.

**Gardens:** Vegetable gardens measuring 15' x 15', or less, shall not require ACC approval. Larger gardens shall require prior ACC approval. Vegetable gardens shall be allowed only within the homeowner's back yard, and not on the sides of the home or in the front yard. Flower gardens and other landscaping gardens shall require prior ACC approval and be submitted on original landscaping plan, or submitted as change, if performed after original landscaping plans has been approved.

**Greenhouses:** Greenhouses require prior ACC approval.

**Height/Residence:** Height will be reviewed per each individual set of plans submitted. Maximum height from grade (next to home) to the highest roof top "peak" shall not exceed such height limits as the ACC may impose from time to time. No residence shall exceed two (2) stories above grade.

**Hot Tubs/Spa Tubs:** Hot tubs/spa tubs shall require ACC prior approval. Hot tubs/spa tubs should be an integral part of the deck or patio area and of the rear yard landscaping. Also, hot tubs/spa tubs must be installed so as not to be immediately visible from the front yard/street. Hot tubs/spa tubs shall be installed in such a manner that they will not cause noise disturbance for adjacent property owners. Owners shall take all necessary precautions to prevent accidental drowning, including appropriate tub covers.

**Home Business/Office:** Home business/offices are allowed if they are not visible and do not disrupt their neighbors with signage, traffic or deliveries, as set forth in the CCRs. Every resident should also inquire of the Town prior to implementing a home business to become aware of any Town requirements or restrictions, which will also apply.

**Irrigation Systems:** All residences shall install underground sprinkler system for entire lot landscaping, which must be installed within one year of home occupation. The entire irrigation system/sprinkler system shall be connected to the non-potable water system located on each lot as provided by the Metropolitan District. It is the responsibility of the party installing the sprinkler system to also inquire of the Town and the Metropolitan District to obtain any requirements that they may have regarding such installation.

**Lattice Work:** Lattice work shall require prior ACC approval. Any lattice work shall be incorporated within the "general" landscaping theme and must be maintained in good condition and appearance.

**Lights and Lighting:** Lights and Lighting shall be of conventional style with illumination patterns which do not cause a nuisance to neighboring properties. Light/lighting for the use in landscaping shall require prior ACC approval (see "Landscaping").

**Overhangs (Cloth or Canvas):** Overhangs (cloth or canvas) must be retractable and will require prior ACC approval. Color must be the same as or generally recognized as complementary to, the primary residence color. Overhangs (cloth or canvas)/coverings may be used over the patio or deck in the rear yard of residence ONLY. Also, overhangs (cloth or canvas) shall be maintained in good condition and appearance. No overhangs or coverings will be allowed anywhere on the front of the home or in the yard/landscaping of residence. No aluminum or fiberglass awnings will be allowed.

**Painting:** All residences shall be kept well painted in the color approved with the original construction submittal. Color changes there after must be prior approved by the ACC.

**Patio Coverings:** Patio coverings must be approved by ACC. They must be constructed of wood or materials generally recognized as complementary to the residence and must be similar or generally recognized as complementary in color to the primary residence color.

**Paving:** Paving can be performed with a variety of materials and used to enhance the residences landscaping or to create patio areas, walkways, stoops, porches, landscaping trim, etc. Approved paving materials are as follows: neutral tone concrete, flagstone, stepping stones, pre-cast patterned or exposed aggregate concrete pavers, and colored or natural rock. All material must be installed/located so as not to block any existing drainage pattern of the lot. All paving will require prior ACC approval.

**Play and Sports Equipment:** Play and sports equipment requires prior ACC approval. In general, all play equipment, trampolines and other sports equipment shall only be allowed in the rear of a residence. The ACC may require reasonable screening from the street.

**Playhouses:** Playhouses require prior ACC approval. Playhouses shall not exceed 8' in height at the peak, shall have no more than 120 square feet of interior floor space, and shall be located in the rear yard of the residence. Basic design, materials and colors must match the residence. Playhouses are to be incorporated into, and at least partially screened by, landscaping.

**Pools:** All swimming pools (whether in ground or above ground) shall require prior ACC approval. Moveable small children type (12' in diameter or less and 18" in depth or less) size swimming pools need not receive ACC approval. Swimming pools may be located only in the rear of residence. It is strongly recommended that some form of protection be installed surrounding any and all swimming pools (such as fencing – also subject to ACC approval) to protect against accidental drowning.

**Retaining Walls:** Retaining walls require prior approval of ACC. Also see "Landscaping".

**Roof Top Equipment:** No roof top equipment is allowed (see also "Air Conditioning Equipment" and "Antennae"). Lighting rod(s) are permissible. Decorative roof mounted weather vanes require prior ACC approval.

**Satellite Dishes:** Microwave and/or satellite television dishes are permitted as long as they are mounted or placed on the side or rear of residence with prior approval by ACC. Diameter of the "dish" shall not exceed a maximum of 36 inches, or as otherwise directed by the FCC. Also see "Antennae".

**Seasonal Decorations:** Seasonal decorations are permitted with the following qualifications and conditions: a: Christmas decorations shall not be displayed prior to Thanksgiving and must be removed by January 10th of the following year; b: other holiday decorations shall be removed within one week after the celebrated holiday; c: no decorations shall be displayed in such a manner as to be offensive to the neighborhood or create a public nuisance.

**Signs:** All signs require ACC prior approval, except temporary real estate "for sale" signs. These temporary signs advertising property for sale shall be no larger than 5 square feet in size.

**Solar Energy Devices:** Solar Energy Devices (whether passive or active) require prior approval from the ACC. Devices must be designed to appear as if they are an integral part of the roof. Every attempt shall be made to mount such devices on the back side of roof if possible, to minimize visibility from front of residence.

**Swamp Coolers:** Swamp coolers are not allowed.

**Swing Sets:** Swing sets only require prior ACC approval if they are a "permanent structure". Also see "Play and Sports Equipment".

**Television Antennae:** Television antennae are not allowed to be mounted anywhere on the exterior of residence. Also see "Antennae" and "Satellite Dishes".

**Temporary Structures:** Temporary structures are not allowed.

**Wells:** Wells are not allowed.