

**POLICY
FOR THE
20TH HOLE TOWNHOMES ASSOCIATION, Ltd.
ARCHITECTURAL REVIEW GUIDELINES**

SUBJECT: Adoption of policy guidelines for Architectural Control Standards relating to changes to units, limited common elements or common elements

PURPOSE: To adopt standards and procedures to be used in reviewing Owners' architectural requests, including forms to be used by the Association when reviewing request.

AUTHORITY: The Declaration, Articles and Bylaws of the Association and Colorado law (*Colorado Revised Statutes 38-33.3-302(3)(b) and 38-35.7-102*)

**EFFECTIVE
DATE:** September 30, 2008

RESOLUTION: The Association hereby adopts the following policy and procedures regarding architectural control guidelines:

I. GENERAL

- A. No exterior modification may be made without prior application to and approval of the Architectural Review Committee, except as noted in this Resolution.
- B. The interior Unit changes identified in this Resolution also require approval.
- C. If an Owner makes a modification without prior approval, or if the modification made is not in compliance with the approval received, the property and the Owner are in violation and subject to having the modification revised or removed and being assessed a fine.
- D. Certain changes and additions are prohibited by this Resolution, the Association documents, and state statutes.
- E. All Owners are responsible for assuring that changes and additions are made only in accordance with the provisions of this Resolution.
- F. All modifications in existence at the time of the adoption of this resolution shall be "grandfathered" for purposes of enforcement of this resolution.

II. APPLICATION PROCEDURES

A. Requirements for Applications

1. Owners wishing to make any of the changes requiring approval must submit the proper written application with all appropriate sections completed to a member of the Architectural Committee. The request shall include relevant drawings and specifications.
2. Oral requests will not be considered.
3. Each alteration or addition must be specifically approved even though the intended alteration or improvement conforms to the Association documents or this Resolution, and even when a similar or substantially identical alteration or addition has been previously approved.
4. Since the Association cannot control work performed within a Unit, the Unit Owner is responsible for assuring that any changes or additions are made in conformance with the Association documents and this resolution. Failure to comply subjects the Unit Owner to the remedies set forth in the Association documents.
5. Approval of any project by the Association does not waive the necessity of obtaining the required governmental permits.
6. Obtaining a governmental permit does not waive the need for Association approval.
7. The applicant must assure the project meets all local and building zoning codes. The Association will not knowingly approve a project that is in violation of the local building or zoning codes.
8. The burden rests with applicant to demonstrate the acceptability of the proposal. Applicant must submit with the application any materials such as exhibits, petitions, photographs, experts' statements that the applicant deems necessary. The applicant may request an opportunity to appear before the Committee, along with any witnesses the applicant desires to have testify.

B. Additional Requirements for Major Changes. Major changes, such as removal, installation of partitions, must meet the following requirements as appropriate:

1. No change may be made to the unit that would alter or remove an interior partition that contributes to the support of the unit or the building.
2. Where the change affects common utilities or involves temporary interruption of common utility service, applicants are required to coordinate arrangements with the Architectural Committee prior to commencing work. In any case, common utility service may not be interrupted except between the hours of 8:00 a.m. and 5:00 p.m. on weekdays. Service may not be interrupted on weekends or generally observed holidays.

3. Applicants are responsible for the removal of debris generated in the course of the change.

4. No sawing, hammering or other noisy construction activities are permitted except between the hours of 8:00 a.m. and 6:00 p.m. on weekdays that are not holidays and between the hours of 10:00 a.m. and 5:00 p.m. on weekends and holidays.

5. For Major interior renovations, the following may also be required to the extent applicable:

- Letter of transmittal
- Floor Plans
- Construction Schedule
- Proof of approval of other Owners Affected or Involved, if any, and approval of mortgagors if required
- Name of contractors and mechanics
- Final drawings
- Proposed contracts
- Location or storage site of building materials
- Arrangements for temporary access, if any
- Certificates of insurance of contractors
- Such other information as the Committee may require, such as, but not limited to, a building permit

6. Administrative Requirements:

a. Applicant must inform the Architectural Committee of the date on which construction starts and finishes.

b. If applicant desires to make changes during construction a revised application must be submitted to the Architectural Committee, which shall promptly act upon the revised application.

c. Applicant must provide the Association with written notice of completion within 14 days of completion. Upon notification, the Architectural Review Committee will inspect the Unit and common elements to insure that construction is in compliance.

d. At anytime during the process, applicant agrees to comply with any request to enter into the property or for additional information for purposes of documenting if improvement(s) is being constructed in accordance with the approved plan and in compliance with the covenants and guidelines. Refusal by applicant shall result in the withdrawal of the approval.

III. RESULTS OF REVIEW

- A. The Architectural Committee shall act on the submission and give notice to the applicant within thirty (30) business days from the written receipt of the application, including all of the appropriate forms. Should the committee request additional information of any kind, applicant must respond within five (5) days or a new thirty (30) day period will begin.
- B. If the applicant fails to receive a written reply indicating a decision within thirty (30) days from the receipt of the application and submissions, the request shall be considered to have been denied by the Architectural Committee.
- C. If a proposal is denied, the reasons for the disapproval shall be stated as part of the written decision.
- D. The applicant may resubmit a request or ask for reconsideration. New or additional information that might clarify the request or demonstrate its acceptability can be provided. Applicant must request such reconsideration by the Architectural Committee before applicant may appeal a decision to the Board of Directors.
- E. If the application is denied again upon reconsideration by the Architectural Committee, the applicant may appeal the decision to the Board of Directors by written request within 30 days after receipt of the Architectural Review Committee's denial.
- F. Copies of all Architectural Modification Requests will be maintained by the Architectural Committee and will be filed according to unit number along with the written decision and a statement of action taken, if any.
- G. All approvals shall expire six months after the date of approval if the item approved has not been completed, unless an extension has been granted by the committee whose approval shall not be unreasonably withheld.

IV. DESIGN GUIDELINES

A. Interior Alterations and Relocation of Partitions. Relocation of Boundaries. No removal of partitions between townhome units shall be commenced, placed, erected, or altered upon the Common Elements, including the Limited Common Elements, until the location and complete plans and specifications showing the nature, kind, shape, height and materials, including the color scheme have been submitted to and approved in writing as to harmony of external design and location of surrounding structures and topography by the Architectural Committee.

Subject to the provisions of the Declaration and any applicable law, a townhome Unit Owner:

- (a) May make improvements or alterations to a townhome Unit that do not impair the structural integrity or mechanical systems or lessen the support of any portion of the Common Interest Community;
- (b) May not change the appearance of the Common Elements, or the exterior appearance of a townhome Unit or any other portion of the townhome project except with the prior written permission of the Committee or the Board;
- (c) After acquiring a townhome unit and an adjoining townhome unit, an Owner may, subject to Architectural Review approval, remove or alter any intervening partition or create openings therein, even if the partition in whole or in part is a Common Element, if those acts do not impair the structural integrity or mechanical systems or lessen the support of any portion of the Common Interest Community. Removal of partitions or creation of apertures under this subsections is not an alteration of Boundaries; and
- (d) Association assessments of merged units will continue to be assessed on the same basis as they were prior to the merger of townhome Units.

B. Electrical Wiring If a change to the electrical wiring in a Unit does not affect another Unit or the Common Elements, the approval of the Architectural Committee approval is not required. All required governmental approvals shall be obtained by or on the behalf of the Owner prior to commencement of Work. Any interruption of common electrical service requires the approval of the Architectural Committee. If the proposed change to electrical wiring in a Unit would affect another Unit or the Common Elements, the change is prohibited. Solar panels are not allowed.

THE ASSOCIATION ASSUMES NO RESPONSIBILITY FOR ANY DAMAGE to person or property resulting from or related to any change in wiring from that originally installed, whether or not such change has the approval of the Architectural Committee, since the committee cannot control quality of workmanship relative to the change, or errors or omissions of pertinent information on the application. Unit Owners are responsible for insuring that their contractors have adequate insurance and are bonded.

C. Plumbing If a change to the plumbing system in a Unit does not affect another Unit or the Common Elements, Architectural Committee approval is not required. All required governmental approvals shall be obtained by or on the behalf of the Owner prior to commencement of work. Any interruption of common water service requires the prior approval of the Architectural Committee.

If the proposed change to the plumbing system in a Unit would affect another Unit or the Common Elements, or significantly increase the water consumption of that Unit of the Common Elements, the Owners must obtain prior approval from the Architectural Committee. Any plumbing work must be done in accordance with all applicable codes and ordinances. The Owner is responsible for obtaining all necessary permits and approvals.

D. Patios/Balconies/Decks/Railings and Building Exterior.

- 1. **Painting.** Painting of the stucco walls and metal railing is the responsibility of the Association. The wooden floor deck is the responsibility of the Owner. The replacement stain (no paint) for the wooden deck shall be of a neutral color.

2. **Planters and Flower Boxes.** Movable planters and flower boxes may be placed on the Owner's wooden decks and concrete patios. Railing planters are permitted if secured properly and do not cause any damage to the railing or the exterior of the building. No planter boxes, pots or hangers may be installed on the outside walls of the building.
3. **Feeders.** No animal, liquid or seed-type bird feeders are to be hung or placed in, or on, the Association's common property.
4. **Railing screens.** Temporary screening material on patio and upper deck railing capable of retaining small children or a small pet is permissible. Material must be a color that blends in with the railings and is in good condition.

E. Awnings, Shades, Shutters. No exterior shades, shutters or awnings are allowed; except for the placement of a "retractable" awnings over the units balcony facing the north. The awnings shall be of a neutral shade, without design, and must have the prior approval of the Architectural Committee for placement.

F. Painting, Wallpapering, Decorating. Painting, wallpapering, and decorating inside a Unit's boundaries, as defined by the Declaration, does not require Architectural Committee approval.

Painting, wallpapering, and decorating of any Common Element or Limited Common Element by any Owner is not permitted.

G. Doors, Doorbell, Handles, Locks, etc. Maintenance and replacement of all exterior doors (including garage door) and hardware is the responsibility of the Unit Owner and shall have the Architectural Committee prior approval. All replacement doors and hardware must be consistent in style, material and color to that of the original in order to retain the overall harmonious design of the community and proper fire code regulations.

The only doorbells that can be changed out are those that light for the hearing-impaired – these must be removed once the unit is sold to someone else.

The front (southern exterior) door must be a panel metal door.

Painting of the exterior door is the responsibility of the Association.

H. Storm/Security Doors. Storm/security doors are permitted to be installed with the prior approval of the Architectural Committee, provided that the doors are metal and the color of the exterior window frame. All storm/security doors must be maintained in satisfactory condition by the Unit Owner.

I. Window Glass and Window Frames. The Association is not responsible for replacing exterior broken window glass or for the windows set inside all the exterior doors. Stain glass window replacements are not allowed.

Window Coverings. All drapes, blinds or inside shutters must appear white or neutral from outside of the unit. No reflective material is permitted.

Security bars. Security bars on window or doors are not permitted.

J. Screens. Unit Owners are responsible for the screens on their windows and doors. All units must have screens on windows that open. All screens must be kept in good working order and kept free of cuts, tears and tape. The screen must be in a frame that matches the size of the existing window or door.

K. Light Fixtures. The exterior security lighting system is the Association's responsibility. Electrical maintenance for these lights should be done only by Association personnel, and the bulbs are replaced by Association personnel and at Association expense.

Exterior light fixtures attached to the Units are the Association's responsibility. Unit Owners are responsible for replacing their own unit's exterior light fixtures light bulbs.

Unit lighting. Photo Cell or action censored exterior lights are allowed on the Lots. Style and method of attachment must have prior approval by the Architectural Committee. No flood lights or landscape lighting are permitted. No changes to the Association's exterior security light fixtures will be permitted.

L. Air Conditioners and Utility Boxes. Exterior air conditioning units and utility boxes are the responsibility of the Unit Owners. Air conditioning compressors shall be located on the builders designated pads and their maintenance and appearance are the responsibility of the Owner. Window units are prohibited. Any owner desiring to cover their air conditioner compressor must have approval of the Architectural Committee.

M. Garages. Garage doors are the responsibility of the Unit Owner to maintain, including but not limited to: locks, springs, rollers, etc. Replacement of the garage door shall have the prior approval of the Architectural Committee. The garage door shall conceal the contents of the garage. The maintenance of the door and the doors mechanisms is the responsibility of the unit Owner. Replacement doors must be in keeping with the original design and other units. Garage doors shall be kept closed except when access or short term activity requires them to be open. The doors shall relate to the dwelling in respect to character, material, and finish. Exterior keypad openers for garage doors are permitted and should be mounted on the exterior garage doorframe.

**PRESIDENT'S and
SECRETARY'S
CERTIFICATION**

The undersigned, respectively being the President and Secretary of the 20th Hole Townhomes Association, Ltd., a Colorado nonprofit corporation, certify that the foregoing Resolution was approved and adopted by the Board of Directors of the Association, at a duly called and held meeting of the Board of Directors of the Association on Sept 30, 2008, and in witness thereof, the undersigned have subscribed their names.

20th Hole Townhomes Association, Ltd.

By:

Midge B Abel
President

ATTEST:

By:

Condorval Greif
Secretary

Original copy filed with: