

WOODGATE RECREATIONAL HOMEOWNERS ASSOCIATION, INC.
ARCHITECTURAL GUIDELINES/ RULES AND REGULATIONS
MAY 2010

The following guidelines have been established pursuant to section two (2) of the Protective Covenants for Woodgate Recreational Homeowners Association in order to direct the Board of Directors and/or the Architectural Control Committee in making decisions approving or disapproving Design Review plans submitted to it pursuant to the By-Laws of the Woodgate Recreational Homeowners Association, and when deciding upon appropriate corrective actions against non-conforming architectural changes.

The further purpose of the guidelines is to provide homeowners with directions when planning or considering architectural and drafting plans and specifications to be submitted to the Architectural Control Committee ("Committee") for approval. These guidelines do not supersede the Articles of Incorporation, Bylaws, or the Declaration of Woodgate Recreational Homeowners Association. Furthermore, the homeowner is responsible for ensuring all submittals meet all applicable Federal, States, and local zoning laws and regulatory codes applicable to their real estate and permitting requirements.

The following guidelines are intended to assist the maintenance of harmonious exterior design, materials, decoration, color, and locations of all architectural changes. The harmony will retain the aesthetic and economic value of individual properties, as well as the entire Community. The guidelines are intended to be broad enough to allow each property owner to exercise individual taste, and to provide a broad parameter within which all architectural changes must fit.

The following is a list, in alphabetical order, of a wide variety of specific types of improvements which homeowners typically consider installing, with pertinent information as to each. Unless otherwise specifically stated, drawings or plans of a proposed improvement must be submitted to the ACC, and the written approval of the Committee obtained before the improvements are made. In some cases, where specifically stated, a type of improvement is prohibited. **If you are considering an improvement not listed below, Committee approval is required.**

C.R.S 38-33.3-302 (1) (a) authorizes the Association to adopt and amend Bylaws, Rules, and Regulations. Please refer to the SB-100 policies for further information.

Accessory Buildings (Sheds)- ACC approval is required. Approval will be based upon, but not limited to, the following criteria:

- Homeowners must provide a drawing of their property showing the location in which the building/shed will be located.
- Colors must match the existing home including exterior siding, trim, and shingles.
- A drawing or photo of the accessory building should be included

- providing the length, width, and height.
- The accessory building/shed must be maintained. Exterior painting and roof repairs to the home must also include the accessory building.
- The owner must meet City and County codes and obtain permits required by the City and County and must:
 - be constructed within the rear yard only.
 - not occupy more than 25 percent of the total rear yard.
 - not exceed 25 percent of the gross floor area of the principal building.
 - not exceed the height of the principal building.
 - meet all city setback requirements.

Additions and Expansions

Committee approval is required. Additions or expansions to homes will require submission of detailed plans and specifications.

Address Sign

All homes must display house numbers in a size suitable to be seen from the street. Numbers on the home should match existing hardware on the home.

Advertising

All trade signs, which include, but are not limited to, landscaping, painting, and roofing; may only be displayed while work is in progress; and must be removed upon completion of the job.

Air Conditioning Equipment/Swamp Coolers

Air conditioning equipment and swamp coolers are allowed; Committee approval is required for placement.

Animals/Household Pets

Per Section 5 of the Declaration:

No animals, livestock, poultry, or bees, of any kind, shall be raised, bred, kept, or boarded in or on the Recreational Property.

The Board of Directors shall have the right and authority to determine in its sole discretion that dogs, cats, or other household pets are being kept for commercial purposes or are being kept in such number or in such manner as to be unreasonable or to create a nuisance, or that an Owner is otherwise in violation of the provisions of this Paragraph. The Board of Directors shall take such action or actions, as it deems reasonably necessary to correct the violation.

Household pets shall not be allowed to run at large within the Planned Community, but shall at all times be under the control of such pet's Owner and such pets shall not be allowed to litter the Common Areas.

Dogs shall be on leashes while in the Common Area.

Each owner is responsible for cleaning up his or her pet's waste from any Lot or Common Area.

No animals shall be tied or chained to or on any patio, deck, or other portion of any Owner's Lot in the Planned Community, and any animals so tied or chained may be removed by the Board of Directors.

All animal behavior and breed must be in compliance with local ordinances.

Antennae/Satellite Dish

Antennae's and satellite dishes are allowed subject to FCC Regulations.

Basketball Backboards/Basketball Hoops

Committee approval is required and subject to approval of placement and design. Portable freestanding basketball boards are approved if reasonably placed for play, not placed on city sidewalks, do not cause a safety issue to driving vehicles, and are properly stored when not in use.

Birdbaths, Birdhouses & Bird feeders

Committee approval is required for all Birdbaths, Birdhouses, and Bird feeders.

Boats, Trailers, Motorhomes, and Junk Cars

No house trailer, camping trailer, horse trailer, camper, camper shell, boat trailer, hauling trailer, boat or boat accessories, truck larger than $\frac{3}{4}$ ton, recreational vehicle or equipment, or mobile home may be parked or stored anywhere within the Planned Community so any portion of it is visible from neighboring Dwelling Units, Common Areas, or from the street except in emergencies or as a temporary expedience. This applies to vehicles referred to above even if they are licensed by the State of Colorado or any other jurisdiction as "passenger vehicles".

No stored, abandoned or inoperable vehicles of any kind shall be stored or parked on the Properties. An "abandoned or inoperable vehicle shall be defined as any automobile, truck, motorcycle, boat, trailer, camper, house trailer, self contained motorized recreational vehicle, or other similar vehicle which has not been driven under its own propulsion for a period of two (2) weeks or longer or which does not have an operable propulsion system installed therein; provided, however, that otherwise permitted vehicles parked by Owner while on vacation or during a period of illness shall not constitute abandoned or inoperable vehicles.

In the event that the Association shall determine that a vehicle is parked, stored, displayed, or accommodated on Properties in violation, then a written notice describing such vehicle shall be personally delivered to the owner

thereof or shall be conspicuously placed upon the vehicle and if such vehicle is not removed within a fifteen (15) days or as determined by the Board of Directors of the Association, the Association will have the right to remove the vehicle at the sole expense of the owner.

No activity such as, but not limited to, maintenance, repair, rebuilding, dismantling, repainting, or servicing of any kind of vehicles, trailers or boats may be performed on the Properties unless it is done within completely enclosed structures, which structures screen the sight and sound of the activity from the street and from adjoining properties. The foregoing restrictions shall not be deemed to prevent washing or polishing of any motor vehicle, boat, trailer, or motorcycle.

Building Plans

Prior to construction of a house or any improvement, a complete set of building plans with a Site plan showing all setbacks, drainage patterns, drives, and walks must be submitted to the Committee for approval. All houses must be a minimum of 1,250 square feet of finished living space exclusive of the basement.

Campers See Boats.

Carport Carports are not allowed.

Clothes Lines and Hangers- clothes lines and hangers must be in backyard only.

Decks

Committee approval is required. A complete set of construction plans showing dimensions with a plan and profile must be submitted. A City of Aurora permit will be required prior to start of construction. Must be constructed of wood or other material similar to the material of the residence and must be treated or painted in similar or in what is generally accepted as a complementary color to residence. Must be installed as an integral part of the residence and patio area, and must be located so as not to obstruct or greatly diminish the view, or create an unreasonable level of noise for adjacent property owners. Construction shall not occur over easements and must be set back according to city code.

Dog House and Runs

Committee approval is required. Consideration may include, but is not limited to, location in "rear" or "side" yard and abutting the home, proximate to neighbor's residence, "screened" from view, type of cover if utilized, limited in size to 250 square feet, and no higher than the existing perimeter fence. All dog waste must be removed frequently.

Drainage

Committee approval is required for any change affecting drainage. Drainage plans for all houses and lots must be submitted and approved prior to any

construction. There can be no interference with the established drainage pattern over any property except as approved in writing by the Committee. When landscaping is installed, it is very important to ensure that water drains away from the foundation and driveways of the house and that the flow patterns prevent water from flowing under or ponding near or against the house foundation, walkways, sidewalks, and driveways. Water should flow over walkways, sidewalks, or driveways into the street. The Committee may require a report from a drainage engineer as part of landscaping or improvement plan approval.

Driveways

Details must be shown on the site plan to require to be submitted with original building plans. In any case, asphalt is not allowed. There shall be no extension or expansion of driveways without prior Committee approval. Driveways must be kept clean from debris and excessive oil spots.

Evaporative Coolers See Air Conditioners.

Exterior Lighting See Lights and Lighting.

Fences

Committee approval is needed prior to construction of any fence. Front fences must be maintained and stain reapplied every one to two years as wear indicates. Front fences shall be constructed of two-tier split rail only. When a front fence runs down a property line, there must be a six-inch distance from that property line. There shall be a rock barrier in the distance.

It is expected that trimming will be done around posts and any other areas that may be difficult to reach with a standard mower. Homeowner Association approval is granted independent of city and county permits, etc. All city requirements must be met.

Flagpoles

The committee must approve flagpole location, design, material, and construction.

- Flagpole must be constructed of solid metal or aluminum.
- A flag size is three (3) feet by five (5) feet or less.
- One wall mount bracket per home is allowed.

Flower Gardens

Committee approval is not required; all flower gardens must be properly maintained and cared for.

Garbage and Garbage Containers

No trash, litter, scrap refuse, or debris of any kind shall be permitted to remain exposed upon any Lot. These items must never be in full view of the Public Street or common areas and should not create a visual nuisance to neighbors unless normal trash pick-up will occur within 24-hours. These items should be stored in garage, behind adequate fencing, or in an approved shed.

Gardens – Trees See Landscaping.

Hot Tubs

Committee approval is required. The hot tub must be an integral part of the deck or patio area and of the rear or side yard landscaping, and must be installed in such a way that it is not immediately visible to adjacent property owners and that it does not create an unreasonable level of noise for adjacent property owners. Top of the tub shall not extend above fence level.

Inoperable Vehicles –

See Boats.

Irrigation and Lawn Maintenance

All homeowners will be required to regularly irrigate and maintain their lawns. Care must be taken not to alter or interfere with established drainage patterns by filling or planting trees/shrubs or other materials that may in any way block or impede drainage.

Landscaping

As soon as weather permits, all front, side, and rear yards shall be fully landscaped and all landscape plans shall be pre-approved by the Committee. Any irrigation must be a minimum of 36” away from foundations of the house and garage, and shall be covered with rock or bark and not sodded.

Each and every Owner of a Lot shall use his or her best efforts to keep and maintain in an attractive, healthy, live, and growing condition, any and all grass, shrubs, bushes, trees, and other decorative landscaping which may be planted or growing upon said Lots; provided, however, that any Owner may remove any of the same from his or her Lot, or if required to do so by law or governmental authority, or if requested to do so by any utility company for safety reasons or for some other bona fide reason. Any and all dead or diseased lawn areas, shrubs, bushes, trees, and flowering plants shall be promptly removed and replaced with suitable and attractive replacement landscaping, except that they need not be replaced if they were removed pursuant to the preceding sentence.

Each Owner of a Lot shall remove weeds promptly from said Lot and shall water and trim all grass, shrubs, bushes, trees, and flowering plants located upon said Lot as often as the same shall become reasonably necessary, subject to any applicable laws governing the frequency or timing of permitted watering.

Overhangs – Cloth or Canvas

Committee approval is required. The color must be the same as or generally recognized as a complementary color to the exterior of the residence. The covering may be used over the back patio only. No aluminum or fiberglass awnings are allowed.

Painting-

The only colors that will be approved are colors that are consistent with the community. After selecting paint colors, please paint an 18" x 18" sample on the side of your home to ensure that the color will blend with the community and then please notify the management company when complete. The Board will look at the colors and either approve or disapprove.

Approval is required even if you are painting your home the same color. What was approved before may not be approved again.

Patio Covers

Committee approval is required as well as a City building permit. Patio covers must be constructed of wood or material generally recognized as complementary to the home and be similar or generally recognized as complementary in color to the colors in the house. Covered patios may violate building coverage standards set by City of Aurora.

Patios - Enclosed

See Additions and Expansions.

Patios - Open

Committee approval is required. Patios must be:

- an integral part of the landscape plan
- must be located so as not to create an unreasonable level of noise for adjacent property owners.
- must be similar to and generally accepted as a complementary color and design of the residence.
- must be located so as not to block or impede any existing drainage pattern on the Lot.

Patio Furniture

Furniture may include chairs, tables, settees, or loungers, which are suited for use on a patio only, and which will not be damaged by exposure to rain, sun or other outdoor elements. **Indoor couches, chairs, recliners are not allowed to be used on any patios.**

Paving

Committee approval is required, regardless of whether for walks, driveways, porches, patio areas or other purposes and regardless of whether concrete, brick, flagstones, stepping stones, pre-cast patterned or exposed aggregate concrete pavers are used as the paving material. Paving must be located so as not to block or impede any existing drainage pattern for the Lot.

Play and Sports Equipment

Committee approval is required. All equipment must be stored out of view when not in use.

Poles See Flagpoles.

Political Signs

The association **may** not prohibit the display of a political sign by the owner or occupant of a unit on a property within the boundaries of the unit or in a window of the unit; except that the association **does** prohibit the display of political signs earlier than **forty-five (45)** days before the day of an election and later than seven (7) days after an election day.

The association may regulate the size and number of political signs and it is FURTHER RESOLVED, the association **will** permit at least one political sign per political office or ballot issue that is contested in a pending election, and the maximum dimensions of each sign may be limited to the lesser of the following: (a) the maximum size allowed by any applicable city, town, or county ordinance that regulates the size of political signs on residential property; or (b) thirty-six inches by forty-eight inches.

"Political sign" means a sign that carries a message intended to influence the outcome of an election, including supporting or opposing the election of a candidate, the recall of a public official, or the passage of a ballot issue.

Pools Committee approval is required.

Radio Antennae

See antennae.

Roofing Material The following are pre-approved shingle colors.

Owens Corning Duration Series Shingles in the following colors:

- Amber, Desert Tan, Brownwood, Estate Gray, Quarry Gray.

GAF ELK Timberline Series Shingles in the following colors:

- Copper Canyon, Hickory, Shakewood, Slate

TAMKO Heritage Series Shingles in the following colors:

- Weathered Wood, Painted Desert, Harvest Gold, Rustic Redwood, Rustic Cedar, Thunderstorm Grey, and Mountain Slate.

Any other shingle material or color must be approved by the Board of Directors or the Architectural Control Committee. A design review form is still required even with pre-approved colors.

Rooftop Equipment

Rooftop Equipment is not allowed.

Saunas See Additions and Expansions.

Screen/Security Doors

Screen/Security doors that match one of the paint colors on your home do not need committee approval.

Seasonal Decorations Permitted with the following qualifications and conditions: Christmas decorations shall not be displayed prior to Thanksgiving and must be removed by February 1:

- No audible music shall be allowed.
- Other holiday decorations should be removed within thirty (30) days of celebrated holiday.
- No decoration shall be displayed in such manner as to be offensive to the neighborhood or to create a public nuisance.

Siding Committee approval is required.

Signs

Committee approval is required for all signs except temporary real estate “for sale”, “for rent”, or “for lease” signs. Temporary signs, advertising property for sale, which are not more than five (5) square feet, may be installed on the lot without Committee approval. “Open house” or “for sale” signs may be placed in common areas with Board approval, but cannot exceed three (3) days. No lighted signs will be permitted.

Solar Energy Devices

Committee approval is required for all passive and active solar systems. They must be designed to appear as if they are an integral part of the roof. No exterior plumbing may be visible. Generators must be installed out of view.

Spas See Hot Tubs.

Swamp Coolers-

Swamp coolers are allowed with Committee approval required for placement. All Swamp Coolers must be placed on the side of home, not in view from the street.

Temporary Structures

No Temporary house trailer, tent, garage or outbuilding shall be placed or erected upon part of the Planned Community for a period of longer than 24 hours except with the prior written approval of the Committee obtained in each instance. No dwelling Unit located upon the Planned Community shall be occupied in any manner at any time prior to its being fully completed in accordance with approved plans nor shall any Dwelling Unit when completed, be in any manner occupied until there is compliance with all

requirements, conditions, covenants, and restrictions herein set forth.

Temporary Vehicles

No cars which are being repaired, restored, or otherwise being worked on may be kept on any Lot unless in the garage.

Trash/Trash Can(s) See Garbage Collection.

Trampolines Committee approval is required.

Tree Houses

Tree houses are not allowed.

Walls - Retaining

Committee approval is required.

Weeds:

Landscape areas in full view from street or common areas should be kept weed free at all times.

Wells

Wells are not permitted.

Windows

Committee approval is required. Sunshade (dark) screens on windows do not need Committee approval. Window screens must be kept in good repair.

Window Coverings:

Window coverings shall not be of reflective materials (foils) so as to be offensive to the neighboring homes. All window coverings shall be kept in good repair. No temporary window coverings such as sheets or towels will be permitted.

Failure to get approval where required could result in fines.

These Policies, Procedures, and Rules shall become effective **15 days** after the same is published to the members via U.S mail, postage prepaid, addressed to the property within the Community, unless the Member requests the Association to use another address in writing. A member's failure to so receive a copy of these Policies, Procedures, and Rules shall not be a defense to the Association's action to enforce these Policies, Procedures, and Rules.