



# **ARCHITECTURAL STANDARDS, RULES & REGULATIONS**

**Revised: March 31, 2009**

## 1. General

The following Architectural Standards, Rules & Regulations are provided to assure that any changes, alterations, renovations, additions or removals requested through the Application for Architectural Alterations and Modifications conform to and are approved utilizing a set of standards.

The intent of this document is not to cover every architectural modification that might or may be requested. It is intended to address the more common items for which architectural applications are submitted. Use this document as a guide in determining if your Application meets the Architectural Standards Objectives listed below.

The purpose of the Architectural Standards, Rules & Regulations is to provide every homeowner with specific requirements for modifications and approval of an application, to provide for the fair and equitable treatment of all residents requesting an architectural modification and to assure that the following objectives are met:

- The modifications create an aesthetic improvement of the common elements and/or an improvement in quality of life values.
- The modifications are not detrimental to the appearance or normal function of the property on which the modification is being made.
- The modifications are in harmony with the desired appearance of The Villas at Ranch Reserve and will not adversely affect property values.
- The modifications will not detract from the beauty, wholesomeness and attractiveness of The Villas at Ranch Reserve and will maintain continuity in design and appearance with the rest of the community.
- The modifications meet required standards for design and pattern requirements, structural safety, materials, colors, elevation and size.
- The modification will not adversely affect the grading or drainage on the property.
- The provisions relating to responsibility are assigned and agreed upon.

Architectural applications must be submitted and approved prior to the commencement of any change, alteration, renovation, addition or removal to any part of the exterior of any unit, the area surrounding the unit to include all yards and landscaping.

**ABSOLUTELY NO WORK IS TO BEGIN UNTIL WRITTEN APPROVAL IS RECEIVED FROM THE ARCHITECTURAL COMMITTEE.**

Failure to adhere to the Architectural Standards or abide by the provisions within the Architectural Application will result in enforcement as stated in the Enforcement Policies of the Rules and Regulations.

## 2. Architectural Approval Procedures

**Architectural Change Request Form.** An Architectural Change Request form must be submitted **AT LEAST 30 DAYS** prior to the date you wish to start work.

**No work may begin without WRITTEN approval from the Architectural Committee.**

Architectural Change Request forms are available from the Management Company or from the Association's website at <http://www.villashoa.com>. All forms must be submitted by mail directly to the Management Company.

**Other Supporting Materials.** When submitting your Architectural Request Form, it will be to your advantage for quick review to submit any supporting drawings (to scale and including measurements) and any other supporting materials (photos, fabric samples, material samples, etc.).

**Timely Review.** The Architectural Committee will make its best efforts to review all Architectural Change Requests in a timely fashion.

**Review Procedures.** The Architectural Committee will review the form and any other submitted materials when evaluating an Owner's request. If the Committee needs additional information, it will attempt to contact the owner for further information. The speed of the Owner's response to the Committee's inquiries will impact the time it takes the Committee to review the request.

The Committee may request an on-site visit to the property before finalizing in request. The Committee may also confer with an Owner's neighbors prior to finalizing any request.

**Decision.** The Committee will notify the Owner of its decision upon completion of its review. The Committee reserves the right to approve a request outright, approve a request with conditions or deny a request outright.

**No Waiver.** Each Unit and its property in the Community are unique. The Committee will make every reasonable effort to treat similar requests in a similar manner, however the Committee reserves the right to consider the unique facts and circumstances of each request and to act as it deems appropriate in any given case. The failure of the Committee to enforce this Policy shall not constitute a waiver against future or additional enforcement.

**Appeals Process.** After a notice of a decision to an Architectural Change Request is received by an Owner, the Owner shall have an opportunity to appear before the Board of Directors, in person, or through a representative, and to present any witnesses, testimony, explanation, or documentation requesting a reconsideration of the decision.

The request for a hearing must be made with the Management Company of the Association within 15 days from the date of the decision notice.

Once the Board sets a hearing date, such notices of hearing shall be delivered to the Owner at the address on record no less than forty-eight (48) hours in advance of the

hearing. An Owner may submit a written statement, documentary evidence, photographs or other similar documentation to the Board without being present at the hearing. Such evidence, statements, photographs or documentation shall be submitted to the Management Company at least forty-eight hours before the scheduled hearing.

At the appeals hearing the Board shall make a determination as to whether to reconsider the decision based upon any submitted evidence, documentation, written or oral testimony. If the Board chooses to reconsider the decision, the Owner may need to supply the Board with further information that it may need while reconsidering the previous decision. Reconsidering a decision does not mean that the original decision will change. The Board will deliberate in Executive Session, however, the decision and vote to affirm or overturn the original decision will be made public.

If the Owner does not appear for the hearing, the opportunity to be heard and to present evidence shall be deemed to have been forever waived by the Owner and the Board shall make a determination on the basis of the information currently available.

The Association will make every reasonable effort to treat similar cases in a similar manner, however the Board reserves the right to consider the unique facts and circumstances of each case, and to act as it deems appropriate in any given case.

The decision of the Board after the Appeals process is complete shall be final and binding.

### 3. Architectural Standards

All Units in the Common Interest Community shall adhere to the following architectural standards:

**Exterior Surfaces.** All Unit exteriors shall be composed of no less than 1/3 stone or simulated stone facias with the remaining facia being composed of cement stucco.

**Exterior Color.** The exterior body color or trim color may not be changed without the written permission of the Architectural Control committee. Any repairs made to the exterior stucco of a unit must be patched with the identical color of stucco and blended accordingly to match.

**Roofs.** All Unit roofs shall be composed of concrete tiles and be of a complimentary style and color to the body and trim color of the Unit.

**Decks & Balconies.** All decks and balconies shall have similar black wrought iron railings that do not exceed four feet in height. All deck and balcony surfaces shall be of a plastic/wood composite material of a color that matches the existing body and trim color of the Unit. No extension of any deck or balcony is permitted without written permission from the Architectural Committee.

**Exterior Doors.** Any replacement exterior doors on the home shall be of a similar design to the original exterior doors. All existing and replacement exterior doors must be of the same color as the trim or body color of the home. No new exterior doors may be added without approval of the Architectural Committee.

**Exterior Windows.** Any replacement exterior windows on the home shall be casement windows and of a similar design, style, size and color of the original exterior windows. Location of the window may not be altered without approval from the Architectural Committee.

**Interior Window Coverings.** Items including but not limited to aluminum foil products, sheet plywood, cardboard, paint, paper, flags and bed linens (sheets) or any other cloth products not intended as a professional window dressing are not permitted to be utilized to cover the interior of any window. Bed linens (sheets) may be utilized to cover windows for a period not to exceed ninety (90) days from the date of occupancy of a Unit.

**Garage Doors.** Any replacement garage doors must be made of red western cedar and be similar in style to the garage door being replaced. The color of the existing or replacement garage door must be the same color as the trim of the Unit.

**Gutters & Drain Spouts.** Any replacement gutters or drain spouts must be painted the same color as the trim color on the Unit.

**Shutters.** All units must maintain shutters where placed during original construction. Any replacement shutters must be of a vinyl composite construction and be similar in design and size to the original shutters. Shutters must remain the same color as when the Unit

was originally constructed.

**House Numbers.** The only house numbers permitted on the exterior of the Unit are of the type and style provided during original construction.

**Fireplace Chimney Caps.** Chimney caps as shall be maintained and painted black in color.

**Driveways and Unit Sidewalks.** Driveways and non-city maintained sidewalks upon a Unit shall be standard concrete and maintained to prevent uneven, excessively pitted, excessively cracked or discolored surfaces. No ornamental, stamped or painted concrete surfaces are allowed unless approved by the Architectural Committee.

**Roof Vents & Exhaust.** All vents upon any exterior roof shall be maintained and be painted in a matching color similar to the existing roof.

**Courtyard Gates.** For those Units that have courtyards, gates are permitted only after review and design approval by the Architectural Committee. Color and design of gates shall be complimentary to the overall design of the Unit.

**Exterior Screen/Storm Doors.** Exterior screen and storm doors are permitted only after review and design approval by the Architectural Committee.

**Exterior Light Fixtures.** Any changes in light fixtures attached to the exterior of any vertical surface on a Unit are only permitted after review and design approved by the Architectural Committee. Addition of any exterior light fixtures attached to or built-in to the exterior of a Unit is only permitted after review and design approval by the Architectural Committee.

**Central Air Conditioning Units.** Central Air Conditioning units on the exterior of any Unit shall be maintained to remain level to the ground and the housing to be maintained in its present color. No window unit air conditioners or swamp coolers are permitted upon any Unit.

**Pergolas, Arbors, Latticework.** Trellis', Latticework, Arbors, Pergolas Grilles, Frames or Frameworks that are not specifically for the purpose of reducing energy consumption shall not be permitted upon any property without approval of the Architectural Committee. The Architectural Committee shall have final approval over the style and design of any permitted structure.

Trellis' of under 5 feet in height and 3 feet in width are permitted as long as they are supporting a living plant. No more than 3 trellis' are permitted on any property. Trellis shall be of a natural wood color or match the trim color of the home.

## **4. Renewable Energy Devices and Energy Efficiency Measures**

**Renewable Energy Generation Device and Energy Efficiency Measures.** Per Colorado law, these are defined as follows:

1. A solar energy device as clarified in [C.R.S. 38-32.5-100.3](#)
2. A wind-electric generator (i.e., wind mills) that meets certain standards established under C.R.S. 40-2-124.
3. An awning, shutter, trellis, ramada, or other shade structure that is specifically for the purpose of reducing energy consumption;
4. garage or attic fan and any associated vents or louvers;
5. An evaporative cooler;
6. An energy-efficient outdoor lighting device
7. A retractable clothesline.

Any HOA resident wishing to install any of these devices must be the resident/owner of the home and must submit an Architectural Change Request form, along with a copy of the detailed estimate to purchase and install the item(s). Work may not begin until the Owner receives approval from the Board. The Board has the right to require certain changes as permitted by Colorado law regarding any aesthetic changes or installation locations.

## 5. Landscaping

**Yard Maintenance.** Yards shall be mowed regularly, clippings shall not accumulate into piles, yards shall be managed to minimize weeds and trash or debris shall be removed promptly. Grass areas will be maintained in healthy, lush, green condition. Bushes and trees shall be pruned regularly.

**Weeds.** Weeds must not accumulate at, on or around any property. It is the Owner's responsibility to manage those areas to eliminate weed growth. Owners must remove vegetation from cracks along their driveway, sidewalk and any hardscaped areas. When using chemicals to control weeds, Owners must not allow "overspray" on to adjoining property and must dispose of any excess chemicals in accordance with laws of the City of Westminster, Adams County, State of Colorado and US EPA Regulations.

**Water Restrictions.** When water restrictions are required by the City of Westminster, Owners are still required to maintain their property as best as possible. From the day restrictions are lifted, Owners will have 45 days to revive their turf areas to a normal, healthy, green condition.

**Trees & Shrubs.** Trees and shrubs shall be maintained and pruned regularly. Any tree or shrub that dies shall be replaced or removed within 60 days during the growing season (May through September), subject to the minimum requirements stated below. If a tree or shrub dies during the months of October to April, the tree or shrub shall be replaced no later than July 1. Any dead trees or shrubs that are replaced with trees from the same genus and meet the minimum size requirements below and are of similar mature height and width of the tree being replaced do NOT require an Architectural Change Request form..

Each Owner shall maintain at a minimum, 3 trees on the front of each Unit. These trees shall be of at least 2" caliper for deciduous trees and at least 8 foot in height for evergreen trees. Each unit owner is also responsible for maintaining and replacing any trees on their property that are between the City sidewalk and the street.

Architectural Change Requests are required for any non-existing trees added to your landscaping and for any bushes that will exceed 6' in height OR that will not be trimmed to remain 6' or less in height.

**Annuals/Perennials.** Anyone planting flowering or foliage annuals or perennials are NOT required to submit an Architectural Change Request, unless the annuals being planted exceed 6' in height.

**Vegetables.** Vegetable plants exceeding 4 feet in mature height are not permitted. No area planted in vegetables may exceed 25 square feet, unless previously approved by the Architectural Committee.

**Prohibited Plants.** Any plant prohibited by Colorado Law and the Colorado Department of Agriculture are prohibited in the Community.

**Drainage.** Landscaping upon any Unit shall not adversely affect drainage to adjoining properties or the Common Areas of the community.

**Ponds, Fountains & Water Features.** Ponds and fountains may only be installed after obtaining written approval from the Architectural Control Committee. Ponds shall be constructed of a material that will not allow the leakage of any liquid. Pond and fountain installation shall not alter the drainage as established in the common areas. Liquid in ponds and fountains shall be maintained in a clean and sanitary condition and shall not be allowed to stagnate.

**Fences.** Any Owner installing a fence shall obtain approval from the Architectural Control Committee. Fences shall not be placed beyond the front boundary of the Unit dwelling. Fences shall be constructed of Western Cedar, be of a cross buck design and be of similar design, size and style of other cross-buck fencing in the Controlled Interest Community. Owner's shall properly maintain the fencing and paint or stain the color and materials approved by the Association.

The color approved by the Association for fences in the Controlled Interest Community is Behr® Redwood Naturaltone Solid or Semi-Transparent stain (DP534). Solid is the preferred type of stain as is more durable and looks newer longer.

**Rock and Mulch.** Existing rock and mulch may be replaced with rock and mulch of a similar size and color without approval of the Architectural Committee. Rock and mulch must be of a complimentary color to the existing Unit color scheme. Rocks and mulch that are not of a natural color are prohibited.

**Edging.** Any metal edging used upon any property must have a "rolled-top" edge or be protected with a plastic edging strip for the safety of the Unit owner and residents.

**Exterior Landscape Lighting.** Any exterior landscape lighting must be approved by the Architectural Committee.

**Courtyards.** For Units having semi-enclosed courtyards (which are all Units EXCEPT 11287, 11278, 11268, 11247, 11213, 11224, 11234 & 11244), an Architectural Change Request is **NOT** required for changes to landscaping behind the courtyard walls as long as any plant or hardscape feature does not exceed 24" above the courtyard wall. All gates and screen doors still require an Architectural Change Request.

**Permits.** Residents are required to obtain and pay for any permits required by the City of Westminster, Adams County or State of Colorado for any landscaping or improvement project they wish to make upon any unit. The Board reserves the right to request a copy of any permit obtained by the Homeowner.

## 6. Hot Tubs

**Installation & Location.** Hot tubs shall be installed on a hot tub industry approved platform. Hot tubs may only be placed upon the ground level patios of a Unit. Hot tubs are prohibited on any deck or balcony.

**Connections.** No part of the hot tub, base, wires, pipes, tubes, or any other part or portion of the hot tub shall be affixed to the exterior of any unit (house) without prior written approval from the Board of Directors Architectural Control Committee.

**Electrical.** Electrical wiring must be completed by a qualified electrician in accordance with all local codes and standards, including fire-rated construction.

**Height.** Hot tubs shall not protrude to a height exceeding the common side yard fence.

**Covers.** Hot tubs shall be covered at all times when not in use with an industry approved safety cover.

**Liability.** All liability relating to any damage caused through improper installation including fire, any leakage causing damage to any structure or landscaping and/or any injury or death from shock or drowning shall be the sole responsibility of the homeowner.

**Color.** Hot tubs exterior surfaces shall be of a color complimentary to the color scheme of the house.

## 7. Satellite Dishes, MMDS and Antenna Standards

**Notification.** The Architectural Committee requests notification at least 5 days before installation. The Architectural Committee will make every effort to work with residents regarding satellite dish/antenna installations affected by these standards.

These standards apply to the installation of satellite dishes one meter (39") or less in diameter for over-the-air reception of direct broadcast satellite (DBS) service, multi-channel distribution service (MMDS), transmission / reception of wireless signal (INTERNET) services and television broadcast service (TVBS) antennas.

Installation of satellite dishes, Internet dishes or MMDS exceeding one meter (39") in diameter is prohibited. Installation of fixed wire signal antennas such as short wave radio antennas, AM antennas, FM antennas, HAM radio antennas, CB radio antennas, or any other type of antenna not described in Standard number one (1), is prohibited.

**Placement.** To the extent that adequate reception is possible in such locations, the placement of a satellite dish of one meter (39") in diameter or less is restricted to the side or backyard of the Unit. It may not be attached, directly or indirectly, to the exterior of any roof or any common area fence. It shall be mounted on a pole or mast at a maximum height of 6' (6 feet to establish line-of-sight contact with the transmitter. If adequate reception cannot be received at or below a height of 6', the mast or pole must be at the lowest possible level at which adequate reception can be obtained.

**Color.** The color of the satellite dish must black or gray or a house matching exterior color or a satellite dish cover must be installed in one of the approved colors. The color of the pole or mast must be black or color of the common area fencing. All wiring and associated components must be installed in the least conspicuous manner possible, including, without limitation, painting to match the surface to which they are affixed.

**Code Standards.** The installation of the pole or mast must adhere to the Building Officials and Code Administrators (BOCA) standards and be securely anchored in the ground to prevent damage to houses and/or common area property.

**Grounding.** The satellite dish/antenna, including any pole or mast, must be properly electrically grounded to prevent an electrical overload in case of a lightning strike.