

**Architectural Control Covenant Guidelines**  
**For**  
**The Ranch Subdivision Filing No. 3 Homeowner's Association**

**October 3, 2017**

These Covenant Guidelines have been prepared by the Architectural Control Committee of The Ranch Subdivision Filing No. 3 Homeowner's Association and approved by the Board of The Ranch Subdivision Filing No. 3 Homeowner's Association. The Architectural Control Committee and the Board reserves the right to add or modify these guidelines at its discretion. These Guidelines are for owners' reference only and owners should still adhere to the Declarations and Covenants of the Association as the governing documents of the Association. Further questions and clarification that may be needed should be directed towards the Architectural Control Committee as well as the Board.

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# 1. INTRODUCTION

- 1.1. **DEFINITIONS** – The following words, when used in these Covenant Guidelines, shall have the meaning hereinafter specified:
- A. Association – Shall mean The Ranch Subdivision Filing No. 3 Homeowner’s Association, a Colorado nonprofit corporation, its successors and assigns.
  - B. Board – Shall mean the governing body of the Association who are elected in accordance with the Bylaws.
  - C. Declaration – Shall mean the Declaration of Covenants, Conditions and Restrictions for The Ranch Subdivision Filing No. 3 Homeowner’s Association recorded in Adams County, Colorado, on September 3, 2013, under Reception No. 2013000076769, as thereafter Amended and Supplemented.
  - D. Committee – Shall mean the Architectural Control Committee, duly appointed in conformance with Article 7, Section 7.1, of the Declaration to review the erection, placement, and alteration of Improvements to Property in The Ranch Subdivision Filing No. 3 Homeowner’s Association.
  - E. Association Website – Shall mean the online website for the Association found at [www.theranchfiling3.com](http://www.theranchfiling3.com).
  - F. Subdivision – Shall mean The Ranch, Subdivision Filing No. 3.
  - G. Property – Shall mean all lots and common areas, developed or undeveloped, within The Ranch Subdivision Filing No. 3.
  - H. Lot – Shall mean any numbered plot of land shown upon any recorded subdivision plat of the Properties which is not designated as a common area.
  - I. Common Area – Shall mean all the real Property, including the perimeter fence and improvements thereon, owned by the Association for the common use and enjoyment of the Owners of the Properties.
  - J. Owner – Shall mean the recorded Owner, including contract sellers, whether one or more persons or entities, of fee simple title to any lot or living unit situated upon the Properties.

- 1.2. **GOAL OF GUIDELINES** – Compliance with these Guidelines and the provisions of the Declaration will help preserve the inherent architectural and aesthetic quality of the Subdivision. It is important that the Improvements to Property be made in harmony with, and not detrimental to, the rest of the community. A spirit of cooperation with the Committee and neighbors will go far in creating an optimum environment which will benefit the Owners. By following these Guidelines and obtaining approvals for Improvements from the Committee, Owners will be protecting their financial investment and will help to promote Improvements that are compatible with the standards for the Subdivision.
- 1.3. **GUIDELINES FOR THE ARCHITECTURAL CONTROL COMMITTEE** – The Declaration requires prior approval by the Committee or its designated representative before any building, fence, or other structure is erected, placed, or altered (“Improvement to Property”). Improvements to Property include, but are not limited to, any landscaping of Property; the construction, demolition or removal of any building or other structure; and any changes of the exterior appearance of a building or other improvement. The Regulations contained herein establish certain acceptable design for different types of improvements. These Regulations apply to residential Property in the Association and are intended to assist the Owners in the Association. All proposed Improvements to Property must be submitted to the Committee.
- 1.4. **CONTENT OF GUIDELINES** – In addition to the introductory material, these Regulations contain:
- A. A listing of specific types of improvements which Owners might wish to make, with specific information as to each of these types of improvements;
  - B. A summary of procedures for obtaining approval from the Committee; and

- 1.5. **EFFECT OF DECLARATION** – Copies of the Declaration are available to resale owners via the Association Website when they purchase their homes. Each Owner should receive and become familiar with the Declaration. Nothing in these Guidelines shall supersede or alter the provisions of requirements of the Declaration’s provisions relating to the use of the Properties, and to Improvements to Property, which are found in Articles 6, 7, and 8 of the Declaration.
- 1.6. **EFFECT OF GOVERNMENTAL AND OTHER GUIDELINES** – Use of the Properties and Improvements to Property must comply with applicable building codes and other governmental requirements and Guidelines. Approval by the Committee will not constitute assurance that Improvements comply with applicable governmental requirements and Guidelines, or that a permit or approvals are not also required from applicable governmental bodies. For information about City of Westminster requirements, Owners must write or call the City of Westminster Building Department.
- 1.7. **INTERFERENCE WITH UTILITIES** – In making Improvements to Property, Owners are responsible for locating all water, sewer, gas, electric, telephone, cable television, irrigation lines, or other utility lines or easements. Owners should not construct any Improvement over such easements without the consent of the utility involved, and Owners will be responsible for any damage to utility lines. Owners are advised to contact the state underground utility service/one-call center to request utility location markings by calling 8-1-1.
- 1.8. **INTERPRETATION OF THE GUIDELINES** – The Architectural Control Committee shall interpret these Guidelines in a manner consistent with the Declaration.

- 1.9. **ENFORCEMENT OF DECLARATION AND GUIDELINES** – The Architectural Control Committee shall have primary responsibility for the enforcement of the Declaration and Covenant Guidelines. The policy for addressing non-compliance of the Declarations, Covenants, or Guidelines is available on the Association Website. The Committee will investigate written complaints of Owners in violations of Declaration or Covenant Guidelines if such complaints are dated and signed by any other Owner. The Committee, the Association Board of Directors, and any employees of the Association shall use all reasonable means to maintain the anonymity of complaining Owners. If a violation is found, the Committee will notify the Owner in violation, in writing, requesting that appropriate action be taken to restore compliance. If the Owner in violation does not come into compliance with the Declaration or Covenant Guidelines, the Committee may notify the Board to pursue enforcement action, which may include legal action to require compliance.
- 1.10. **ADVISEMENT OF NEIGHBORS** –Owners are encouraged to discuss improvements that may impact their neighbors prior to submitting forms for changes or additions. In certain cases, the Committee may require adjacent neighbor approval.

## 2. SPECIFIC TYPES OF IMPROVEMENTS – GUIDELINES

- 2.1. **GENERAL** – The following alphabetical list covers a wide variety of specific types of Improvements or alterations which Owners and builders commonly consider installing. Pertinent information is given as to each. Unless otherwise specifically stated, drawings or plans for a proposed Improvement to Property shall be submitted to the Committee, and written approval of the Committee shall be obtained before any Improvement to Property is made. Drawings or plans shall include dimensions, setbacks, roof slopes, and both elevation and plan views of all proposed expansions or additions. Applications for paint changes must be accompanied by samples or chips of the colors to be approved. Drawings and plans will be retained in Association files for future reference. If needed, the Committee will submit the request to the Association Board of Directors for its separate review and response. In some cases, where specifically stated, a type of Improvement to Property is prohibited. When in doubt regarding whether committee approval is required, Owners should request approval as any unapproved Improvement to Property that is in violation of the Declaration will be subject to Committee enforcement.

The architectural style of a residence shall be consistent with the style and character of the other single family residences built in the Subdivision, per the opinion of the Committee.

- 2.2. **ADDITIONS AND EXPANSIONS** – Committee approval is required. Homeowners must use the “ACC Improvement Request Form” (located on the Association Website) when submitting an addition or expansion for approval. Additions or expansions to the home include plans to construct or alter any attached or unattached building including sheds, gazebos and greenhouses. Such plans will require submission of detailed plans and specifications, including description of materials to be used, and plan and elevation drawings showing dimensions, setbacks, roof slopes, etc. Additions and expansion must be of the same architectural style, color and materials as that of the residences.



- 2.3. **DECKS** – Committee approval is required. Must be constructed of wood, composite material or other material matching the material of the residence and, if painted, must match the color scheme of the residence, unless otherwise approved by the Committee. Must be installed as an integral part of the residence and patio area. Construction of decks over easement areas is not permitted. Roofs over decks shall conform to the same guidelines as apply to living space additions. The roof material must match that of the home and pitch of the deck roof must be consistent with the pitch of the roof on the residence. Metal or plastic materials will not be approved.
- 2.4. **DRIVEWAYS** – Committee approval is required. Driveway material must be concrete or other paving material such as paving stone or brick. Neither asphalt nor gravel are acceptable.
- 2.5. **EVAPORATIVE COOLERS AND AIR CONDITIONERS** – Committee approval is required. Evaporative coolers and air conditioners can have significant visual impact and frequently affect harmony of design. Roof-mounted devices, and devices that are mounted high on the side of the home are of particular concern. The preferred location for evaporative coolers and air conditioners is at ground level, in the back or side yard and screened from view. All devices must be maintained and in good working order.
- 2.6. **EXTERIOR LIGHTING** – Exterior lighting must be indirect or of such controlled focus of intensity as not to disturb the residents of adjacent properties or shine into the eyes of drivers on the street. Residents are urged to have their yards lighted during the hours of darkness to increase their own security and that of their neighbors.

2.7. **FENCES and LANDSCAPING WALLS** – Plans to construct or alter any fence or wall must be approved by the Committee prior to construction. The plan must include the location on the lot, height and materials to be used, including color. All fences or walls must meet city code.

- A. **General** – Fences and/or walls/brick columns/entrance signs along or abutting Property lines and local streets may not be removed, replaced, stained or painted a different color or altered, including adding a gate, without approval of the Committee. If any such fences and/or walls/brick columns/entrance signs which are adjacent to an Owner’s Property are damaged or destroyed by Owner or Owner’s agents, the Owner shall repair and recondition the same at the Owner’s expense.
- B. **Drainage Under Fencing** – It is important to remember that certain drainage patterns exist along or under proposed fence locations. When constructing a fence, be sure to provide for space between the bottom of the fence and the ground elevation so as to not block these drainage patterns.
- C. **Location** – No fence or wall shall inhibit the vision of drivers at street corners or compromise the safety of drivers backing out of driveways. No fence or wall shall be allowed to interfere with the installation and maintenance of utilities in the easements indicated on each plot plan. All fences must adhere to sight triangle regulations by City of Westminster.
- D. **Design** –
  - 1. Fences may not exceed six feet (seventy-two inches) in height.
  - 2. Lot perimeter fences shall be constructed of wood. Decorative wrought-iron gates are allowed.
  - 3. Metal mesh wiring on split-rail fencing may be approved only behind the front setback of the home.
  - 4. Walls may be constructed of rock, brick, or wood ties. Materials used must be compatible with the materials of the home.
  - 5. Wrought-iron fencing material can be used for fences bordering open space.
- E. **Upright fences and walls contiguous to the golf course** –
  - 1. Only black, powder-coated steel or aluminum wrought-iron for the body of the fence is allowed.
  - 2. If pillars/sub walls of brick or stone are part of the structure, they must conform to the architecture of the home and neighborhood.

3. A maximum height of 5 feet is allowed to include both the fence and sub wall (if part of the structure). Adjustments for slope will be considered.
  4. Homeowners are responsible for adherence to property line, utility set-backs and other city code requirements.
- F. **Maintenance** – All fences and walls shall be maintained in good repair. Unless a new plan has been submitted and approved, fence or wall materials shall be replaced with materials originally approved. Fences may be stained with natural color stains only.
- 2.8. **GARAGE DOORS** – Garage doors shall be primarily constructed of wood, hardboard, fiberglass or metal. Colors and paint of garage doors shall adhere to section 2.11.
- 2.9. **LANDSCAPING MAINTENANCE** – Landscaping should be maintained at the level of the standard of the community. At a minimum, landscaping must be watered and mowed on a regular basis.
- A. Plans for landscaping changes require Committee review and approval.
  - B. Landscaping, including rocked or mulched areas, must be maintained in a clean and attractive manner free of dust and weeds. Rock and mulch should be replenished as needed.
  - C. No weeds, rubbish, debris, objects or materials of any kind, plants or seeds infected with noxious insects or plant diseases shall be placed, grown or permitted to remain on any lot.
  - D. Grass or weeds in excess of six inches in height will not be permitted.
  - E. Dead trees, shrubs, and other plant materials shall be removed within one growing season.
  - F. Dead grass must be replaced within one growing season.
  - G. Trees, shrubs and hedges shall be maintained so that they do not obstruct the view of drivers on the street. Shrubs and hedges shall be maintained so that they do not encroach the sidewalk. Tree branches shall be trimmed to a height of not less than seven (7) feet above the ground.
  - H. Plans to replace grass with an artificial turf require Committee approval. High quality, multi-tone,  $\frac{3}{4}$ " long artificial turf may be used in areas not visible from the front of the residence.

- I. Plans for xeriscape design require Committee approval. Such plans are encouraged to include some vegetation.
- 2.10. **MAILBOXES** – Mailboxes must conform to existing neighborhood designs. Proposed changes must be submitted for Committee review and approval.
- 2.11. **PAINT** –
- A. Committee approval is not required if color and color combinations are identical to the original color.
  - B. Color or color combination changes require Committee approval.
  - C. Colors that have been consistently approved are natural or earthen colors, e.g., browns, tans, grays.
  - D. All roof vent caps, louvers, plumbing stacks, etc. shall be painted and not be in contrast with the color of the roofing.
  - E. Painting proposals must be approved by the Committee prior to any painting being done.
  - F. Paint schemes of adjacent homes may be considered during Committee review.
  - G. Outlining garage door panels in a contrasting color or in a checker board design is not permitted.
  - H. Paint selections should be submitted to the Committee using the ACC Improvement Request form found on the Association Website.
- 2.12. **PATIOS, ENCLOSED** – See Additions and Expansions
- 2.13. **PATIOS, OPEN** – Committee approval is required. Must be an integral part of the landscape plan. Must be the same color and design as the residence, unless otherwise approved by the Committee. Patios must be constructed of concrete, paving brick, stone or similar material. Construction of patios over easement areas is not permitted. Roofs over patios shall conform to the same guidelines as apply to living space additions. The roof material must match that of the home and pitch of the patio roof must be consistent with the pitch of the roof on the residence.

- 2.14. **PET RUNS** – Pet runs may not be temporary in nature. They may be constructed of chain-link fencing only if behind a six foot opaque wood fence, and are not visible to neighboring homes.
- 2.15. **PLAY EQUIPMENT** – With few exceptions, play equipment such as basketball hoops and small swing and slide sets will be approved. Guidelines include:
- A. Playhouses shall be located in the rear yard. Size and height of playhouses will be considered on a case-by-case basis depending on lot size and proximity to neighbors. In some cases, written consent from adjacent neighbors may be required.
  - B. Play equipment must be in scale with yard and home
  - C. Materials may be of metal or wood, except that plywood structures will not be approved. Rubber tires may not be approved.
  - D. Play houses and play equipment must be maintained in an attractive and safe manner.
- 2.16. **POOLS AND HOT TUBS** – Committee approval is required. The installation of swimming pools or hot tubs will be reviewed on a case-by-case basis, taking into account compatibility of materials with the home, the overall size and shape of the finished installation, its proximity to existing structures and easements, provisions for screening and landscaping in general and the visual impact such installations shall have on neighboring property. Solid fencing for security reasons is encouraged.
- 2.17. **ROOFS** – All roof replacements must be submitted to the Committee for approval **prior to installation**. The following guidelines will be used as acceptable criteria for roofing replacements:

- A. Residents may replace roofing with high-quality cedar shake shingles, featherweight concrete shingles or dimensional or laminate shingles.
  - B. 3-tab or T-lock shingles, vinyl, light colored and asphalt shingles are not acceptable.
  - C. Shingle color must be a neutral color.
  - D. Metal roofing must be produced by a high-quality manufacturer. No metal roofing material that exhibits a sheen, polish or smooth surface will be approved.
  - E. Plans must be submitted and include description and color of shingle or metal roofing material.
- 2.18. **SIDING**– Committee approval is required. Siding must be essentially the same as the siding installed on other houses in the Subdivision, and must be painted according to guidelines in Section 2.12 “Painting”. Aluminum or steel siding will not be permitted. Vinyl siding will be permitted if colors are approved.
- 2.19. **SKYLIGHTS** – Proposals to add skylights will be reviewed on a case-by-case basis, taking into consideration symmetry, size, shape, quantity, color and positioning where skylights are to be installed. The frame of the skylight shall harmonize with the roof material and all flashing shall be painted to blend with the roof.
- 2.20. **SOLAR ENERGY SYSTEMS** –Must be designed to appear as if it is an integral part of the roof. No exterior plumbing may be visible from adjoining street. External modifications to existing solar installations which modify the appearance require Committee approval.
- 2.21. **SUNSHADES AND AWNINGS** – Canvas sunshades and awnings will be approved if the design is in scale with and compliments the home. Natural or muted colors which complement the home are preferred. Torn or badly faded canvas must be repaired or replaced.

### **3. PROCEDURES FOR COMMITTEE APPROVAL**

- 3.1. **GENERAL** – In a few cases, as indicated in the listing in the preceding Section 2, a specific type of Improvement is not permitted under any circumstances. In all other cases, including Improvements not included in the listing in Section 2, advance prior written approval by the Committee is required before an Improvement to Property is commenced. This section of the Guidelines explains how such approval can be obtained. If Owners have questions whether an approval is needed they should communicate directly with the Committee about the Improvement.
  
- 3.2. **DRAWINGS OR PLANS** – Article 7.3 of the Declaration requires an Owner to submit to the Committee, prior to commencement of work on any Improvement to Property, descriptions, plot plans, construction plans, specifications and samples of materials and colors, etc., as the Committee shall reasonably request, showing the nature, kind, height, width, color, materials and location of the proposed Improvement. In the case of major Improvements, such as room additions, decks or structural changes, detailed plans should be professionally prepared by an architect, engineer, and/or draftsman and shall meet City of Westminster requirements. However, simple drawings and descriptions may be sufficient for other Improvements. Whether done by the Owner or professionally, the following Guidelines should be followed in preparing drawings or plans:

- A. The drawing or plan should be done to scale, and should depict the property lines of your lot and the outside boundary lines of the home as located on the lot. Drawings made from a lot survey base are preferred.
- B. Existing Improvements, in addition to the home, should be shown on the drawing or plan, and identified or labeled. Such existing Improvements include driveways, walks, decks, trees, bushes, etc.
- C. The proposed Improvements should be shown on the plan and labeled. Either on the plan, or an attachment, there should be a brief description of the proposed Improvement, including the materials to be used and the colors.
- D. The plan or drawing and other materials should show the name of the Owner, the address of the home, and a telephone number where the Owner can be reached.

3.3. **SUBMISSION OF DRAWINGS AND PLANS** – The “ACC Improvement Request Form” and a drawing or plan shall be submitted to the Committee.

3.4. **REVIEW FEE** – No fee is charged at this time for review/approval of plans by the Committee. All costs for submittals shall be borne by the Owner. If engineering consultant fees or other fees will be incurred by the Association in reviewing any proposed Improvement, the Owner will be notified before such work is undertaken. Such fees will be assessed to the homeowner requesting the Improvement.

3.5. **ACTION BY THE COMMITTEE** – The Committee will meet as required to review plans submitted for approval and covenant/regulation violation complaint letters received. The Committee may require submission of additional information or material, and the Committee may deny the request until all required information or materials have been submitted. The Committee will contact the Owner by phone, if possible, if additional information or materials are required. The Committee will act upon all requests within thirty (30) days of its regularly scheduled meetings, or within



thirty (30) days after receipt of all additional information or materials requested by the Committee, unless the time is extended by mutual agreement. All decisions of the Committee will be in writing. If the Committee doesn't respond within thirty days, Owners may go through the notice process outlined in section 7.7 of the Declarations.

- 3.6. **PERFORMANCE OF WORK** – After approval by the Committee, the work related to a proposed Improvement to Property should commence within six months and be accomplished as promptly as possible, in accordance with the approved plans, drawings and descriptions. The work must be completed, in any event, within ninety (90) days from the date of commencement, unless otherwise agreed to in writing by the Committee. The Committee has the right to inspect completed work and may issue notice of noncompliance if work is nonconforming.
- 3.7. **RIGHTS OF APPEAL** – An Owner may appeal to the Association Board of Directors in the event of disapproval of a request by the Committee.
- 3.8. **COMPLAINTS** – Should be submitted to the Committee, in writing, and must be dated and signed by an Owner. The Board of Directors and the Committee will take all reasonable action to preserve the anonymity of complaining Owners.
- 3.9. **DECLARATION PREVAILS** – The foregoing Covenant Guidelines and procedures are supplementary to all the terms and provisions of the Declarations, and shall remain in full force and effect. In the event of any actual or apparent conflict between these procedures and said Declarations, the latter shall prevail.