

# STONEGATE VILLAGE OWNERS ASSOCIATION COMMUNITY-WIDE STANDARDS DOCUMENT

**INTRODUCTION** - Stonegate Village is a master planned community of separate and distinct neighborhoods (also referred to as *Filings* or *Sub-Filings*) within a network of parkways and greenbelts connecting to centrally located schools, parks and other recreational facilities.

These Community-wide Standards have been adopted to give direction to Owners in preparing plans and designs that reinforce the appearance of high quality neighborhoods within the master planned setting. These Community-wide Standards apply to modifications, additions and alterations made on or to existing improvements, Residential Units or structures containing Residential Units and the open space.

In order to preserve harmony of external design in relation to surrounding structures, topography, and finish-grade elevations, these Standards are drafted to mirror the Design Guidelines and Review Procedures of the New Construction Committee.

Due to unique characteristics of individual Filings and Sub-Filings, certain special requirements relating to house design, site planning, landscaping, fencing or any other facet of modification, addition or alteration may be applicable to a particular Filing or Sub-Filing. These special requirements are set forth in the Site Specific Requirements for such Filing or Sub-Filing. Although the Site Specific Requirements are distributed separately, they are, by this reference, incorporated in these Community-wide Standards with the same force and effect as if the full text of such Site Specific Requirements were set forth in these Community-wide Standards. Owners should become familiar with the applicable Site Specific Requirements at the outset of the design process. If there is any conflict between applicable Site Specific Requirements and these Community-wide Standards, the Community-wide Standards shall prevail.

Additionally, due to unique characteristics on individual Lots and/or groups of Lots, certain additional special requirements, relating to house design, site planning, landscaping, fencing, or any other facet of modification, addition or alteration, may be imposed by the Modifications Committee (also referred to as *MC*) during the review process.

These Community-wide Standards are intended to provide the framework for design and development standards, based upon which the Owner, Contractor and the Modifications Committee will be able to make informed decisions related to all exterior design elements within Stonegate Village. **UNLESS OTHERWISE SPECIFICALLY STATED, DRAWINGS OR PLANS FOR A PROPOSED IMPROVEMENT MUST BE SUBMITTED TO THE MODIFICATIONS COMMITTEE AND THE WRITTEN APPROVAL OF THE MODIFICATIONS COMMITTEE MUST BE OBTAINED BEFORE THE IMPROVEMENTS ARE MADE.**

These Community-wide Standards contain both rules and informational direction. Where the terms "shall" or "shall not" are used in a statement, the statement constitutes a binding rule. Where the terms "preferred" or the phrase "the MC may permit" are used in a statement, the statement constitutes informational direction provided for the guidance and convenience of Owners and Contractors, and shall not create any duty for the MC to approve or permit the design elements referred to in such statement, nor shall any Owner or Contractor rely in any manner upon the MC's potential approval of such design element, which approval shall remain within the MC's sole discretion.

Where the provisions of any applicable Site Specific Requirements conflict with the provisions of this document, applicable Site Specific Requirements shall be controlling. Where the provisions of applicable Douglas County Standards are more restrictive than the provisions of these Community-wide Standards (including any applicable Site Specific Requirements), the Douglas County Standards shall be controlling. No variance from the Douglas County Standards may be requested unless the prior written approval of the MC has been first obtained. MC approval does not supersede Douglas County requirements.

**Accuracy of Information.** Any person submitting plans to the MC shall be responsible for verification and accuracy of all components of such submission, including, without limitation, all site dimensions, grades, elevations, utility locations, neighbor acknowledgement and other pertinent features of the site plans.

**Appeals.** Within ten (10) business days after notice of an MC decision has been mailed, the Owner may file with the management company, or in their absence, the Secretary of the MC, a written request that the MC reconsider such decision. Any such request for reconsideration shall include a statement of the basis for such request and technical design information supporting such request. The MC may require additional information in connection with any request for reconsideration. The Owner's written request for reconsideration may include a request to personally address the MC at its next scheduled meeting.

All reconsideration will be reviewed on a case-by-case basis, and the granting of a request for reconsideration with respect to one matter does not imply or warrant that a similar request will be granted with respect to any other matter. Each case will be reviewed on its own design merits, and in light of the overall objectives of these Community-wide Standards.

**Application for Review.**

Applications for MC review are attached as Appendix A and additional copies of such applications and information regarding design review procedures can be obtained from the Association's management company or the community's web site at [www.svoacommunity.com](http://www.svoacommunity.com). All applications for approval of a modification, addition or alteration and other related materials must be submitted to the Association's management company for review by or on behalf of the MC before work commences.

**Architectural Standards.** The Board of Directors shall have the authority and standing, on behalf of the Association, to enforce in courts of competent jurisdiction decisions of either committee created in Article X of the Declaration of Covenants, Conditions and Restrictions for the Stonegate Village Owners Association, Inc.

In Article X of the Declaration, the MC is created to promote conformity and harmony among Improvements within Stonegate Village with regard to external design, quality and type of construction, materials, color, location in relation to surrounding structures, height, topography, grade and finished ground elevation and all aesthetic considerations herein set forth. No Improvement shall take place on the Properties, except on any portion of the Properties while owned by a county or other political subdivision of the State of Colorado, except in strict compliance with Article X and until the requirements thereof have been fully met and until the approval of the appropriate committee has been obtained.

**Authority and Enforcement.** The MC has adopted these Community-wide Standards of the Modifications Committee of the Association pursuant to Article X, Section 2 of the Declaration. The MC is directed to prepare, and on behalf of the Board of Directors, promulgate Community-wide Standards which shall be the Community-wide Standards of the Association and the MC has the sole and full authority to prepare and amend such Community-wide Standards. The provisions for enforcement of the Declaration set forth in Article X, Section 2 of the Declaration shall apply to the enforcement of these Community-wide Standards in addition to any other available remedies.

**Conflicts with the Declaration of Covenants, Conditions, and Restrictions.** In the event of a conflict between these Community-wide Standards and the terms of the Declaration, the Declaration shall prevail.

**Final Approval.** In the event the MC fails to approve or disapprove such plans or to request additional information reasonably required within forty-five (45) days after acknowledgment of the submission by the MC, the plans shall be deemed approved. Notification of the MC's final approval constitutes a binding agreement between the Owner and the Contractor and the Association. Deviation from the approved plans is prohibited, unless such proposed deviation has been submitted to the MC and has been expressly approved by the MC.

The MC may in its discretion, during a design review session, assist the Owner by suggesting alternative design solutions; however, such suggestions shall not necessarily constitute an approved design solution and the MC shall not have responsibility for ensuring, or making any determination regarding compliance of such suggested design solutions with applicable governmental regulations and other requirements.

**Meeting Schedule of the MC.** The MC will convene meetings for the review of applications on a schedule established by the MC from time to time. The meetings are held at least every 45 days at the Stonegate Village Information Center or at such another location as may be determined by the MC.

**Modifications Committee.** The Modifications Committee (MC) shall consist of at least three (3) and no more than five (5) members, all of whom shall be appointed by the Board of Directors. The MC shall have exclusive jurisdiction over modifications, additions, or alterations made on or to existing Improvements, Residential Units or structures containing Residential Units and the open space, if any, appurtenant thereto, except on any portion of the properties while owned by a county or other political subdivision of the State of Colorado; provided, however, that the MC may delegate this authority to the appropriate board or committee of any residential association subsequently created or subsequently subjected to this Declaration so long as the MC has determined that such board or committee has, in force, review and enforcement practices, procedures and appropriate standards at least equal to those of the MC. Such delegation may be revoked and jurisdiction reassumed at any time by written notice.

The MC shall promulgate detailed standards and procedures governing its area of responsibility and practice. In addition thereto, the following shall apply: plans and specifications showing the nature, kind, shape, color, size, materials, and location of such modifications, additions, or alterations to improvements upon all or any portion of the properties, other than Property while owned by a county or other political subdivision of the State of Colorado, shall be submitted to the MC for approval with regard to quality of workmanship, design and harmony of external design with existing structures, and with regard to location in relation to surrounding structures, topography, and finish-grade elevation. No permission or approval shall be required to repaint in accordance with an originally approved color scheme, or to rebuild in accordance with originally approved plans and specifications. Nothing contained herein shall be construed to limit the right of an Owner to remodel the interior of his/her residence, or to paint the interior of his/her residence any color desired. In the event the MC fails to approve or to disapprove such plans or to request additional information reasonably required within forty-five (45) days after submission, the plans shall be deemed approved.

**Non-Liability of the MC.** Neither the MC nor its respective members, Secretary, successors, assignees, agents, representatives, employees or attorneys shall be liable for damages or otherwise to anyone submitting plans to it for approval, or to any builder by reason of mistake in judgment, negligence or nonfeasance, arising out of any action of the MC with respect to any submission or for failure to follow these Community-wide Standards. The role of the MC is directed toward review and approval of use, site planning, appearance, architectural vocabulary and aesthetics. The MC assumes no responsibility with regard to design or construction, including, without limitation, the civil, structural, mechanical, plumbing, or electrical design, methods of construction, or technical suitability of materials.

**Owner's Responsibility.** In accordance with any additional Declaration and Subsequent Amendments to this Declaration which may be filed on portions of the properties and in accordance with this Declaration, all maintenance of the Residential Unit Lot and all structures, parking areas, and other improvements thereon shall be the sole responsibility of the Owner thereof, who shall maintain said Property in a manner consistent with the Community-wide Standards of Stonegate Village and the applicable covenants, provided that if this work is not properly performed by the Owner, the Association may, at its sole option, perform it and assess the Owner; provided, however, whenever entry is not required in an emergency situation, the Association shall afford the Owner reasonable notice and an opportunity to cure the problem prior to entry.

**Regulatory Compliance.** It is the responsibility of the Owner and Contractor to obtain all necessary permits and to ensure compliance with all applicable governmental regulations and other requirements. Plans submitted for MC review shall comply with all applicable building codes, zoning regulations and the requirements of all governmental entities having jurisdiction over the Building Project or Property within Stonegate Village. Regulatory approvals do not pre-empt the design review authority of the MC, and MC approval does not incorporate any governmental approvals, which governmental approvals shall be the sole responsibility of the Owner and Contractor.

**Residential Unit.** “Residential Unit” shall mean any portion of the properties intended for any type of independent ownership for use and occupancy as a residence by a single family and shall, unless otherwise specified, include within its meaning (in way of illustration, but not limitation) condominium units, apartment units, patio or zero-lot-line homes, and single family houses on separately platted Lots, as may be developed, used and defined as herein provided or as provided in subsequent amendments covering all or a part of the properties; provided, further, the term shall include all portions of the Lot owned as a part of any structure thereon; provided, further, each apartment unit within an apartment building shall be a Residential Unit, but the apartment building itself shall not constitute nor be construed to be a Residential Unit. For the purposes of this Declaration, a Residential Unit shall come into existence when substantially complete or upon the issuance of a certificate of occupancy by the appropriate agency of Douglas County or other local governmental entity, whichever comes first. The term “Residential Unit” shall not include any commercial space, or Property owned by a political subdivision of the State of Colorado, which might be subject to all or part of this Declaration.

**Right of Entry.** The Association shall have the right, but shall not be obligated, to enter upon any Residential Unit for emergency, security, and safety, which right may be exercised by the Association’s Board of Directors, officers, agents, employees, managers, and all policemen, firemen, ambulance personnel, and similar emergency personnel in the performance of their respective duties. Except in an emergency situation, entry shall only be during reasonable hours and after notice to the Owner, and the entering party shall be responsible for any damage caused. It is intended that this right of entry shall include (and this right of entry shall include) the right of the Association to enter upon a Residential Unit, including any Residential Unit, to cure any condition which may increase the possibility of a fire or other hazard in the event an Owner fails or refuses to cure the condition upon request by the Board. In addition to the foregoing, the Association shall enjoy such right of entry in order to take curative measures in the event of an Owner’s failure to comply as provided in Section 2 of Article IV of the Declaration.

**Submittal and Response.** All submittals required by these Community-wide Standards must be received, reviewed, and approved by the MC prior to any commencement of modification, addition or alteration or other disturbance of the Lot. The MC will generally render and mail its written decision within ten business days after the MC meeting in which the application for approval is considered.

**Use Restrictions.** The Properties, other than any portion of the Properties while owned by a county or other political subdivision of the State of Colorado, shall be used only for residential, recreational, and related purposes as may more particularly be set forth in these Community-wide Standards, amendments thereto or subsequently recorded declarations creating residential associations subject to the Declaration. The Association, acting through the Board of Directors, shall have standing and the power to enforce use restrictions contained in any such declaration as if such provision were a regulation of the Association.

The Association, acting through its Board of Directors, shall have authority to make and to enforce standards and restrictions governing the use of Residential Units and the Common Area, including the imposition of reasonable user fees.

Land use standards constituting the initial restrictions and standards are explained in Exhibit C of the Declaration. These standards shall not apply to any portion of the properties while owned by a county or other political subdivisions of the State of Colorado. These standards are independently amendable in accordance with Exhibit C of the Declaration and such amendment shall not constitute nor require an amendment of these Community-wide Standards.

The Board of Directors of the Stonegate Village Owners Association, Inc. may from time to time promulgate use restrictions governing the use of Lots and Association Common Areas. Each builder should review any such use restrictions to ensure that Lot improvements are in compliance with such use restrictions.

**Variances.** If the Owner, or her/his Contractor or designer(s), feels that any portion of these Community-wide Standards should be waived, based on the design characteristics of a particular Building Project, then the Owner may apply for a variance from such portion or portions of these Community-wide Standards. The burden of establishing why a specific portion of these Community-wide Standards should be waived lies with the Owner. The Owner shall provide reasonable assurance in the application for variance that the overall intent of these Community-wide Standards will be accomplished with the Building Project as proposed. The MC may grant or deny the variance applied for in its sole discretion, and the granting of a particular variance with respect to one Lot does not imply or warrant that a similar variance will be granted with respect to any other Lot. Each variance request will be reviewed on a case-by-case basis in light of the overall objectives of these Community-wide Standards.

**Waiver, Amendment and Third Party Benefit.** The MC maintains the right to, from time to time, at its sole discretion, to waive, amend or modify these Community-wide Standards. Neither the MC nor its agents, representatives or employees shall be liable for failure to follow these Community-wide Standards as herein defined. These Community-wide Standards confer no third-party benefit or rights upon any entity, person, Lot Owner or Contractor.

**What constitutes "Modification, Addition or Alteration"?**

A modification, addition, or alteration is an exterior change to any residential or non-residential structure or Property and associated improvements, including but not limited to landscaping, signage and lighting (whether permanent or temporary) constructed or installed on a site within the boundaries of Stonegate Village.

**Who administers the procedures set forth in these Community-wide Standards?**

The design review procedures are described in this document and are administered by the Modifications Committee (MC). The MC is composed of up to five members appointed by the Board of Directors of the Stonegate Village Owners Association, Inc.

The MC's approval of any proposed modification, addition, or alteration is within the sole and unfettered discretion of the MC with regard to quality of workmanship and design; harmony of external design with existing structures; and location in relation to surrounding structures, topography and finish-grade elevations.

**Who is subject to the procedures set forth in these Community-wide Standards?**

Any Owner and her/his Contractor desiring to undertake any modification, addition, or alteration within the boundaries of Stonegate Village is responsible for complying with the provisions of these Community-wide Standards and initiating the reviews and obtaining the approvals required by these Community-wide Standards before any such modification is undertaken. There are no exemptions or automatic approvals. Each application will be reviewed on an individual basis.

**DEFINITIONS**

All initially capitalized terms contained in the Community-wide Standards, as such term is hereinbelow defined, unless otherwise defined in the Community-wide Standards or unless the context clearly requires otherwise, shall have meanings ascribed to such initial capitalized. Additionally, all initially capitalized terms contained in the Community-wide Standards, and not otherwise defined herein, shall have the meanings ascribed to such initially capitalized terms in the Declaration, unless the context clearly requires otherwise.

1.1 "Application" shall mean an application for the MC to review and approve as required to be submitted under the Community-wide Standards, in the form set forth in Appendix A to the Community-wide Standards or in such other form as may be required by the MC.

1.2 "Association", as defined in Article I, Section 2, of the Declaration, shall mean the Stonegate Village Owners Association, Inc. a Colorado non-profit corporation.

**DEFINITIONS CONTINUED:**

- 1.3 "Back-to-Back Corner Lot" shall mean a corner Lot on which the rear elevation of a Residential Unit faces the rear elevation of an adjacent Residential Unit.
- 1.4 "Building Project" shall mean the total scheme of improvement constructed or proposed to be constructed upon any Lot.
- 1.5 "Building Setback" shall mean the areas, measured from the Property line to any structure, which areas shall be unobstructed by structures from the ground upward, but which may include surface driveway areas or other similar surface improvements.
- 1.6 "Community-wide Standard" shall mean the standard of conduct, maintenance, or other activity generally prevailing in Stonegate Village. Such standard may be more specifically determined by the Board or the New Construction Committee, as applicable.
- 1.7 "Contractor" shall mean any person who has or will become the Owner of a Lot, or any person acting as an agent of the Owner of a Lot or a prospective Owner of a Lot, seeking approval pursuant to and as required by the Community-wide Standards.
- 1.8 "County" shall mean any official, agency, or body of the government of the County of Douglas, State of Colorado.
- 1.9 "Declarant" shall mean Stonegate Developments, Inc., A Delaware Corporation, and any of its successors and assignees which are designated "Declarant" by the previous Declarant, in a recorded amendment to the Declaration.
- 1.10 "Declaration" shall mean the Declaration of Covenants, Conditions and Restrictions for Stonegate Village Owners Association recorded on May 13, 1985, in Book 573 at Page 767 of the Real Property Records of Douglas County Colorado together with all amendments, supplements or other modifications thereto, made in accordance with the provisions thereof.
- 1.11 "Filing" shall mean an area for which the Declarant has prepared and recorded a plat.
- 1.12 "Height Restrictions" shall mean structures located on Property within Stonegate shall not exceed 35 feet in height unless (a) the Douglas County Board of Adjustment shall permit a greater height, and (b) the prior written approval of the MC for a greater height shall have been obtained.
- 1.13 "Improvement" shall mean all Residential Units and structures, parking areas, loading areas, fences, walls, hedges, plantings, poles, driveways, ponds, recreational facilities, signs, changes in exterior color or shape, all construction, including, without limitation, staking, clearing, excavation, grading, road construction, utility improvement and other site work, removal of plants, trees and shrubs, plantings, and any exterior improvement or construction which may not be included in the foregoing. "Improvement" shall include both original improvements and all later changes and improvements.
- 1.14 "Lot" shall mean each of the Lots described upon any recorded plat of the Property encumbered by the Declaration or any portion thereof, except the Common Area (as defined in Article I, Section 3 of the Declaration), and excluding Property dedicated to any municipality or any other governmental entity. If such Lot is further subdivided or re-subdivided, or if any such Lot is aggregated with other Lots to form a larger Lot, each of the Lots resulting from such subdivision shall be considered as a Lot as that term is used herein and the restrictions of the Declaration shall apply to Lots so created.
- 1.15 "Modifications Committee" or "MC" shall mean the Modifications Committee referred to in Article X, Section 2 of the Declaration.

**DEFINITIONS CONTINUED:**

- 1.16 "New Construction" shall mean any residential or non-residential structure and associated improvements constructed on a previously undeveloped site within the boundaries of Stonegate Village.
- 1.17 "New Construction Committee" or "NCC" shall mean the New Construction Committee referred to in Article X, Section 1 of the Declaration.
- 1.18 "Person" (as defined in Article I, Section 19 of the Declaration) shall mean a natural person, a corporation, a partnership, trustee or other legal entity.
- 1.19 "Properties/Property" shall mean and refer to the real property in Exhibit A of the Declaration and shall further refer to such additional property as may hereafter be annexed by Subsequent Amendment to the Declaration or which is owned by the Association.
- 1.20 "Residence" shall mean an individual detached dwelling unit located on a Lot with Building Setbacks to the front, rear and sides.
- 1.21 "Residential Unit" shall have the meaning ascribed to such term in Article I, Section 21 of the Declaration.
- 1.22 "Reverse-Corner Lot" shall mean a corner Lot on which the rear elevation of a Residential Unit faces the side elevation of an adjacent Residential Unit behind it.
- 1.23 "Single Family" shall mean one (1) family unit related by blood, adoption or marriage.
- 1.24 "Site Specific Requirements" shall mean any specific requirements imposed with respect to a Filing or Sub-Filing, as promulgated by the MC to apply to the Lots in the designated Filing or Sub-Filing.
- 1.25 "Square Footage" shall mean the square feet of floor space, exclusive of garages, basements, porches, patios, decks and other appurtenant structural elements.
- 1.26 "Stonegate Village" shall mean the Property subject to the Declaration, being situated in the County of Douglas, State of Colorado.
- 1.27 "Stonegate Village Owners Association, Inc." or "SVOA" shall mean the Association, as defined in Section 1.2 hereof.

**Accessory Buildings (Revised 6/25/18).** Committee approval is required. The Committee encourages shed and lean-to products/structure that are made by Tuff Shed with the specific contingencies noted below. If the structure submitted to the Committee is equal or equivalent to the Tuff Shed products, the request will be considered on a case-by-case basis. Please see link below that takes you to the site where you can create your own structure.

**Tuff Shed Link:** <https://www.tuffshed.com/products/#/configurator/>

**Lean-To Link:** <https://www.tuffshed.com/products/#/details/Premier%20Lean-To/>

The specific details of what the Committee will consider are shown below:

- **Building Type & Style:** Must be the "Garden Ranch Building Type/Style for the shed product and for the lean-to product, it must be the "Premier Lean-To".
- **Doors & Windows:** Owner can owner can choose what type of door style and hardware they would like along with adding windows which of course would be reviewed on a case-by-case basis by the Modifications Committee.
- **Roof Selection:** Owner must use the Owens Corning Dimensional Shingles with Lifetime Warranty. Several colors are available, however, the color chosen must match the color of the roofing material on the home. There are three options for the pitch of the roof itself that the owner can choose from.

**Accessory Buildings Continued (Revised 6/25/18).**

- **Siding & Color Selections:** Owner must use lap siding only and would suggest the “no paint” option so that the owner can paint the exterior of the structure to match the body color of the home. If there is a color selection that would match the current exterior body color on the home, it may be considered. There are also options to add trim, door and shutters and colors, but again would recommend that owners go with the “no paint option”.
- **Other Options & Upgrades:** Other options/upgrades are available such as skylights, roof venting, wall ventilation, which could be reviewed on a case-by-case basis.

All approvals are based upon quality of workmanship, method of installation, harmony of external design with existing structures, and upon location in relation to overall Lot size, surrounding structures, topography, and finish-grade elevations measured in part by the following standards:

- Must be of the same or generally recognized as complementary architectural style and color as that of the residence. Roofing material color must be the same as the existing roof on the residence. Siding and window(s) as may be applicable should generally match the siding design and window frame color of the residence.
- Maximum sizes for a detached accessory building will be 8'(W) x 10'(L) x 8'(H) in height including skids, foundation and/or concrete slab.
- Must be screened from view of the street by a fence and/or plants.
- The structure should be located next to the Owner's house or in a location least visible by neighbors.
- Evergreen Shrubs and/or trees equal to 3/4 the height of the shed or accessory building at planting may be required for additional screening purposes. Amount, size and location of vegetation will be at Committee's discretion.

**Additions/Expansions or Reconstruction.** Committee approval is required. Additions, expansions or reconstruction to the home will require submission of detailed plans and specifications.

**Address Numbers (on the home, curb, etc.).** Must be approved by the MC.

**Advertising.** See Signs.

**Air Conditioning Equipment and Units.** Committee approval is required. Air conditioning equipment installed in the side yard should not be immediately visible to adjacent Property Owners. It should be installed in such a way that any noise to adjacent Property Owners is minimized. Compressors and fans for central air conditioning systems which are located outside the exterior of a building shall be adequately walled, fenced or landscaped to prevent unreasonable noise and exposure. Air conditioning units extended from windows or protruding from roofs are not permitted, unless such installation is being made for energy efficient measures as may be further defined by State or Federal regulations.

**Animals and Pets.** No animals, livestock, or poultry of any kind shall be kept, raised, or bred on any portion of the Properties except dogs, cats, or other household pets (the kind and number of which may be regulated, permitted or prohibited from time to time by rules and regulations promulgated by the Board).

- Household pets, such as dogs and cats, must be contained upon Owner's Residential Unit, and such pets may not be permitted to run at large at any time. Approved fencing is required to assure that domestic pets do not stray from the Owner's Residential Unit. In lieu of fencing a Residential Unit and as the NCC may approve, Owners may construct a fenced run on a Residential Unit.
- Pedestrians within the Properties who are accompanied by dogs must have the dogs under the pedestrians' direct control by use of a leash not to exceed 10 feet in length.



**Antennae.** Under Exhibit C, Section 6 of the Covenants, Conditions and Restrictions, no exterior radio antennae, television antennae or other antennae may be erected in residential portions of Stonegate Village unless entirely enclosed within a portion of an individual building constituting part of a Residential Unit. Notwithstanding any local or federal law, all exterior installations must first be approved by the MC.

**Arbors.** See Gazebos.

**Awnings.** Committee approval is required. Awnings may only be installed on the rear of a home, unless such is being installed for the purpose of reducing energy consumption. All awning material must be solid in color and match as closely as possible either trim or body color of the home. A material swatch of the awning must be provided along with an identification of the color on the home (body or trim) that is being matched.

**Balconies.** See Decks.

**Basketball Backboards.** Committee approval is not required if the pole is mounted with a backboard and support structure that is painted to match the residence or if the backboard is painted a standard white, next to the driveway of the home. Garage mounted backboards are not permitted. All other locations for installation must first be approved by the MC. Portable basketball hoops shall be allowed and do not require MC approval provided they meet the following guidelines; 1) provided they are not placed on any public sidewalk, street or right of way; 2) location must be at least half of the length of the driveway away from the street when not in use. This location constitutes proper placement and the portable unit must be kept in this location when not used or stored out of sight.

**Bee Hive Units (Revised 6/1/14):** Owner installed or maintained bee hives and/or bee hive units of any type, size or style will not be permitted.

**Birdbaths/Fountains.** See Statues.

**Bird Houses and Bird Feeders.** Committee approval shall be required in all cases.

**Cable TV and Telephone Wiring/External Wiring.** Cable lines or other external wiring running from the cable box to the home must be properly buried. Cable lines running on the siding of the home must be properly hidden so as not to be visible from the street or neighboring properties. Cable lines must run parallel with all siding and trim boards and must be painted to match the existing color(s) of the home.

**Carports.** Are not permitted.

**Chimineas/Smokers, Fire Pits/Outdoor Fireplaces etc.** Committee approval is required for all permanent installations. In all cases chimineas and smokers must not create an unreasonable amount of smoke to adjoining Property Owners.

**Circular Drives.** See Driveways.

**Clothes Lines (Retractable) and Hangers.** Committee approval is required. Any clothes drying or hanging areas will be screened so as not to be visible from neighboring properties and streets.

**Clothes Drying Areas.** Any clothes drying or hanging areas will be screened so as not to be visible from the neighboring properties and streets.

**Decks and Deck Railings – (Revised 6/1/14).** Committee approval is required. The deck and railings must be constructed of material that would either be considered similar to the material of the residence (structural component not visible to a public right-of-way, open space or neighboring Property may utilize hem fir or engineered materials) or maintenance-free type decking products as may be approved at the discretion of the Modifications Committee and be located so as not to obstruct or greatly diminish the view or create an unreasonable level of noise for adjacent Property Owners. Decks and railings constructed of material components utilized on the home must be pre-finished or stained or

**Decks and Deck Railings – (Revised 6/1/14) Continued:**

painted to match the body or trim color of the home, if the deck and or railing is visible from the street, open parkways, or exceeds the height of the lowest portion of the fence on the Property. Maintenance-free type decking and railing products may be used provided that the decking material is consistent throughout the front, side or rear elevation of a building and must be of a color that either matches or is complementary to either the existing body or trim color only on the home. Ornate designs or features on deck railings are discouraged. Homeowners are reminded that as with wood, some types of maintenance-free decking products may also require periodic maintenance for proper care and to retain the product's aesthetic conformity, including, but not limited to, fading, warping, etc. Decking that extends no greater than thirty (30") inches above grade of the Lot may utilize a lattice skirting provided the skirting is made of redwood, minimum one-half (1/2") inches thick boards and stained or painted to match the remaining portion of the deck. Decks may not be more than 25% of the entire rear Lot of the home. Construction shall not occur over easements beyond the side plane of the home and must be set back a minimum of five (5) feet from the property line. Construction of decks over a sloped area is discouraged.

The applicant may also be required to plant vegetation for additional screening purposes. The deck must be installed as an integral part of the residence and/or patio area. The deck must be located so as not to obstruct, or diminish greatly, the view of nearby Property Owners or to create an "unreasonable" level of noise for adjacent Property Owners.

**Dog Runs/Houses/Pens.** Committee approval is required. Must be located in rear or side yard behind the fence, abutting the home, and be substantially screened from view, provided it is limited in size to 200 square feet, is no more than five feet high and is constructed of chain link or wire mesh with wood or metal posts.

**Doors.** Committee approval is not required for the replacement or repainting of existing main entrance door(s) to a home or an accessory building if the material matches existing doors on the house.

- Storm/Screen Doors. Committee approval is required for all storm door installations. Colors to be utilized should be white or the body or trim color of the home. Homeowners wishing to utilize a different design storm/screen door or color must first obtain approval from the Modifications Committee.
- Security Doors. All security or security-type doors and windows must be approved by the MC prior to installation.

**Drainage.** Drainage shall conform to the Covenants, Conditions and Restrictions of the community and shall comply with all other applicable regulations, including, but not limited to, any County regulations and all applicable FHA and VA regulations. The proper drainage of the Lot is the responsibility of the Owner and should not be altered from the original grading completed by the builder. Any landscape modifications must not alter the drainage of the Lot.

**Driveways.** Committee approval is required for the extension or expansion of driveways. Any approved driveway expansion shall not be intended to promote or facilitate the parking or storage of any vehicle on the driveway or side yard.

**Evaporative Coolers.** See Air Conditioning Equipment and Swamp Coolers.

**Excavation.** No excavation shall be made except in connection with construction approved as provided in the Declaration. For purposes of this Section, "excavation" shall mean any disturbance of the surface of the land (except to the extent reasonably necessary for approved landscape planting, or for repair of existing underground utilities) which results in a removal of earth, rock, or other substance a depth of more than 18 inches below the natural surface of the land.

**Exterior Lighting.** See Lights and Lighting.

**FENCING GUIDELINES.** Fences planned to be located in the rear or side yards along property lines may be constructed without Modifications Committee approval, if they are constructed exactly in accordance with the specifications shown in this improvement guideline book.

Fencing within Stonegate Village is divided into the following three categories, each of which is subject to the specific design criteria set forth below:

1. Perimeter Fencing
2. Greenbelt Fencing
3. Yard Fencing

**Perimeter Fencing.**

Perimeter fencing is the fencing adjacent to principal frontage roads and Project or Filing boundaries with exposure to principal roadways and Common Areas. Perimeter fencing, conforming to the Standard Perimeter Fence, shall be installed by the Declarant.

**Greenbelt Fencing.**

Greenbelt fencing is the rear fencing adjacent to a greenbelt or other open space. Greenbelt fencing shall conform to one of the following two Standard Greenbelt Fence designs:

- an open rail fence, designed to provide a more transparent, open yard situation; or
- a shorter version of the Standard Perimeter Fence, designed to provide more privacy.

**Yard Fencing.**

Yard fencing is the fencing located on individual Lots, but not adjacent to a greenbelt or other open space. Standard yard fence design(s) shall be approved for each Filing or Sub-Filing and set forth in the applicable Site Specific Requirements. Yard fencing shall not deviate from the requirements set forth in applicable Site Specific Requirements. Additionally, except where overridden by applicable Site Specific Requirements, yard fencing shall comply with the following generally applicable requirements:

- Unless the prior written consent of the Modifications Committee has been obtained, the use of open rail fences on interior side Lot lines is prohibited. Interior side yard fences shall be no less than four (4) feet and no greater than six (6) feet in height, except at the point of intersection with lower greenbelt fencing.
- Where a side yard fence abuts greenbelt fencing, the side yard fence shall match the height of the greenbelt fencing for a distance of at least six (6) feet from the point of intersection with such greenbelt fencing.
- Fences installed by the Declarant shall not be altered in any way without the prior written consent of the Declarant.
- All interior and exterior fences shall be left natural, except that the Modifications Committee may permit application of a clear sealer or Semi Transparent Cedar, Chestnut and Walnut Brown neutral tinted sealer
- Any fence which is exposed to a street or greenbelt shall have its finished side facing such street or greenbelt.
- On a Reverse-Corner Lot, yard fencing shall be installed along the exposed side yard at least 15 feet from the property line.
- On a Back-To-Back Corner Lot, yard fencing shall be installed along the exposed side yard at least 5 feet from the property line.
- There shall be no gaps between fences.
- Open Rail fences shall not have gates. The Modifications Committee may permit gates in solid fences where they match the appearance of the fence. Such gates must comply with District Restrictions.
- The front yard of the Residence shall not be fenced.

**Fencing and Fencing Requirements.** Fencing proposals showing alignment and design for all fencing shall be approved prior to installation of such fencing.

Front yard fences, and side yard fences exposed to the street on corner Lots, shall be installed at the time the Residence is constructed and shall conform to the standard fence design set forth in these community

**Fencing and Fencing Requirements Continued:**

wide standards. There shall be no gaps between frontage fences which are not in alignment. These portions of the Lot Owner's fence must be maintained as to not allow the fence to appear weathered or grey. The Owner may want to consider either power-washing these sections of fence and apply a "cleaner/brightener" before applying a finish which should help remove the washed out look created by irrigation overspray and help return the natural grain and color that will shine through the semi-transparent stain. A clear sealer or neutral tinted sealer such as Semi Transparent Cedar, Chestnut or Walnut Brown may be applied.

A fence which is exposed to the street, installed on the side yard of a corner Lot, may not run more than 40' in a straight line without an offset of at least 2'. Unless the prior written consent of the MC has been obtained, the use of open rail fences on interior side Lot lines is prohibited. Side yard fences shall be at least 4' in height, except that any such side yard fence which intersects with a lower greenbelt fence shall be gradually stepped down to the level of such greenbelt fence.

Side yard fences, between the Residence and the side yard Lot line, shall be installed at the time the Residence is constructed. No gaps shall be permitted between side yard fences.

Rear yard fences installed on any Lot, other than such rear yard fences as may be installed by Declarant, shall be solid fences, not less than 4' and not greater than 6' in height, and shall be compatible with all neighboring fences.

All Lot line and frontage fences shall be left natural unless the prior approval of the MC shall have been obtained. Any fence which is exposed to a street or greenbelt shall have its finished side facing such street or greenbelt.

**Flagpoles, Flags.** A maximum of two 3' x 5' flags, National or State, attached to a pole not to exceed 6' in height and 2" in diameter, may be affixed to the first level of the front of a house without MC approval. All other types of installation must first be approved by the MC.

**Garbage Containers and Storage Areas.** See Trash Containers and Enclosures.

**Gardens - Flower.** Committee approval is not required if no more than 100 square feet of the front or rear yard is created as a flower garden. All flower gardens must be weeded, cared for and carefully maintained. Flowers should not exceed three (3) feet in height unless approved by the Committee.

**Gardens - Vegetable.** Committee approval is not required if no more than 100 square feet of the rear yard is utilized and the plants in the garden do not exceed the height of the rear yard fence at its lowest point. Gardens must be located in the rear or side yard and screened or substantially screened from view of adjacent homeowners and the street. Vegetable gardens are not allowed in the front of a home or a side yard that is not enclosed by a fence.

**Gazebos/Arbors/Pergolas .** Committee approval is required. Must be an integral part of the landscape plan. Must not obstruct a neighboring Property Owner's view corridor. Must be similar in material and design to the residence, must be painted or stained the body or trim color of the residence and must comply with all existing set-back requirements. Roof material must match that of house, if applicable.

**Grading and Grade Changes.** See Drainage.

**Greenhouses/Greenhouse Windows.** Committee approval is required.

**Hot Tubs.** Committee approval is required. Must be an integral part of the deck or patio area. Location should not create an unreasonable level of noise for nearby Property Owners.

**Irrigation Systems.** Underground manual or automatic irrigation systems do not require approval of the Modifications Committee.

**Jacuzzis.** See Hot Tubs.

**Kennels.** See Dog Runs. If kennel structure is desired, Modifications Committee approval is required.

**Landscaping.** Committee approval is required. The Modifications Committee encourages the use of drought tolerant plant materials for new installations or existing landscape changes, referred to as xeriscape. Creative landscapes that conserve water - xeriscapes - are becoming more popular as homeowners look at cutting back on water consumption. Homeowners have inquired about covenants regarding xeriscaping and many have requested a list of suitable xeriscape plants. To those who have asked, "Do our covenants allow xeriscapes?" The answer is a definite "Yes!" As an alternative to traditional landscaping, xeriscaping is water conservation planning through creative landscaping. Please remember that xeriscaping requires as much or more maintenance as traditional landscaping through at least the first three (3) years. Included with these Community-wide Standards is a recommended plant list that you can utilize in your xeriscape plan. All xeriscape plans must incorporate the installation of a properly functioning irrigation system to help maintain the plantings.

In case of homeowners desiring to limit the amount of sod/turf in their front and rear yards, no greater than seventy percent (70%) of either the front or rear yard can be covered with non-living materials. The transition from traditional landscaped areas to a xeriscape area must be taken into consideration with the plan, including Lot boundaries of neighboring yards. The use of non-living materials such as mulch or rock can be an ideal replacement for turf areas and help provide landscape interest. Mulches modify the extremes of soil temperature, improve soil by producing humus, reduce evaporation loss, and reduce weed growth and slow erosion. Organic mulches are typically bark chips, wood grindings or pole peelings. The suggested minimum depth for mulches is three inches. Place mulch on breathable fabric. Avoid using sheet plastic in planting areas. The most attractive xeriscapes will have a minimum seventy-five percent (75%) or more of non-living material areas covered with plants, typically shrubs and groundcover beds, after three years' growth. The use of sod, berms and/or various non-living materials to break up larger planting bed areas is encouraged. Inorganic mulches include rock and various gravel products. Suitable aggregate of dark, earthtone colors may be used as an alternative mulch material.

**Front Yard Landscaping.** Except for Residences first occupied during the winter months, where landscaping may be delayed until the immediately following spring, or other circumstances in which the consent of the MC has been obtained, front yard landscaping shall be installed prior to the initial occupancy of the Residence. A sprinkler system shall be installed in all front yards. Lots fronting onto a cul-de-sac bulb shall have not less than one tree, which shall satisfy the specifications for required trees set forth in "Required Tree Specifications" in each front yard. All other Lots shall have at least two trees, which satisfy the Required Tree Specifications, in each front yard. No tree shall be installed within 4' of a sidewalk. The appearance of the ground plane of a front yard in Stonegate shall be predominantly sod or a combination of sod and shrubs. Sod and/or shrubs shall be installed on both sides of a driveway.

**Side Yard Landscaping.** The side yard of any corner Lot in Stonegate which abuts a street shall be landscaped contemporaneously with the front yard of such Lot; and if all or any portion of such side yard in front of the side elevation of the Residence constructed on such corner Lot is unfenced, then, in addition to any trees planted in satisfaction of the requirements set forth in "Front Yard Landscaping", at least one tree, which tree shall satisfy the Required Tree Specifications set forth hereinabove, shall be installed in front of the exposed side elevation of the Residence.

Any unfenced front portion of a side yard shall be landscaped in a manner which is visually integrated with the front yard landscaping and shall include irrigated sod, which shall not be held back more than 5' from the foundation. Any setback areas between fences and streetside sidewalks (or curbs where there is no sidewalk) which exceeds 3' in width, shall be landscaped with irrigated shrubs, sod or ground cover.

On any "Reverse-Corner" Lot, the required 15' setback, between the inside edge of the sidewalk and the side yard portion of the required fence, shall be covered with irrigated sod, which irrigated sod shall be held back no more than 5' feet from the foundation of the Residence constructed on such Lot and shall be continuous with the sod in the front yard of said Lot. Each such side yard on a "Reverse-Corner" Lot shall have, in addition to any trees planted in satisfaction of the requirements set forth in "Front Yard

Landscaping” section, at least two (2) trees, which trees shall satisfy the Required Tree Specifications set forth hereinabove.

On any “Back-to-Back Corner” Lot, the required 8' setback between the street side yard line and the side yard portion of the required fence shall be covered with irrigated sod, which irrigated sod shall be held back no more than 5' from the foundation of the Residence constructed on such Lot, and shall be continuous with the sod in the front yard of said Lot. Each such side yard on a “Back-to-Back Corner” Lot shall have, in addition to any trees planted in satisfaction of the requirements set forth in “Front Yard Landscaping”, not less than one (1) tree, which tree shall satisfy the Required Tree Specifications set forth hereinabove.

**Rear Yard Landscaping.** Rear yards shall be landscaped pursuant to a plan approved by the MC within 12 months after the date of initial occupancy of the Residence. A sprinkler system shall be installed in all rear yards.

**Landscaping Tree Specifications.** All required trees shall be, if an evergreen, at least 6' in height, or if a deciduous tree, at least 2½” caliper, and should be selected from the following list:

**SUGGESTED PLANT LIST**

Water Consumption Estimates. The below listed water requirement figures are applicable after the establishment period of about three years.

- \* medium water = 1 inch/week
- \*\* low water = ½ inch/week
- \*\*\* very low water = ½ inch/every other week

**TREES**

Fraxinus americana ‘Autumn Purple’  
 Gleditsia triacanthos ‘Skyline’  
 Pinus cembroides var. edulis  
 Pinus nigra  
 Quercus robur

Autumn Purple Ash  
 Skyline Honeylocust  
 Pinon Pine  
 Austrian Pine  
 English Oak

**DROUGHT TOLERANCE**

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**SHRUBS**

Amelanchier ‘Autumn Brilliance’  
 Amorpha canescens  
 Chamaebatiaria millefolium  
 Cytisus ‘Moonlight’  
 Perovskia atriplicifolia  
 Physocarpus opulifolius ‘Dart’s Gold’  
 Rhus trilobata  
 Rhus typhina ‘Laciniata’  
 Ribes aureum  
 Rosa glauca  
 Rosa rugosa

Autumn Brilliance Serviceberry  
 Great Plains Leadplant  
 Fernbush  
 Moonlight Broom  
 Russian Sage  
 Dart’s Gold Ninebark  
 Threelobed Sumac  
 Cutleaf Sumac  
 Golden Currant  
 Redleaf Rose  
 Rugosa Rose

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**PERENNIALS**

Achillea Hybrids  
 Agastache rupestris  
 Aquilegia chrysantha  
 Artemisia ‘Powis Castle’  
 Artemisia stelleriana ‘Silver Brocade’  
 Aster frikartii ‘Monch’  
 Boltonia asteroides  
 Centranthus ruber ‘Alba’  
 Diascia integerrima ‘Coral Canyon’  
 Echinacea purpurea  
 Gaura lindheimeri  
 Geranium ‘Patricia’  
 Helenium autumnale  
 Helenium ‘Moerheim Beauty’  
 Heliopsis helianthoides ‘Summer Sun’  
 Helianthus maximillianus  
 Macleaya microcarpa ‘Kelway’s Coral Plume’  
 Mahonia repens  
 Monarda didyma ‘Jacob Cline’  
 Nepeta ‘Dawn to Dusk’  
 Penstemon barbatus  
 Penstemon digitalis ‘Huskers Red’  
 Penstemon palmeri

Moonshine Yarrow  
 Sunset Hyssop  
 Denver Gold Columbine  
 Powis Castle Sage  
 Perennial Dusty Miller Sage  
 Monch Summer Aster  
 Starflower  
 White Jupiter’s Beard  
 Coral Canyon Twinspur  
 Purple Coneflower  
 Whirling Butterflies  
 Patricia Cranesbill  
 Helen’s Flower  
 Moerheim Beauty Helen’s Flower  
 False Sunflower  
 Maxmillian Sunflower  
 Plume Poppy  
 Creeping Oregon Grape Holly  
 Bee Balm  
 Catmint  
 Scarlet Bugler Penstemon  
 Red Leaf Penstemon  
 Palmer Penstemon

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Penstemon pinifolius	Pine-Leaf Penstemon	***
Penstemon strictus	Rocky Mountain Penstemon	***
Petalostemon (Dalea) purpureum	Prairie Clover	***
Ratibida columnifera	Prairie Coneflower	***
Rudbeckia fulgida 'Goldstrum'	Goldsturm Black-eye Susan	*
Rudbeckia triloba	Three-Leaved Black-eyed Susan	**
Salvia nemorosa 'East Friesland'	East Friesland Sage	***
Salvia nemorosa 'May Night'	May Night Sage	**
Salvia verticillata 'Purple Rain'	Purple Rain Sage	***
Sedum 'Vera Jameson'	Mahogany Stonecrop	***
Tanacetum niveum	Snow Daisy	***
Verbascum phoeniceum	Purple Mullein	**
Zauschneria garrettii 'Orange Carpet'	Orange Carpet Zauschneria	***
Zinnia grandiflora	Rocky Mountain Zinnia	***
<b><u>ANNUALS (seeded)</u></b>		
Datura		***
Blue Flax		***
Sunflower spp.		***

### **ORNAMENTAL GRASSES**

Calamagrostis arundinacea var. brachytricha; Calamagrostis arundinacea 'Karl Foerster'; Chasmanthium latifolium; Erianthus ravennae; Helictotrichon sempervirens; Miscanthus sinensis 'Little Nicky'; Miscanthus sinensis 'Silberfeder'; Panicum virgatum 'Prairie Sky'; Panicum virgatum 'Rotstrahlbusch'; Pennisetum alopecuroides 'Hameln'; Pennisetum alopecuroides 'Mowdry'; Schizachyrium scoparium

**Latticework.** Committee approval is required for any type of trellis or latticework for all exterior use on the home or Lot. Lattice attached to any fencing may not be higher than the lowest point of the fence on the Lot.

**Lights and Lighting.** Committee approval is not required for exterior lighting if in accordance with the following guidelines: Exterior lights must be conservative in design and be as small in size as is reasonably practical. Exterior lighting should be directed towards the house and be of low wattage to minimize glaring sources to neighbors and other homeowners. Lighting should not spill over into neighbor's yards or houses. Lighting glare should not be visible from above the light source. Lighting for walkways generally should be directed toward the ground. Lighting fixtures should be dark colored so as to be less obtrusive. Any variance from these guidelines or use of high-wattage spotlights or flood lights requires MC approval.

**Lot Owner and/or Contractor Representation.** Each Owner and Contractor represents by the act of entering into the review process with the MC that all representatives of such Owner or Contractor, including, but not limited to, Lot Owner and/or Contractor's architect, engineer, such Contractor's subcontractors and their agents and employees, shall be made aware by such Contractor of all applicable requirements of the MC and shall abide by these Community-wide Standards and the Declaration with respect to approval of development plans and specifications.

**Mailboxes.** Changes to a mailbox, structure or location can only be for security purposes and must first be approved by the MC, and if necessary, by the U.S. Postal Service. Mailbox shall be installed curbside on common property line and 4 x 4 Cedar Post which is straight, smooth and free of unusual knots and blemishes shall be utilized. Please see Exhibit A for examples of acceptable pre-approved mailboxes as originally installed as identified by either your Neighborhood and/or Filing.

**Materials and Color Schemes.** Paint to be applied to residences shall be selected from the color palette which the MC has approved for Stonegate or from any additional color palette the MC may hereafter approve for use in Stonegate. The use of the same color scheme on two adjacent residences is prohibited. All chimneys on residences shall be veneered with brick or stone.

**Painting.** If you are requesting a change to the color(s) or color scheme of your home, you must submit the following:

- a completely filled out modifications request form for approval (which includes obtaining adjacent neighbors' signatures on the form where indicated, completion date and your signature);
- a photo of your home with a general description of where the colors will be placed on your home;
- AND
- a photo showing the homes on either side of your home.

The Modifications Committee has created a paint pallet book to make it easier for you to select a new color scheme. The paint pallet book can be viewed at the local paint store (contact PCMS to verify the paint store(s) that have an approved paint pallet book) or at PCMS, our management service company, (7208 S. Tucson Way, Suite 125, Centennial, CO 80112, (303) 224-0004) by appointment with a minimum twenty-four (24) business hour notice.

- Selection of a color scheme from the paint pallet book is strongly urged. If you select one of the colors or color combinations from the paint pallet book, you will need to submit the modifications request listing your proposed colors and color codes along with the items noted above with your application. No color sample board is required. In all cases, paint colors from the paint pallet book cannot be altered, such as requesting to utilize what is referred to in the paint pallet book, as a "trim" color which is for trim only points on your home, to paint the entire siding surface of your home. Only entire color scheme combinations will be reviewed by the Committee, and colors may not be mixed and matched from various schemes throughout the book.
- If you choose not to use the suggested color schemes, you will need to submit the modification request with your color samples painted on a single hard surface poster board, which must be an 8.5" x 11" square, along with the items noted above, to be submitted with your application. When submitting an application for colors or color schemes not in the paint pallet book, please anticipate and provide for the review process and final notification to take up to forty-five (45) days for consideration, as outlined in the Owners Association's governing documents. Any submitted color schemes that are not out of the paint pallet book should be signed off on by two Committee members at the initial meeting and then may be reviewed again at the next month's Committee meeting and signed off on by two different Committee members before an approval will be granted.

**Patio, Pergola Covers.** Committee approval is required. 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 of the home.

**Patios - Enclosed.** See Additions and Expansions.

**Patio Furniture.** Committee approval is not required for patio furniture located on the front or rear porch or designed patio deck of a home, provided it is displayed in a manner not to be construed as unsightly or having the appearance of being stored. Committee approval is required for all other locations. Furniture in the front of the home is to be limited to a minimum number of items and must remain on the connecting porch of the house. Such furniture is limited to standard porch chairs, small tables, etc. and the color must be complementary to the house color. Grills, lounge chairs and sofas are not permitted on the front porch of the home. No extension or addition of a porch or patio shall be done without prior approval from the Modifications Committee (See Decks for details). Consideration for approval will include, but not be limited to size, color and location.

**Patios - Open.** Committee approval is required. Must be an integral part of the plan and must be located so as not to create an unreasonable level of noise for nearby Property Owners. Must conform to standard development set-backs. See Arbors, Gazebos, Patio, Pergola Covers.



**Paving.** Committee approval is required regardless of whether for walks, driveways, patio areas or other purposes and regardless of the product used, which may include, but is not limited to, concrete, asphalt, brick, flagstones, stepping stones or pre-cast patterned or exposed aggregate concrete pavers used as the paving material.

**Pipes.** See Utility Equipment.

**Play and Sports Equipment.** See Basketball Backboards. Committee approval is required. Approval will be based upon, but not limited to the following criteria:

- Must be screened by a fence.
- Should be located as close to the home as possible.
- Should not unreasonably obstruct adjacent neighbor's corridor views.
- Shrubs and/or trees equal to 3/4 the height of the play structure at planting may be required for screening purposes. Amount, size and location of vegetation will be at Committee's discretion.
- All play and sports equipment must be in a fenced yard.
- Use of the equipment should not create an unreasonable level of noise for neighbors.
- Height of the structure at its highest point may not exceed twelve (12) feet. The size and location of the play structure for approval will be based upon the overall size and dimensions of the Lot and the impact the adjacent neighbors. .
- Any roofs on the structure must be made of the same material as the structure itself. Any slides or other similar attachments on the structure must be of a neutral color.

**Playhouses.** Committee approval is required. Must be an integral part of the landscape plan. Must not obstruct a neighboring Property Owner's view. Must be similar in material and design to the residence and painted or stained the body or trim color of the Residence and must comply with all existing set-back requirements. Roof material must match that of the Residence, if applicable. Height of the playhouse may not exceed the height of the fence on the Lot at its lowest point, unless otherwise approved by the Modifications Committee.

**Poles.** See Flagpoles, Utility Equipment, Basketball Backboards, etc.

**Pools.** Committee approval is required. No swimming pools shall be installed above ground. Pumps and related equipment, Jacuzzis and hot tubs shall be concealed so as not to be visible from neighboring properties and streets and not create an unreasonable amount of noise to the adjacent Property Owners.

**Radio Antennae.** See Antennae.

**Rock/Mulch Landscape Bed, Sidewalk/Driveways/Curb and Gutter Maintenance.** All landscaped rock/mulch and bed planting areas along with all sidewalks, driveways and curb and gutters on or directly adjacent to a Lot/home must be kept weed-free at all times and all rock and/or mulch must be evenly spread in the bed so that any landscape weed barrier material or soil is not exposed.

**Roofing.** Committee approval is not required for re-roofing with the same material and color shingle as originally installed on the home (attached or detached) or accessory structure. Committee approval is required for all changes for an alternate roofing material or color shingle, if not originally installed on a home (attached or detached) or an accessory structure and must maintain an appearance that is similar to the surrounding homes. Homeowners wishing to change the roofing materials or color of the roof on their homes, must first submit an application to the Modifications Committee. In the case of a neighborhood or Filing where the composition roofing material and/or color design is primarily that of one consistent roofing color, such as "weathered wood", requested changes to roof color selections will be limited and/or in most circumstances not allowed.

### **Roofing Continued:**

For replacement of a shake shingle-style roof with a composition shingle with a fire rating of Class 3 or less, the composition shingle must come with a minimum 50-year warranty and weight load per square must be a minimum of 340 pounds. In the case of a composition shingle with a fire rating of Class 4, the composition shingle must come with a minimum 50-year warranty and the weight load per square must be a minimum of 265 pounds. The following colors and manufacturers need to be submitted and approved by the Modifications Committee prior to work commencing, but do not require a roofing material sample to be submitted with the Modification Request Form: Presidential Shake TL-Weathered Wood or Autumn Blend; GAF Grand Canyon-Mission Brown or Stone Wood; GAF Grand Manor Shingle Series, Brownstone; Elk Domain Winslow, Shadow Grey and Brown Castle.

For replacement of a shake shingle-style roof with a tile shingle, the tile shingle must come with a life-time warranty. The following colors and manufacturer need to be submitted and approved by the Modifications Committee prior to work commencing, but do not require a roofing material sample to be submitted with the Modification Request Form: Eagle Lite Tile; Color Tones 5699, 5687,1699 and 904. All other colors and/or materials must be submitted with a detailed photograph of the home, showing the current color scheme along with a sample of the roofing material. Dark color tone roofing materials/colors such as (but not limited to) black, dark grey and dark browns are discouraged. Such colors are not recommended for homeowners to submit for consideration and in most cases would not be approved.

### **Satellite Dish.**

One (1) small satellite dish (reception only), no larger than one meter in diameter (equivalent to 39 inches), may be installed and maintained on any attached/detached Lot, but only upon compliance with the following conditions:

- Modifications Committee approval **is not** required if the satellite dish is installed in accordance with manufacturers' specifications, in the rear yard of the home, below the fence line and not visible to any street or open space Property. The satellite dish must be installed with emphasis on being as unobtrusive as possible to the adjacent neighbors.
- Written approval is required by the Modifications Committee for all other potential locations for installation of a satellite dish. If, due to the inability to receive an acceptable quality signal, the dish must be installed on a building surface, it may need to be painted the same color as the surface on which the dish is mounted. If, due to the inability to receive an acceptable quality signal, the satellite dish must be located in the front yard of a home, it must be placed as close to the home as possible and must be screened from view by installing it as an integrated part of the landscaping. Satellite dishes located in front of the home may also be required to be painted to match the color scheme of the home or its surrounding location, as approved by the Modifications Committee. No requirement of the Modifications Committee will substantially increase the cost of installation, maintenance or use.
- Any satellite dish installed at a residence is restricted for the personal use of the Owner or lessee of the residence and their guests.
- Installation of the satellite dish must comply with any zoning requirements and building codes, if applicable.

**NOTE: Modifications Committee approval of a satellite dish is in no way to be construed as a representation, guarantee, warranty, etc. by the Modifications Committee and/or the Stonegate Village Owners Association, Inc. that reception signals will be adequate or will remain undisturbed by vegetation or improvements to be located on surrounding properties.**

**Saunas.** Committee approval is required.

### **Setbacks:**

**Building Setbacks.** The following Building Setback requirements shall be complied with:

- 20' from a front yard line;
- 20' from a rear yard line;
- 5' from an interior side yard line; and
- 10' from a street side yard line on a corner Lot.

Additionally, Building Setbacks shall be in accordance with the requirements of Douglas County and any utility, drainage or other easements which may be applicable to a particular Lot and which may be more restrictive than the Building Setback Requirements otherwise set forth in this Section. No variance from Douglas County requirements, or requirements relating to any easement, may be requested unless the prior written approval of the MC has been obtained.

**Setback Encroachments.** Unless the prior written approval of the MC has been obtained, cornices, canopies, chimneys, bay windows, or other projections above the foundation of any structure constructed on a Lot in Stonegate which encroach into required Building Setbacks are prohibited.

**Screen Doors.** See Doors.

**Seasonal Decorations.** Committee approval is not required for all generally recognized season (Holiday) decoration. Seasonal decorations may be put up no more than thirty days in advance of a season or holiday and must be removed within fifteen days after the season or holiday.

**Sewage Disposal System.** Committee approval is required. Cesspools, septic tanks or other non-central systems, other than recycling systems, are prohibited.

**Shutters, Exterior.** Committee approval is required for all modifications or additions to the home.

**Siding.** Committee approval is required.

**Signs.** Committee approval is required for most signs. Committee approval is not required for temporary signs advertising Property for sale or lease which are no more than four (4) feet in height, and two (2) feet by three (3) feet in dimension. Signs must be installed at least 10 feet back from the public sidewalk. Signs must be parallel with the street for which the Lot address is designated by the U.S. Postal Service. There will be no more than one sign per Lot allowed. Sold signs must be removed within 24 hours after closing, unless otherwise required by law. No political sign may be placed on any common Property or tract owned or maintained by the Master Association, unless first receiving written consent of the Board of Directors; Owners and occupants may have one political sign per candidate or ballot issue placed on their Lot, regardless of how many signs may be allowed by Douglas County. Political signs shall be the smaller of what may be allowed by the Douglas County sign ordinance or 38" X 48"; and Owners and occupants may have one political sign per candidate or issue installed on their Lot no earlier than forty-five (45) days before the day of an election and must be removed no later than seven (7) days after the election day.

All other signs, including address numbers and name plates, must be approved by the Committee. No lighted signs will be permitted on any Lot, unless associated with a builder in Stonegate or the Stonegate Village Metropolitan District.

**Skylights and Sky Tubes.** Committee approval is required.

**Solar Energy Devices.** Committee approval is required. Non-glare or non-reflective finishes are preferred. Installations being made for energy-efficient measures may be further defined by State or Federal regulations.

**Spas.** See Hot Tubs.

**Sprinkler Systems.** See Irrigation Systems.

**Statues.** Committee approval is not required if the statue is installed in the rear yard, is a maximum height of four (4) feet and is not visible from nearby properties.

**Storage Sheds.** See Accessory Buildings.

**Swamp Coolers (Evaporative).** Installations being made for energy efficient measures as may be further defined by State or Federal regulations.

**Swing Sets.** See Play and Sports Equipment.

**Television Antennae.** See Antennae.

**Temporary Structures.** Modifications Committee approval is required. Tents, shacks, temporary structures or temporary buildings are prohibited without the prior approval of the Modifications Committee, and except in unusual circumstances, such consent will not be given. Tents, freestanding awnings or canopies for occasional use will not require committee approval if left up for no longer than 72 hours within any seven-day period, and not placed in the front yard.

**Trampolines.** See Play and Sports Equipment.

**Trash Containers and Enclosures.** Refuse, garbage, trash, lumber, grass, shrub or tree clippings, plant waste, compost, metal, bulk materials, scrap, refuse or debris of any kind shall be deposited in closed garbage cans or sealed garbage bags and taken to the edge of the street for scheduled collection not more than twelve (12) hours before such collection is scheduled. Emptied cans shall be removed from the edge of the street as soon as practicable following collection. Except when temporarily placed at the edge of the street for scheduled collection, all garbage cans and other refuse containers shall be located in a suitable storage area within the residence, or behind a fence line in an unobtrusive location, not visible from the street.

**Treehouses.** Not permitted.

**Turf/Sod Maintenance Requirements.** All landscaped turf areas must be kept regularly mowed (Every 7 to 10 days from May through September), trimmed, edged and kept weed free at all times. Turf areas that show bare spots must either be re-seeded or re-sodded.

**Underground Installations.** Committee approval is required.

**Utility Equipment.** Installation of utilities or utility equipment requires Committee approval unless located underground or within an enclosed structure. Pipes, wires, poles, utility meters and other utility facilities must be kept and maintained, to the extent reasonably possible, underground or within an enclosed structure.

**Walls - Retaining.** Committee approval is required. Drainage cannot be altered due to the construction of a retaining wall.

**Water Systems.** Committee approval is required.

**Weathervanes.** Committee approval is required.

**Wells.** Not permitted. No well for the production of or from which there is produced water, oil, or gas shall be dug nor storage tanks or reservoirs, nor any installation of power, telephone, or other utility lines (wire, pipe, or conduit) shall be made or operated anywhere on the Properties, except water wells and works operated by the District or Stonegate Center Metropolitan District, public agencies, or duly certified public utility companies; provided, however, that the foregoing shall not prevent the drilling of or installation of additional water wells by Declarant or its assigns.

**Window Bars.** Committee approval is required. Suggested guidelines for application are: mount inside the home and match the existing muntin bar design in the glass. If the home's windows do not have a muntin bar design in the glass, window bars still must have the muntin bar design to match the existing homes in that particular Filing. All bars must match the existing window frame color.

**Windows and Window Tinting.** Committee approval is required, unless the windows are being replaced with the exact style and color as previously installed and approved on the home. The use of muntin bars for all replacement windows is optional, but in all cases must be consistent with each side's exterior elevation. For instance, if the homeowner is replacing their windows in the front of the home only (the front elevation), then all the windows must have or not have the muntin bars. Any muntin design except for the standard checkerboard must first be submitted to the Committee. Any type of window material except for standard glass must first be approved by the Committee (glazed, opaque, glass blocks etc.). For window tinting and window replacement applications, only non-glare or non-reflective tints will be considered. A sample of the material must be provided with the application for approval.

**Window Well Covers.** Window well covers which meet the following guidelines will be permitted without the need for committee approval:

- Cover must be made of either clear plastic or metal and be flush with the window well. Cover shall not extend more than 3 inches beyond the edge of the window well and no more than 2 feet up on the foundation. All other types of window well covers must first be approved before installation.

**Wood Storage.** Committee approval is not required. Must be located in the back yard, adjacent to the house, must be neatly stacked, and must not be located so as to block any existing drainage pattern on the Lot.

## **EXHIBIT A**



### **Black Rural Mailbox**

#### **Neighborhoods:**

Centerstone Terrace Phase 1;  
Cornerstone Terrace; Legacy; North  
Terrace Phase 2; Oakmoor Phase 2;  
Sandstone Terrace Phase 2; The  
Knolls Phase 2; The Overlook; The  
Terrace; Windrift



### **Grey Rural Mailbox**

#### **Neighborhoods:**

Briarwood; Creekside; Crestrock;  
Manor Ridge; Oakmoor Phase 1;  
Parkhill; Ridgeview; Saranac;  
Summerwood; The Enclave; The  
Knolls; Wildridge



### **Standard Townhouse Mailbox**

#### **Neighborhoods:**

Centerstone Terrace Phase 2;  
Sandstone Terrace Phase 1; North  
Terrace Phase 1

# Stonegate Village Owners Association, Inc.

Modification Request Form

Submit form and plans to PCMS via email at [designreview@pcms.net](mailto:designreview@pcms.net) or mail to 7208 S. Tucson Way, Suite 125, Centennial, CO 80112

For Official Use Only

Date Checked In PCMS \_\_\_\_\_

**Homeowner Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_ **Home Phone** \_\_\_\_\_ **Work Phone** \_\_\_\_\_

**Email Address:** \_\_\_\_\_

**My request involves the following type of improvement:**

- |                                      |  |  |   |
|--------------------------------------|--|--|---|
| <input type="checkbox"/> Painting    | <input type="checkbox"/> Deck/Patio Slab | <input type="checkbox"/> Roofing       | <input type="checkbox"/> Drive/Walk Addition  |
| <input type="checkbox"/> Landscaping | <input type="checkbox"/> Patio Cover     | <input type="checkbox"/> Room Addition | <input type="checkbox"/> Basketball Backboard |
| <input type="checkbox"/> Fencing     | <input type="checkbox"/> Other           | _____                                  |   |

**Describe Improvement:** \_\_\_\_\_ **Planned Completion Date:** \_\_\_\_\_

I understand that I must receive approval of the Modifications Committee (MC) in order to proceed. I understand that MC approval does not constitute approval of the local building department and that I may be required to obtain a building permit. I agree to complete improvements promptly after receiving approval. I hereby authorize the Modifications Committee and PCMS to enter onto my property for exterior inspection at a mutually agreed upon time.

**Date:** \_\_\_\_\_ **Homeowner Signature:** \_\_\_\_\_

**Neighboring Property - Owner Acknowledgment**

**My signature on this form indicates that I have seen the plans for my neighbors proposed improvement. Adjacent property owners initials or refusal to initial the plans, does not and will not indicate approval or disapproval of a project, but only that they are aware of the scope and concept of the project. If I have questions and/or concerns regarding this application, I know that I can contact PCMS at 303-224-0004.**

<b>Name (printed)</b>	<b>Signature/Date</b>	<b>Address</b>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____