

SONDERS FORT COLLINS

DESIGN GUIDELINES

Adopted by the Board of Directors of Waters' Edge Metropolitan District No. 1

On:

I. INTRODUCTION

Sonders Fort Collins Design Guidelines (hereinafter, the “Guidelines”) were adopted by the board of directors of Waters’ Edge Metropolitan District No. 1 (the “Metropolitan District”) to protect property values, promote community welfare, and protect and enhance the civic and social interests of the owners and residents, and are intended to complement and clarify the Declaration of Covenants, Conditions and Restrictions for Sonders Fort Collins (hereinafter, the “Declaration”). They are supplementary to all of the terms and provisions of the Declaration, all of which remain in full force and effect. Any capitalized term not otherwise defined herein shall have the definition given in the Declaration.

In addition to these Guidelines, each of the restrictive covenants in the Declaration must be complied with by owners, residents and occupants and their guests and visitors.

Should you have any questions, please contact the Metropolitan District. Contact information is located on the website: www.watersedgemetrodistricts.org. Any questions or concerns should be directed to the Metropolitan District Managers.

METROPOLITAN DISTRICT MANAGERS:

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The Application for Improvements/Changes is located on the website: www.watersedgemetrodistricts.org.

These Guidelines may be amended or repealed from time to time by the Metropolitan District.

II. DESIGN GUIDELINES

ARTIFICIAL TURF.

Approval from the DRC is required prior to any installation of artificial turf. Artificial turf must be installed a minimum of 2' off of all lot lines and must be separated from lot lines and fences along lot lines by a buffer of rock or other approved landscape materials, and must be screened by landscaping in order to minimize the visual impact from the ground level of adjacent lots, streets or any common area tracts. Adequate base/drainage must be provided under the turf surface, and a plan showing the turf installation area and proposed drainage plan must be provided with the design review submission. A 12" X 12" sample of the proposed artificial turf, together with product name, manufacturer, and component information supplied by the manufacturer, along with any material or use warnings that apply to the product must be provided with the design review submission. Weight must be at minimum 60 ounce. If approved, artificial turf must be maintained in an attractive condition, and not allowed to fade, crack, or otherwise fall into disrepair. If artificial turf is not maintained in accordance with community standards, the homeowner will be required to remove and replace the artificial turf with new product or with natural turf.

AWNINGS OR OVERHANGS.

All awnings and overhangs must be submitted to the DRC for approval prior to installation or construction and should be an integrated part of the house or patio design. The color must be the same as, or generally recognized as a complementary color to, the exterior of the residence. Submittal must include swatches of fabric/material to be used and state if awning or overhang is retractable or permanent. Any awning or overhang must be kept in a neat, clean and attractive condition. If not maintained in accordance with community standards, the awning or overhang will be required to be repaired, maintained, or removed.

BASKETBALL EQUIPMENT.

PORTABLE HOOPS: Approval from the DRC is not required provided the following guidelines are met:

- For safety and access reasons, hoops may not be placed in the street or on the sidewalk except during actual play.
- Portable hoops not in use must be stored at least eight (8) feet from the city sidewalk.

FRONT YARD POLE MOUNTED HOOPS: Approval from the DRC is required prior to installation.

- Pole must be placed within two (2) feet of the side of the driveway and at least eight (8) feet from the City sidewalk,
- Hoop must be placed on a black pole or galvanized pole.
- Recommended installation is a removable pole with a ground sleeve no further than four (4) feet above grade.

- Backboard must be clear or painted to match the surface on which it is mounted and kept in good repair. Net must be neutral in color and kept in good repair.

BACK-YARD INSTALLATION: Approval from the DRC is required prior to installation. All requests will be evaluated with regard to placement and circumstances of each back yard as well as court area surface, visual screening, and proximity to neighbors. See also play equipment.

DECKS/PATIOS.

Approval from the DRC is required prior to installation. All requests will be evaluated as to placement and circumstances of each back yard as well as visual screening and proximity to neighbors. Submittal must include material and stain color. Materials compatible in color and size with the home must be utilized. Size of decks/patios will vary with lot size.

EXTERIOR ADDITIONS AND CHANGES.

Improvements, additions, and changes to a home exterior, including windows, doors, railings, walls, patios/decks, walkways, paint colors and landscaping must have the approval of the Design Review Committee before any work is undertaken. Any addition, exterior alteration, or change to an existing Improvement must be compatible with the design character of the original Improvement

Only materials consistent with the exterior material existing on the main home structure or compatible with the architectural design character of the Community will be approved. Exterior color changes will be approved only if the proposed color is in harmony with the other existing homes in the Community or if the color is similar to colors originally employed by the community.

Owners may remodel, paint or redecorate the interior of structures on their property without approval. However, modifications to any existing Improvement visible from outside the Improvement on the Lot shall be subject to DRC approval. No approval shall be required to repaint the exterior of an Improvement in accordance with the originally approved color.

EXTERIOR ANTENNAS, SATELLITE DISHES.

Please refer to Section 8.6(c) of the Declaration.

FENCING.

Homeowners are allowed to install 4-foot tall, 3-rail Ameristar Montage Majestic Metal Fence accent fencing around the rear and side yards of their homes. In addition, alley load courtyard homes may use a 6' solid fence for security in the alleys, which must be stained or sealed in colors approved by the DRC. All wing fencing must be installed a minimum of four (4) feet behind the front wall of the home. Street side fencing must be located a minimum of two (2) feet behind the interior edge of the sidewalk as required by the City.

All accent fencing must be black 4-foot tall, 3-rail Ameristar Montage Majestic Iron Fence, installed per manufacturer's instructions.

GAZEBOS/GREENHOUSES/SUNROOMS.

Approval from the DRC is required prior to installation. Each submittal will be considered on its individual merit, intent and size of backyard.

HOT TUBS, SPA, SAUNA, POOLS.

Approval from the DRC is required prior to the installation of any exterior hot tub, spa equipment, sauna, Jacuzzi, or pool. Equipment must be designed as an integral part of the patio area and will only be permitted in back yards at ground level and screened from the ground level of neighboring properties by approved landscaping in order to minimize the disturbance to neighboring properties.

LANDSCAPING.

To the extent landscaping has not been installed by the applicable Builder, the first owner of each Lot shall install landscaping on such Lot within ninety (90) days after acquisition of such Lot, if the closing occurs between March 31 and September 1. If closing occurs between September 1 and March 31, of any year, landscaping is to be installed within ninety (90) days after the April 1 immediately following the closing. Landscaping plans must be approved by the DRC prior to landscaping installation.

LIGHTING.

Lighting must be approved by the DRC and must be in accordance with the following guidelines:

- No lighting shall be installed that is unreasonably bright or that causes unreasonable glare.
- Any exterior lighting, including any security type fixtures, must be directed downwards and the light "cone" created must be contained within the property boundaries to avoid a glare source to neighboring properties.
- Lighting fixtures must match other exterior fixtures.
- Walkway lighting must be directed to the ground and not exceed twenty-four (24) inches in height.
- Jellyfish lighting is not permitted.
- Landscape lighting must be placed on a timer, switch, or otherwise be programmable to not illuminate between 10:00 pm and 6:00 am. The foregoing restriction regarding the time lights may be illuminated does not apply to seasonal holiday lighting.

PET ENCLOSURES AND HOUSES.

Approval is required for all pet enclosures and houses prior to installation.

Pet enclosures (for example, dog runs) must be located in the rear yard or within a side yard behind the wing fence, abutting the home and substantially screened from view by planting fast-growing or mature trees or shrubs. Pet enclosure fences should be compatible with other fencing on the lot and chain link material is not permitted. Covers

(ex: tarps, sheets, blankets, etc.) on dog runs are not allowed.

For pet houses (for example, dog houses), the maximum size of that may be installed is twelve (12) square feet and may not be visible above the fence line. Pet houses must be compatible with the home in material and color, and installed in the back yard only.

PLAY EQUIPMENT GENERALLY.

Play equipment such as sandboxes, playhouses and tents, and putting greens shall not require approval of the DRC provided that such equipment is not more than four (4) feet high and in good repair (including painting) and located in the back yard and a minimum or six (6) feet from any property line. Equipment such as basketball goals, fort-style play structures, swing sets, climbing equipment, sport courts or any other equipment taller than four (4) feet shall require DRC approval as to design, location, color, material and use. Toys, play equipment and temporary recreational facilities (except temporary basketball equipment) must be stored out of sight when not in use, and any storage containers therefor must only be located in the back yards.

RADON TESTING.

Radon units, while permitted to be installed in the homes, must also be submitted to the Design Review Committee for approval prior to installation. All exterior piping must be painted to match the portion of the exterior of the home on which the same is installed. Exterior radon fan housing is not required to be painted. All equipment shall be installed so as to minimize its visibility from adjacent homes, and may be required to be screened by landscaping.

RENEWABLE ENERGY GENERATION DEVICES AND ENERGY EFFICIENCY MEASURES.

Approval from the DRC is required prior to installation. All such devices must be integrated into the existing design of the home, and if roof mounted, must be at the same pitch and angle as the existing roof. No exterior plumbing may be visible from the street or adjoining properties. All solar energy devices must be installed by a professional.

SEASONAL/ PERMANENT DECORATIONS.

Seasonal: Owners should be considerate of other residents when placing seasonal decorations and not erect or place any excessively bright or loud decorations on a Lot. Decorations, including holiday lights, may not be permanently attached to any Improvement or Lot.

Decorations should be specific to the season. Decorations may be placed one (1) month prior to the holiday and must be removed one (1) month after the holiday, weather permitting.

The DRC reserves the right to address any concerns which arise from seasonal decorations.

Permanent: Any permanent items such as yard statuary, benches, arbors, birdbaths, fountains, wall-mounted art, etc., are not allowed in the front yard of the property. Subject

to DRC approval, a birdhouse or birdfeeder, which is mounted on a pole, may be installed in the back yard.

SIGNS, FLAGS AND OTHER EXTERIOR DISPLAYS.

DRC approval is not required for the display of sign(s), but installation must adhere to the following criteria:

- a. Signs may not be larger in size than two (2) feet x three (3) feet.
- b. Signs may not exceed four (4) feet from ground to top of sign unless the sign is in a window on the property.
- c. Signs must be on the owner's property.
- d. Signs must be set back from the property line a minimum of four (4) feet.
- e. Signs must comply with all City rules, regulations and requirements.
- f. Signs may not be illuminated.
- g. Signs for sale or lease must be removed within seven (7) days after closing, transfer or lease of the property.
- h. One professionally lettered security sign not to exceed two (2) square feet in size may be displayed on the property, and a reasonable number of professional security decals not larger than eight (8) inches by eight (8) inches may be displayed within windows in a residence.

The Metropolitan District reserves the right to implement additional rules and regulations related to signs to the extent permitted by applicable laws.

Conditions of Signs.

All permitted signs and symbols must be maintained in good condition and must be replaced as necessary when damaged, worn, or faded. Permitted signs and symbols may not be illuminated, flash, blink, fluctuate or be animated.

Rules on Commercial Signs – These Signs Are Prohibited.

Other than security signs as described above, all commercial, trade, marketing signs, including but not limited to, landscaping, painting, remodeling, or business advertising, are prohibited.

Flag Rules

Free standing flagpoles are not permitted.

Subject to the foregoing restrictions, approval is not required for the display of flag(s), but installation and display must adhere to the following criteria:

- a. Flags must be displayed on house-mounted flagpoles.
- b. Bracket holders are required.
- c. Flags may not exceed three (3) feet by five (5) feet.
- d. Flags must be kept/displayed in a neat and attractive condition at all times.

TRAMPOLINES/TREEHOUSES.

All trampolines must be submitted to the DRC for approval prior to being installed. Trampolines must be set back at least six (6) feet from all lot lines. Trampolines and safety nets should be in neutral colors. Gray or black structures will be preferred over other colors. Plans submitted must include size and height of trampoline and net, and location in the back yard.

Treehouses are not permitted.

XERISCAPING.

Design Review Committee approval is required. Using drought tolerant plantings and other water conservation methods of landscaping is encouraged. Xeriscape plans must conform with the City's Water Efficiency Plan Xeriscape principles. "Xeriscape" means the combined application of the seven principles of landscape planning and design; soil analysis and improvement, hydro zoning of plants, use of practical turf areas, use of mulches, irrigation efficiency, and appropriate maintenance (as defined under C.R.S. 38-35.7-107(1)(a)(III)(A)).

III. APPLICATION SUBMITTAL AND PROCESSING, INSPECTION AND ENFORCEMENT.

Plans and specifications should be detailed and include the following:

- Plot plan showing the location of the Improvement(s).
- Lot #, Block # and square footage of Lot.
- Landscaping descriptions – identify species, size, number, height and caliper of trees; shrubs (and gallon size); mulch areas; flower beds; vegetable plots; and pathways, play equipment, etc.
- Height, width, length, materials description, and color samples for any structures or equipment. No links to internet sites are permitted, photographs must be attached.
- Paint samples must be at least 8" x 10".
- Owner's name, address, phone number, email address and mailing address if different than that of the property.
- Incomplete applications will be returned to the applicant!

PLAN AHEAD! The DRC strives to respond to requests quickly: however, the Design Review Committee normally meets once per month at irregular intervals, and it may take up to 45 days after the submittal is received for a response to be sent to an applicant.

Please use the submittal form on the Metropolitan District's website to coordinate all information. Requests for approval should be mailed or emailed to the District Manager (address and email are on the submittal form and on the District's website). The District Manager will forward requests to the DRC Committee, track them through the submittal process and return written information to applicants regarding the Design Review Committee's decision.

Decisions will be mailed in written format and will be one of four responses:

- Approved
- Approved with conditions
- Denied - Request for additional information
- Denied

Any Improvement installed without approval is subject to removal at the Owner's sole expense. The Owner may also be subject to fines or other legal action, to be determined by the Metropolitan District's Board of Directors at its discretion.

a. Prosecution of Work after Approval

After approval of any proposed Improvement to property, the proposed Improvement shall be accomplished promptly and diligently in complete conformity to the description of the proposed Improvement and any other materials submitted and approved by the DRC. If the Improvement is not completed within twelve (12) months after the date of approval,

or such shorter period as specified by the DRC, the approval shall automatically lapse; provided, however, the DRC may, in its discretion, grant extensions of time for completion of any proposed Improvement.

b. Notice of Completion

Upon completion of an Improvement, the applicant shall give written "Notice of Completion" to the DRC. Until the date of receipt of such Notice of Completion, the DRC shall not be deemed to have notice of completion of such Improvement.

c. Inspection of Work

The DRC or its duly authorized representative shall have the right to inspect any Improvement to property before, during and after completion. The right of inspection shall terminate ninety (90) days after the DRC has received Notice of Completion from the applicant. Unless the DRC expressly states in a written document that an Improvement has been completed in conformance with the approval therefor, no such conformance shall be inferred from any inspection of the Improvement.

d. Correction and Right to Appeal

If, after inspection, the DRC gives notice of any noncompliance, the applicant must fully correct all noncompliance within forth-five (45) days after receipt of such notice, provided that the applicant may appeal such determination to the Metropolitan District's Board of Directors by giving written notice of such appeal to the Metropolitan District's Board of Directors and the DRC within forty-five (45) days after receipt of notice of noncompliance. The determination made by the Metropolitan District's Board of Directors with regard to such appeal shall be final, and the applicant must fully correct any noncompliance within thirty (30) days after such determination is made.

Design Review Request Form

Submit to: <u>Waters' Edge Metropolitan District No. 1</u> <u>191 University Blvd. #358, Denver, CO 80206</u> <u>Or email to: evan@teleos-services.com</u> <u>Or call 720-618-4305</u>	Office use only: Date Received: _____ Date to Committee: _____ Approval Date: _____
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Name: _____

Address: _____

Email: _____

Home #: _____ Cell #: _____

- Painting
 Landscaping
 Deck/Patio/Slab
 Fencing
 Other: _____

Description of Improvement. Include picture, colors, drawing, brochure, and types of materials, dimensions or other information that will be helpful to understanding your request.

I understand that approval of the Metropolitan District is required in advance to proceed. I also understand that the approval does not constitute approval by the City's building department and that a Building Permit may be required. I agree to complete all proposed improvements promptly after receiving approval. I understand that any change in drainage and elevation is not permitted unless expressly approved by the DRC. I understand that any change in drainage and elevation may affect builder warranties and are not the responsibility of the Metropolitan District. I agree to contact the builder directly for such matters.

Date: _____ Signature: _____

If you have not received written notice confirming receipt of this application within seven days following submission, please contact Evan Redmond, Waters' Edge Metropolitan District at 720-618-4305 or evan@teleos-services.com

Board/Committee Action: <input type="checkbox"/> Approval as submitted Date: _____ <input type="checkbox"/> Approval with the following conditions, below: Date: _____ <input type="checkbox"/> Denied for the following reasons: Date: _____
