

## **THE RESERVE AT ESTES PARK ARCHITECTURAL CONTROL COMMITTEE GUIDELINES AND REQUIREMENTS**

The following are Guidelines to the application and enforcement of the recorded Declaration of Covenants, Conditions, and Restrictions (CCRs) for THE RESERVE (a Common Interest Community) and more specifically to Article IX, Architectural Control. These Guidelines are not intended to replace, but rather supplement, highlight and/or clarify the full wording of the CCRs. The Sections refer to the Sections of Article IX of the CCRs.

### Section 1: Architectural Control Committee. (ACC)

- (a) Membership. 3 persons shall be appointed by the Executive Board from among the lot owners.
- (b) Purpose is to maintain within the Common Interest Community **a consistent and harmonious general character of development and a style and nature of building design and visual appeal consistent with the native and natural beauty of the area.** The ACC may designate a representative to act for it.
- (c) The ACC may appoint professionals to assist with the review of building and landscape plans as necessary. Any fees incurred for such review shall be the responsibility of the owner submitting such plans.

Section 2: Approval. No building, fence, wall, or other structure or equipment shall be erected, placed, or altered on any lot or structure until the plans and specifications, along with a plot plan, have been approved by the ACC, which plans and specifications shall, among other things, show the size, height, and location of the structure; the type of exterior material, color and finish; exterior design; existing structures, if any, and location of the structures with respect to utility lines and facilities, property lines, streets, topography, and finished grade. Two sets of plans and specs shall be submitted, one for approval endorsement or further requirements to be returned to the owner or builder, and one set for the ACC files. The Applicant shall submit the proposed construction schedule. All buildings shall be constructed within the " Building Envelope." Any proposed modification of the "Building Envelope" must show good cause and be approved by the ACC, and, if approved, the ACC shall advise the Town of Estes Park in writing, stating such "good cause." No building shall violate the setback requirements of the E estate zoning, Town of Estes Park, CO.

The plan for all shrubs, plants, trees, gardens, playground areas, gazebos, privacy fences, and the like must be approved by the ACC before installation. Each owner shall be required to submit a landscape plan to the ACC for its review and files in the same manner as provided for the building plans and specs. The date criteria in The CCRs has been recognized as difficult to achieve due to our shorter season and the likelihood of phasing/evolution of an owner's desires and design and therefore leeway will be granted for completion as long as approved phases are timely completed and visually unfinished work does not occur. The owner of each lot is responsible for keeping said lot free of debris, trash and weeds, (Noxious weed information is available from Larimer County Weed Control, the ACC, many landscape contractors, the Town, et al.) **The goal of the ACC is to preserve the natural environment and native landscape with minimum emphasis on sculptured landscape with defined areas, uniform lawns, shrubs, and sculptured features. Sculptured landscaping is not prohibited but should be discouraged in large areas.**

The ACC shall have the right to establish rules and regulations specifying the procedures, standards, and guidelines for the appeal of any decision of the ACC, subject to the approval of the Executive Board.

The ACC shall indicate approval in writing or by endorsement on the plans and specs submitted for approval. In the event the ACC fails to approve or disapprove plans and specs submitted by an owner or builder within 30 days after submission, then such approval shall be deemed to have been given. **However, no building or other structure shall be erected or allowed**

**to remain on any lot which violates any of the Reserve CCRs.** The issuance of a building permit or license by the Town of Estes Park, Larimer County or other governmental authority having jurisdiction over the Common Interest Community shall not prevent or prohibit the ACC or an owner from enforcing the terms and provisions of the CCRs. **Approval of plans and specs by the ACC does not constitute any representation that same comply with applicable zoning ordinances or building codes and, conversely, Town of Estes Park, Larimer County, and State approvals do not represent ACC approval and CCR compliance.**

The ACC may grant reasonable variances or adjustments to the CCRs in order to overcome practical difficulties. The ACC has established these guidelines to assist owners as to design and material criteria and meeting submittal requirements.

Section 3: Construction. Construction of a residence or other structure approved by the ACC shall commence within 3 months after a building permit is issued by the Town of Estes Park and the Owner shall proceed diligently with such construction. **Any ACC approval of plans expires one year from the date of approval on any project that has not yet begun.** The exterior shall be completed within 6 months of the date of commencement of construction unless a longer period is approved by the ACC. The ACC may grant extensions for good cause. Upon approval, the ACC may require \$250 from the owner to be held as a cleanup deposit. The deposit shall be returned to the owner within 30 days after the residence or other structures have been completed and all excess debris removed from the lot, streets and adjacent lots. If the debris, etc., has not been removed within 30 days after completion, the ACC shall have the right, but not the obligation, to enter upon the lot and remove such excess debris from the lot and other protected areas and deduct the cost of such removal from the deposit. The balance of the deposit, if any, shall be refunded to the owner within 30 days after debris removal. If the cost of such work exceeds the deposit, the owner shall pay any balance owing or be subject to a lien on the property.

Section 4: Liability. Refer to Section 4 of the CCRs

Section 5: Land Use and Building Type. One single family residence with at least a 2-car and up to a 4-car attached garage and 1 detached garage not exceeding 750 square feet.

Section 6: Building sizes. The ground floor, exclusive of basement, open porches and garages, must be at least 2200 square feet (sq ft) for single story. Multilevel residences must be at least 3000 sq ft total with not less than 1800 sq ft on the ground level.

Section 7: Garages. Attached: 2 to 4 car. Detached: 750 sq ft maximum.

Section 8: Building Height: Maximum 36 feet above main floor foundation for primary structure. For any proposed detached structure, height should be kept at a minimum and will be closely reviewed by the ACC.

Section 9: Roof. Minimum 4/12 pitch. Minimum overhang 12 inches. Material: Clay or concrete tile, slate, metal or asphalt/fiberglass minimum 350-pound 40-year or similar "shake look" shingles approved by the ACC. Section 10: Fences: a) "privacy" fence attached to the residence enclosing no more than 2500 sq ft. b) Materials to be in keeping with the residence. The ACC may change fence standards from time to time, and such changes shall apply to fencing constructed after the change is adopted. c) No other fences except to protect landscaping from elk, etc. which should be minimally visible.

Section 11: Clothes lines. Must be out of sight within privacy fencing or otherwise out of view from adjacent lots.

Section 12: Building Envelope. Refer to Section 2 of CCRs directly.

Section 13: Antennas. Location must be approved by ACC, but should be as

unobtrusive as possible.

Section 14: Design Scheme, Trim, Fascia, Exterior Vents, Vertical Support Posts, Furnace and Plumbing Vents, Color, Windows, Landscaping, Etc. Above items are under the control of the ACC to assure harmony of the Common Interest Community and its property values. **Use of wood, stone and log are encouraged. The mountain ambience shall be of prime consideration as to design, materials, and colors. Dome, geodesic, pod, or A-frame designs shall not be allowed. "Traditional," "Classic," "Contemporary," "Art Deco," or "Overly Suburban" looks are not acceptable.**

Section 15: Playhouses, Etc. No playhouse, playground equipment, such as swings or slides, or greenhouses shall be constructed on any lot prior to approval by the ACC as to height, design, color and location.

Section 16: Driveways. Concrete or asphalt. No encroachments into side or rear setbacks, subject to case by case variance.

Section 17: Storage of Vehicles. Refer to CCRs directly.

Section 18: Maintenance of Lots and Improvements. Refer to CCRs directly.

Section 19: Residential Use. Refer to CCRs directly.

Section 20: Household Pets. Refer to CCRs directly.

Section 21: Animals other than Household Pets. Refer to CCRs directly.

Section 22: Damage or Destruction of Improvements. Refer to CCRs directly.

Section 23: Storage Tanks, Containers and Other Equipment. No elevated tanks of any kind allowed unless screened from view from lots and streets and approved by ACC. All exterior mechanical equipment, including air-conditioning, refrigeration, cooling, heating, electrical generators, and solar panels not affixed to the roof of the structure, shall be screened from view from other lots and from the streets by fencing or landscaping as approved by the ACC.

## SUMMARY GUIDELINES

Submit 2 sets of plans and specs, 2 sets of landscape plans of professional quality to site plan scale

ACC must approve all prior to commencement of construction.

Design Scheme	Mountain Ambience. See comments in Section 14 above.
Roof Materials	Clay or concrete tile, slate, metal or asphalt/fiberglass minimum 350-pound 40-year or similar "shake look" shingles approved by the ACC.
House Address	At least 4" numbers preferably placed on residence or on appropriate sized rock
Siding	Wood, Log, Stone. No T-111 panel-type siding allowed. Limited stucco accents within log, timber, stone/rock side sections. Surface material types shall not exceed 4; colors shall not exceed 3. Flashing, gutters and downspouts

shall closely match adjacent materials to minimize adverse visual impact.

Trim	Minimum 1" x 4" width for all windows Minimum 1" x 6" width at all corners Minimum 1" x 8" width for all floor changes (if used) Minimum 1" x 4" to maximum 1" x 10" at top of siding adjacent to the soffit. Minimum 1" x 4" at bottom of siding above foundation (if used)
Fascia	Minimum 1" x 8" with 1" x 4" trim or gutter
Exterior Vents	To fit exterior design, minimal exposure to street. Consolidated venting suggested.
Vertical Support Posts	Wood: Minimum 8" on street side; 6" on side/rear. Masonry: Minimum 12" on a side
Furnace plumbing & Vents	Locate on roof slope away from street view when possible. Consolidated venting suggested
Colors	Mountain ambience. Maximum 3. Submit color boards for approval prior to application.
Windows/Frames	No aluminum. Clad allowed. Wood allowed.
Exterior Lighting	Must comply with <a href="#">Town Regulations</a> .
Fences	Harmonious and consistent with Community and residence. Wood, stone, masonry, wrought iron allowed. Vinyl or galvanized protective fencing allowed. All to be as unobtrusive as possible. Maximum height 7'
Antennas/dishes	Per law, but as unobtrusive as possible.
Landscaping	While formal landscaping is not required, all disturbed and graded areas shall be reseeded with a mix of native grasses and wildflowers.  Plans to site plan scale or 1" = 10'. Drawn to professional standards; 2 sets required. Photographs depicting examples of similar installations are encouraged, and plans should include the following information as appropriate: Owners name, address, phone. Landscape professional (if used) name, address, phone. Building location, location of any retaining walls, easements, all paved areas such as drives, patios, stoops, decks and other outdoor structures. Material specs for all items. Fences (also type and specs). Planting bed locations and configurations. Sodded areas (minimal preferred). Conformation with drainage plan. Completion estimate and any phasing schedule.
Blasting for foundation property	In the event blasting is necessary, notify the ACC and adjacent owners not less than 48 hours prior to performing same.

**Approval will not be given until all requirements have been met.  
Partial approvals will not be given on construction plans. Landscape plans may be approved in phases since landscaping is evolutionary.  
Construction or any site development cannot start until approval is given.  
All changes and comments from the ACC must be acknowledged in writing by the owner and contractor.  
Each submittal is considered on a case by case basis as to how the overall design, including landscaping, fits with the adjacent properties as well as The Reserve as a whole.**

Prior to beginning the building design and planning process, please contact The ACC Chairperson, for any revisions or updated Guidelines.

It is prudent for each owner to submit a preliminary design concept (plan, elevation and exterior treatment, and approximate siting within the building envelope) for ACC review prior to major design expenditure. The ACC will review and provide feedback on a preliminary design concept submitted by a prospective owner with a contract to purchase a property within the Reserve. **Any response to concepts presented by an owner or a prospective owner with a contract to purchase a property is not to be considered actual or final approval. All of the above requirements and procedures must be fulfilled for "final" approval, which must be in writing.**

Please submit all plans, etc. to:     The Reserve Architectural Control Committee  
Chairperson:Rod Unruh  
1070 Elk Trail Court  
Estes Park, CO 80517  
[Rodney.i.unruh@me.com](mailto:Rodney.i.unruh@me.com)