

**GUIDELINES FOR ARCHITECTURAL APPROVALS
FOR
LITTLE ELK CREEK SUBDIVISION**
Last Amended December 2010

BEFORE YOU BEGIN PLANNING

Read these guidelines thoroughly, and have your architect do the same. Read the Protective Covenants (available at www.littleelkcreekvillage.org) for the subdivision for further specifications regarding Architectural Control (see Items # 18-29). These Guidelines are a supplement to the requirements outlined in the Covenants. It is recommended you seek the assistance of a licensed surveyor before you continue planning. You should also have a general idea of the Pitkin County Planning, Zoning, and Building code requirements. Some requirements of Little Elk Creek may be more exacting than the similar Pitkin County rules or regulations. The Architectural Control Authority is herein referred to as the Design Committee.

The Design Committee Submission/Approval process can sometimes be time-consuming. Applicants are not billed for Design Committee time, but in the event that a submitted project will require substantial management time for the review of documentation such as permits, plans, letters, follow-ups, notices, etc., the Design Committee may appoint a manager to handle administrative duties related to the submission/construction process. Management time required for the review and documentation of the applicant's submission/construction process will be billed at an appropriate hourly rate to applicants on their Association statements.

BEFORE CONSTRUCTION BEGINS

Before any construction, excavation or any other site disturbance, you must adhere to the "Submission to the Design Committee" requirements as outlined below, in addition to any requirements of the Pitkin County Building Department. Upon satisfactory review of your final plans, the Design Committee will issue a written letter of approval. No changes can be made after approval of plans without resubmitting the entire plan to the Design Committee. If the letter of approval contains any exceptions or conditions, you must acknowledge these exceptions and conditions by your signature, and return the letter to the Design Committee.

SUBMISSION TO THE DESIGN COMMITTEE

1. Neighbor's Signatures: Prior to the submission of plans to the committee, the signature of All adjacent, view plane and any other impacted neighbors must be obtained **DIRECTLY ON THE PLANS** (please schedule a Preliminary Review meeting with the Design Committee if you would like assistance identifying the required signature parties). Please note that for each signature it must be clearly noted whether the signor Approves or takes Exception to the plans. If any signer takes exception to any portion of the plans, the exception must be written on the plans and/or sent by separate letter to the Design Committee for discussion at the time of applicant's first Design Committee review. The plans submitted to the County must be identical to the plans submitted to the Design Committee and to adjacent, view plane and impacted neighbor's for their signatures.

Note: If a neighbor takes exception to and refuses to sign the plans, the Design committee, prior to Design Committee approval, will provide sufficient notice to the impacted neighbor(s) of the Design Committee's review process, to allow the neighbor(s) to express their view(s) in person or in writing.

2. The following items are required to be submitted for review by the Design Committee:

a. Construction Plans:

- i. Lot Plot Plan. The Lot Plot Plan must show all setback lines, building locations, location of the adjoining lots and existing irrigation ditches. The Lot Plan must also show the location of all proposed utility lines, driveways, parking areas, septic systems, fences, proposed solar or alternative energy improvements and any other proposed structures or improvements, including landscaping and irrigation plans.
- ii. Exterior Elevations. Elevation views of any proposed structure from all sides are required. Show existing and finished grades. Show all exterior features including location of utility meters, trash enclosures, etc. All exterior materials must be called out on the drawings. The maximum height of the roof above grade must be shown.
- iii. Additional Requirements. In addition to the above minimum requirements, the Design Committee reserves the right to require a complete set of Construction Plans, including but not limited to a complete set of Design Documents, a Construction Management Plan and a view plane impact study for any neighboring parcels. The Design Committee may require story poles to be placed on-site for view plane impact review.

b. Exterior Samples: Per Item # 24 of the Covenants, samples of all materials and colors specified in the submission and representative of the actual exterior materials to be used shall be submitted to the Design Committee for review and approval. This shall include, but not be limited, to siding, trim, fascia, roofing, window cladding, stone, and masonry materials. Proposed paint or stain color must be applied to samples of actual materials to be used in construction. Stone sample and layup style may be represented by photos. Sample boards should be clearly labeled with Lot # and owner name.

c. Completion Deposit: A \$3,000.00 Completion Deposit is required prior to Design Committee approval for any submission which requires a Pitkin County building permit for exterior construction. This Completion Deposit is refundable within three months of the issuance of the Certificate of Occupancy, subject to approval of the completed improvements by the Design Committee, and mitigation of any damages to common property, roads, water lines and buried utility lines. The \$3,000.00 cash deposit will not be refunded if the improvements are not completed within one year of the date of written approval by the Design Committee. Extension(s) may be granted at the discretion of the Design Committee. The Design Committee will not give written approval for submittals until the application completion deposit has been paid. Additionally, a \$3000 Completion Deposit is required prior to demolishing an existing

home and can be carried forward towards the construction completion deposit of the new home.

3. Water Tap Procedures. The Water Tap Procedures Agreement must be signed and submitted to the Design Committee, together with a \$1,500.00 water tap fee, before Design Committee approval will be granted for any construction requiring a new water main tap.

PLANNING CONSIDERATIONS

- 1) Grading: Excessive grading or filling is discouraged when it can be avoided, and will not be accepted without adequate justification.
- 2) Ditches: The existing surface irrigation system may not be modified without written approval of the Design Committee.
- 3) Off street parking: A minimum of one off street parking space is required for each two bedrooms.
- 4) View plane impact: All buildings must be situated to minimize the loss of view of the adjoining or impacted property owners.
- 5) Fencing: Fences will be considered on an individual basis. Fences should be planned so that they do not delineate lot line in any complete sense. Split rail, post & rail or dimensioned lumber fence construction are acceptable. Fences should be left natural, or stained in earth tones. Wire fences, such as chain link, chicken wire, barbed and strand wire will not be accepted. Per Item # 23 of the Covenants, "All fences shall be subject to the approval of the Architectural Control Authority as to location, size, design, material and color."
- 6) Domestic Water: The domestic water wells operated by the Homeowner's Association are not approved for lawn and outdoor vegetation watering use; their stated purpose is for the provision of domestic water (cooking, bathing, etc) The Architectural Review Committee therefore requires the use of the existing flowing surface water, provided by the water rights owned by the Homeowner's Association, for lawn, garden and other vegetation watering. The utilization of these surface rights should be provided for in the planning process, with consideration for the location of ditches, flow patterns, etc., being completed while the planning process is underway. Approval will not be granted for construction which disrupts or impedes the existing or potential surface irrigation system on any lot.
- 7) Water meters and curb stops: It is anticipated that the Homeowner's Association will, in the near future, require the installation of water meters for all existing and future connections to the water system. Your architect/plumber should make provisions to facilitate installation of a water meter at a later date, and should insure that the water meter will be the first connection

to the water service line after it branches from the water main. Curb stops for the water system must be located and marked during the course of construction.

- 8) Screening: Trash containers should be located inside the building, or enclosed. Utility meters shall be placed in the most inconspicuous location possible, and shall be screened from view. Propane tanks should be screened from view, or buried. Installation of energy conservation devices is acceptable; the Design Committee retains the ability to assure the installation is consistent with the procedure for the Approval of Structures (Item #19) in the Covenants, including dimensions, placement, and external appearance.
- 9) Structures: Per Item #21 of the Covenants, Primary Structures are any enclosed structure which occupies more than eighty square feet in area, or more than six hundred cubic feet in volume. The Primary Structure permitted on any single parcel shall consist of no more than one single family dwelling house with an interior floor area of at least 1,000 square feet, exclusive of any accessory buildings, garage, deck, porch, or patio, etc., together with no more than two unconnected enclosed non-dwelling structures such as swimming or tennis cabanas, stables, garages or greenhouses. No structure shall be erected or installed prior to the construction of the single-family dwelling house. Any accessory building(s) shall be erected or installed concurrently with the single family dwelling house, or after the single family dwelling house has been completed. All structures shall be generally consistent in appearance with the single family dwelling house. Non-dwelling accessory structures shall not be sufficient to render them suitable for permanent residential occupation.
- 10) Setbacks and height limits: The exterior portions of all buildings shall be natural, painted or stained wood, stucco, natural rock, brick, or such other material as may be approved by the Design Committee. All above ground improvements on any lot shall be set back at least thirty feet from the boundaries of the lot. No structure shall rise, at its highest point, more than two stories, exclusive of chimneys, antennas or vents, and shall comply in height with applicable Pitkin County Land Use Codes.
- 11) General: The owner and contractor are responsible for keeping a clean building site. All building materials and equipment must be removed from the site within thirty days of issuance of the Certificate of Occupancy. No signs or advertising device of any nature shall be placed on the property except a small sign no larger than 18" x 36" showing the owner's name and address. Industry standard real estate signs may be erected one per lot.
- 12) Construction start and completion: Construction of any structure shall proceed promptly after approval by the Design Committee. Failure to complete the structure within one year after the date of the written approval shall constitute an automatic revocation of the approval. Please reference the Covenants item #26 regarding the "Prompt Completion of Structures". A homeowner may apply for a 6 month extension to finish a construction project. Approval will be based upon progress made.

13) Alternative energy installations: Alternative energy installations are considered exterior construction requiring an approval process and Completion Deposit the same as any exterior construction. Each type of alternative energy installation is unique requiring each system to be reviewed and approved by the Design Committee. In addition to the Submission to the Design Committee requirements outlined in this document, for any type of solar installation provide a brief description of the system with the following information to the Design Committee:

- a. Location of system. If considering pole mounted, supply pole locations on the lot plot plan. You may be required to install story poles and supply a photographic rendering showing what the proposed array(s) would look like on the site.
- b. If considering a roof mounted, system, supply exterior elevation drawings or photographic rendering showing what the proposed installation(s) would look like on the home or structures.
- c. The system size in number of panels and dimensions.
- d. Supporting materials demonstrating that the applicant meets all county building code requirements and permits.

Under Colorado Law (HB 1270), the HOA may request changes based on dimension, placement or external appearances of the device so long as the restrictions do not significantly increase the cost of the installation nor significantly decrease the performance or efficiency of the device.

VARIANCES

The Design Committee may allow variances (See Item # 29 of the Covenants). Any variance allowed shall be evidenced in writing duly executed by the Design Committee.

AFTER COMPLETION

After construction is completed, the Design Committee will inspect your improvements and certify they are in compliance with the plans submitted. If all conditions have been met regarding the construction of the structure the Completion Deposit may then be returned.

NEIGHBORHOOD CONSIDERATIONS

The posted speed limit in the subdivision is 15 MPH.

You are responsible for notifying your contractors, their employees and construction delivery drivers and other tradesmen of the speed limit. You are responsible for the prevention of scattering of construction material and trash by the wind, and for keeping a clean, neat construction site. Dogs are not to be allowed to run at large, pursuant to the Animal Control Ordinances of Pitkin County.

The hours of construction in Pitkin County are 7am to 7pm Monday through Saturday.
