

# Arrowhead Filing #1

## Homeowners Association, Inc.

### Residential Improvement Guidelines

August 2013

#### INTRODUCTION

Arrowhead Filing #1 is a planned community with established protective covenants. The requirements set forth in the Master Declaration of Covenants, Conditions and Restrictions of Arrowhead (*CC&Rs*) and these Design Guidelines are intended to preserve and maintain the character, value, desirability and attractiveness of Arrowhead Filing #1.

The purpose of these guidelines is to promote qualities that will enhance the value of individual properties and maintain the attractiveness of the Arrowhead Filing #1 neighborhood. Designs must be compatible with design characteristics of adjoining properties and the neighborhood. The requirements, objectives, standards and procedures contained in these guidelines are intended to establish and maintain a harmonious community image in Arrowhead Filing #1. Through these guidelines and the design review process, a consensus will be achieved between individual aesthetic judgment and the broader interests of community standards.

These Residential Improvement Guidelines are intended to assist homeowners in the design and construction of additions, alterations, fences, landscaping or any other modifications to their lot and shall in no way alter the provisions and requirements of the CC&Rs. In the event of any conflict between the *CC&Rs* and these Guidelines, the more restrictive shall apply. If the two are contradictory, the *CC&Rs* shall prevail.

Homeowners must submit a completed Architectural Review Request Form, including plans and specifications, to the Architectural Review Committee (ARC) and must obtain written approval from the ARC prior to the commencement of any work. All projects, including initial landscaping plans, are to be reviewed by the ARC. To allow the ARC adequate time for review and approval, homeowners should submit all required information to Vista Management (our management company) at least 45 days prior to the expected commencement of the project. Please contact Vista Management to obtain an Architectural Review Request Form or go to [Arrowheadhoa.com](http://Arrowheadhoa.com) to obtain the form there.

Many exterior improvements require a permit from the City of Westminster. It shall be the responsibility of the homeowner to obtain all necessary permits and inspections.

If you have any questions, please contact our management company:

Vista Management  
8700 Turnpike Drive, Suite #230 Westminster, CO 80031  
ATTN: Arrowhead Filing #1 HOA  
Architectural Review Committee  
Telephone: (303) 429-2611  
Fax: (303) 429-2632

**Improvements to Property.** These guidelines and restrictions are intended to assist homeowners in the making of landscaping and other exterior improvements to their property. And, as provided for in Article V of the Association Bylaws, Conditions and Restrictions, hereinafter referred to as the *CC&Rs*, the Executive Board may adopt rules and regulations with respect to this Common Interest Community. The *CC&Rs* for Arrowhead Filing #1 require that a homeowner receive prior written approval from the Architectural Review Committee before commencement of any “improvements to property.” “Improvements to property” are broadly defined in the *CC&Rs* and mean “all exterior improvements, structures, and any appurtenances thereto or components thereof of every type or kind, and all landscaping features, including, but not limited to, buildings, outbuildings, swimming pools, tennis courts, patios, patio covers, awnings, solar collectors, painting or other finish materials on any visible structure, additions, walkways, sprinklers systems, garages, carports, driveways, fences, screening walls, retaining walls, stairs, decks, landscaping, hedges, windbreaks, plantings, trees, shrubs, flowers, vegetables, sod, gravel, bark, exterior light fixtures, poles, signs, exterior tanks, and exterior air conditioning, cooling, heating and water softening equipment.” The *CC&Rs* authorize the ARC to review all improvements for conformity and harmony with existing surroundings, residences, landscaping and structures.

**Architectural Review Committee.** The Architectural Review Committee (ARC) shall be a committee made up of three (3) or more persons appointed by the Board of Directors of the Association; provided, however, that until all Lots have been conveyed by the Declarant to the first Owner thereof (other than Declarant), Declarant shall appoint the Architectural Review Committee. Two members of the Committee may jointly designate a representative to act for them. The power to “appoint” as provided herein, shall include without limitation the power to: constitute the initial membership of the Architectural Review Committee; appoint member (s) to the Architectural Review Committee on the occurrence of any vacancy therein, for whatever reason; and to remove any member of the Architectural Review Committee, with or without cause, at any time, and appoint the successor thereof. Each such appointment may be made for such term(s) of office, subject to the aforesaid power of removal, as may be set from time to time in the discretion of the appointor. Each member shall be a homeowner of Arrowhead Filing #1 in good standing.

**Governmental Regulations.** Approval by the ARC does not constitute assurance that the improvements comply with applicable governmental requirements or regulations. It is the homeowner's sole responsibility to obtain any local zoning and building department permits and approvals before construction is started and to have periodic inspections during work in progress, if required, by local government codes.

**Interference with Utilities.** Homeowners are responsible for locating all utility lines and easements and should not construct any improvements over such easements without the consent of the utility involved.

**Review by Committee.** No improvements shall be constructed, erected, placed, planted, applied or installed upon the Properties, unless complete plans and specifications therefore (said plans and specifications to show exterior design, height, materials, color and location of the Improvements, plotted horizontally and vertically, location and size of driveways, location, size, and type of landscaping, fence, walls windbreaks and grading plan, as well as such other materials and information as may be required by the Committee), shall have been first submitted to and approved in writing by the Architectural Review Committee; provided, however, that the Declarant shall be exempt from seeking or obtaining Architectural Review Committee approval during Declarant's development of, construction on, or sales of Lots or residences in, the Properties. The Architectural Review Committee shall exercise its reasonable judgment to the end that all Improvements within the Properties conform to and harmonize with the existing surroundings, residences, landscaping and structures. In its review of such plans, specifications and other materials and information, the Architectural Review Committee may require that the applicant(s) reimburse the Committee for the actual expenses incurred by the Committee in the review and approval process. Such amounts, if any, shall be levied in addition to the common expense assessment against the Lot for which the request for the Architectural Review Committee approval was made but shall be subject to the Association's lien for assessments and subject to all other rights of the Association for the collection of such assessments, as more fully provided in this Declaration.

**Procedures.** The Architectural Review Committee shall approve or disapprove all requests for approval within forty-five (45) days after the complete submission of all plans, specifications, and other materials and information which the Committee may require in conjunction therewith. If the Architectural Review Committee fails to approve or disapprove any request within forty-five (45) days after the complete submission of all plans, specifications, material and other information with respect thereto, approval shall not be required and this Article V shall be deemed to have been fully complied with. Forms may be obtained at the [Arrowheadhoa.com](http://Arrowheadhoa.com) website or at the management company office.

- A. Prior to any modification, construction, or installation of an improvement, it shall be the homeowner's responsibility to submit a signed and dated Architectural Review Request Form along with plans, elevations, specifications, and other pertinent details

of the proposed improvements. Plans and elevations shall be in appropriate scales and include sufficient detail for the ARC review. The applicant should submit the required information to the ARC through the Association's management company at least forty-five (45) days prior to commencement of any improvements.

- B. All improvements, initial landscape and all structural items need to be accompanied by a Lot plan picture with the improvements shown in detail. This means measurements and verbal labeling should be included. Any forms not accompanied by pictures will be suspended until the pictures or diagrams are submitted.
- C. If, in the opinion of the ARC, the submittal complies with the Guidelines, the improvement shall be "Approved" and written notice of approval shall be provided. All improvements shall be constructed in accordance with approved plans and are required to be completed within 90 days or within such time as approved in writing by the ARC. Extensions on completion of improvements require submittal of a request to the ARC.
- D. All approvals or denials will be returned to the homeowner within sixty (60) days of its submission to the management company.
- E. The Architectural Committee reserves the right to request additional information when needed before a project is approved or denied.
- F. The ARC may postpone action on a request and require submission of additional information before a decision can be made. In such cases, improvement requests will be "Disapproved" until the requested information is submitted to the ARC. In these cases, the 45-day approval time restarts once the additional information is received by the ARC.
- G. If the submittal is found to not be in compliance with the Guidelines, the improvement request is "Disapproved." The ARC shall provide the homeowner with a written description of the aspects in which the submittal does not comply. The homeowner may then choose to resubmit a new Architectural Review Request Form with the required revisions to the ARC and follow the same review procedures. If a request is disapproved and the homeowner chooses not to resubmit, homeowner has the right to appeal per Article V.

**Vote and Appeal.** A majority vote of the Architectural Review Committee is required to approve a request for approval pursuant to this Article, unless the Committee has appointed a representative to act for it, in which case the decision of such representative shall control. In the event a representative acting on behalf of the Architectural Review Committee approves or denies a request for architectural approval, any Owner shall have the right to an appeal of such decision to the full Committee, upon a request therefore submitted to the Committee within thirty (30) days after such approval or denial by the Committee's representative. In the event an application for the architectural approval is approved or denied by the Architectural Review Committee, whether pursuant to an original request or approval or on appeal from a decision of a representative of the Committee, any Owner shall have the right to appeal such decision to the Board of Directors of the Association, if written request for a hearing on an appeal of the same shall be submitted to the Board of Directors of the Association within thirty (30) days after such approval or denial by the Committee.

**Violations of Design Guidelines.** Any Owner in violation of the Covenants shall receive a written warning requiring the Owner to come in compliance of the specific Covenants they are violating. If the Owner disregards the written notice and continually is in violation of a specific Covenant, the Owner will be contacted by the Association's attorney.

### **The following are guidelines for specific improvements:**

- 1. **Playhouses, Jungle Gyms, Play Sets and the like kind products and materials including Gazebos.**
  - a. No aforementioned items shall be erected without the approval of the Architectural Committee.
  - b. No aforementioned items shall exceed a height of 8 feet from finished grade.
  - c. All aforementioned items shall be installed on the homeowner's lot per the manufacturer's recommendations and any applicable city, county, state, deferral and local codes.
  - d. Maintain proper drainage.
  - e. Obtain pertinent city building permits

Be sure to provide: -Sufficient detail to describe construction including all dimensions (drawings/photos).  
-Building material description/sample  
-Provide color samples of all material's which will be used on the structure. The shingles and trim must match the same color as the house.

**2. Basketball Hoops**

- a. No basketball hoops shall be erected without the approval of the Architectural Committee.
- b. Backboard must either be mounted over the garage or on a portable stand. Portable basketball hoops cannot be placed on the sidewalk or in the street and during the winter months (December thru March) it must be stored away from view.

Be sure to provide: -Copy of sales literature/installation sheet describing construction and installation.  
-Photo of where backboard is to be installed.

**3. Storm Doors**

- a. No storm doors shall be installed without the approval of the Architectural Committee.
- b. Only white storm doors or storm doors that will be either white or the same color as the trim of your house will be allowed.

Be sure to provide: Sufficient detail to describe the project including drawings/photos/material/color.

**4. Roofing.**

- No roofing shall be installed without the approval of the Architectural Committee
- a. If you have a shed, its shingles must also be the same new shingles as the home.
  - b. Drip Edge/Flashing must be painted to match the exact same color of the existing house or trim.
  - c. If you have any questions, please contact the Property Management Company immediately to avoid any costly mistakes.

Be sure to provide: Sufficient detail to describe construction (drawings/photos).  
A physical sample of the singles you are going to be using.  
A color photo of your home.

**5. Painting.**

- a. No painting shall be done without approval of the Architectural Committee.
- b. Painting of a home shall be completed within thirty (60) day time-span, weather permitting.

Be sure to provide: Painted sample of body, garage door, front door, trim, rood drip edge/flashing and accent colors on separate 8 ½ x 11" white stock. If a specific color is used in more than one location, please indicate it on the form. Manufacturer color chip samples cannot be accepted.  
Color photo of brick or stone on the house.  
Color photo of the neighbor's house colors (both sides, if applicable).

**6. Fencing.**

- No fences shall be built without the approval of the Architectural Committee
- a. No fence shall exceed 6 feet in height from the finished grade. If the new fence meets a fence of a different height, the fence height must transition within an 8 foot distance.

Be Sure to Provide: Sufficient detail to describe construction (drawings/photos).  
Building material description/sample

**7. Deck and Trellis'.**

- a. No decks shall be erected on a Lot without an applicable zoning and building permit and other city, county, state, federal or local permit or requirement and approval from the Architectural Committee.
- b. All decks shall be built out of cedar, red wood or other such long lasting exterior wood material or manmade material (Trex).

- c. All colors and materials shall be submitted to the Architectural Committee for approval.

Be sure to provide: Sufficient detail to describe construction including all dimensions (drawings/photos).  
Building material description/sample  
Maintain proper drainage.  
Obtain pertinent city building permits.

**8. Sheds.**

No sheds shall be built without the approval of the Architectural Committee

- a. A complete diagram with lot placement, exterior elevations, measurements, and labeling must be submitted for the building of all sheds.
- b. No shed shall be erected without the approval of the Architectural Committee.
- c. All sheds shall be constructed and painted the same color of the house. The roofing material used shall be the same as the house.
- d. No shed shall have a roof-line that exceeds 8 feet in height from the finished grade.
- e. All shed construction shall comply with all applicable city, county, state, federal, and local codes and requirements.

Be sure to provide: Sufficient detail to describe construction including all dimensions (drawings/photos).  
Building material description.  
Shingles and trim color/materials to be same as house.  
Maintain proper drainage.  
Obtain pertinent city building permits.

**9. Patios.**

- a. No patios shall be built without the approval of the Architectural Committee.
- b. Patio covers shall be approved by the Architectural Committee.
- c. All patio construction shall comply with all applicable city, county, state, and federal and local codes and requirements.

Be sure to provide: -Sufficient detail to describe construction including all dimensions (drawings/photos).  
-Building material description.  
-Shingles and trim color/materials to be same as house.  
-Maintain proper drainage.  
-Obtain pertinent city building permits.

**10. Driveway and walk addition**

No driveway and walk additions shall be built without the approval of the Architectural Committee.

Be sure to provide: Sufficient detail to describe construction including all dimensions (drawings/photos).  
Description (and sample, if not standard concrete) of materials to be used.  
Shingles and trim color/materials to be the same as house.  
Maintain proper drainage.  
Obtain pertinent city building permits.

**11. Landscaping of lots.**

- a. An initial landscape plan and any proposed improvement for each improved Lot shall be submitted to the Architectural Committee for approval. This is required for both the front and backyards.
- b. All portions of a Lot not used for structural improvements shall be landscaped utilizing "long lasting" ground cover, sod, shrubs, trees or any other similar materials.
- c. "Short lived" materials shall be used only to supplement the long living elements such as annuals and some perennial materials.
- d. No trees, shrubs, or other such materials shall be placed so it obstructs the view of any streets, intersections necessary for the safe operation of a motorized vehicle.

- e. Non-living landscape materials, such as rocks, gravel, wood chips, or bark may be used as part of the Lots landscape element.
- f. The landscaping of each Lot having once been installed shall be maintained by the Owner in a neat, attractive, slightly and well kept condition which will include lawns mowed, hedges trimmed, adequate watering, replacement of dead, diseased, or unsightly materials, removal of weeds and debris, and appropriate pruning of plant materials.

g.

Be sure to provide: Sufficient detail to describe construction including all dimensions (drawings/photos).  
 Building material description/sample  
 Types of plant material (size and color)  
 Maintain proper drainage, as specified by the City of Westminster.

**12. Garage Doors**

No garage doors shall be installed without the approval of the Architectural Committee.

Be sure to provide: Sufficient detail to describe the replacement garage door including style, color and material.  
 A photo or drawing of the new garage door.

**NOTE:** If your home has two garage doors, they must match EXACTLY both in style, color and material.

**13. Seasonal Decorations.**

No ARC approval is required for seasonal decorations that will be removed within 15 days after the holiday.

**14. Satellite Video, Internet and Audio Receiving Dish.**

No ARC approval is required for dishes that are less than one meter in diameter as long as the following criteria are adhered to:

- A. A satellite dish must be installed solely on the owner's individually-owned property as designated on the recorded deed or map.
- B. No dish may encroach upon common areas or another owner's property.
- C. Dishes shall be located in a place shielded from view from the street or from other lots to the maximum extent possible; however, that nothing in this rule would require installation in a location from which an acceptable quality signal may not be received. This section does not permit installation on common property.
- D. All installations shall be completed so they do not damage the common area(s) of the Association or the lot of any other resident, or void any warranties of the Association or other owners, or in any way impair the integrity of buildings on common areas or individual lots.
- E. If an acceptable quality signal cannot be received in the backyard, the antenna shall be installed in a location that is least visible from the street and nearby lots and complies with the following provisions on Antenna Camouflaging, item F-J.
- F. A dish may not be installed in a location to obstruct a driver's view of an intersection or street.
- G. Owners are responsible for all costs associated with the dish, including but not limited to, costs to place or replace, repair, maintain and move the dish; repair damages to the common property, other lots and any other property damaged by the dish installation, maintenance or use; pay medical expenses incurred by persons injured by the dish maintenance or use; and reimburse residents or the Association for damages caused by dish installation, maintenance or use.
- H. Dishes shall be installed and secured in a manner that complies with all applicable county and state laws and regulations, codes and manufacturers' instructions.
- I. Wiring or cabling shall be installed so as to be minimally visible and blend into the material to which it is attached. If the dish is installed on the side of a structure, the penetration of the wire or cable from the exterior to the interior of the unit shall be made as close as possible to the location the dish is attached to the structure and through existing penetrations for wire and cable, if available. No wiring or cabling shall be installed on common areas.
- J. Visible wiring attached to the home must be painted the same color to what it is attached to.

**15. Solar Energy Systems, Passive and Active.** ARC approval required. Systems must be integrated into the

architecture of the residence area. Solar collection panels should blend into overall architecture massing and roof form designs. When solar panels for hot water heating are placed on the roof, they should be racked at the same pitch as the roof, even though the slope of the roof may not be “optimal.” For solar collection, the small increase in panel size that may be required to increase the efficiency of the collector array is preferable to the visual conflicts of different angles and slopes on the roof. Solar panels shall not protrude more than one (1) foot above roof surface or above ridgeline of roof.