

# MEADOWBROOK CROSSING

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Homeowner Design Guidelines

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## **PURPOSE**

The goal of the Meadowbrook Crossing Homeowner Design Guidelines is to provide general design criteria and guidance for new and future homeowners to ensure enhancement of your home and visual compatibility to your home's particular architectural style.

The Meadowbrook Crossing Architectural Review Committee ("ARC") has jurisdiction over design and aesthetic aspects of the Property. Property is defined as all real property covered by the Amended and Restated Declaration of Covenants and Restrictions of Meadowbrook Crossing recorded on May 23, 2018 at Reception No. 218058598 in the El Paso County real estate records (the "Master Covenants") which includes your Residential Site. The ARC is a committee established and appointed by the Meadowbrook Crossing Metropolitan District ("MCMD") as provided in Article 2 of the Master Covenants.

The ARC must approve all plans for any alteration of the exterior of the Residential Site or the Improvements, including architectural or landscape modifications *before* the modifications are made. The ARC also has the right to review modifications as they are constructed and give final approval of completed modifications.

The ARC may, from time to time, adopt additional, and/or amend existing standards.

## **BUILDER DESIGN GUIDELINES**

### RESIDENTIAL ARCHITECTURE

#### A. ZONING DENSITY AND DIMENSIONAL STANDARDS

- a. Minimum lot size – 5,000 square feet
- b. Setbacks – twenty-five (25) feet from front and rear lot lines, and five (5) feet from side lot lines, corner yard setbacks (non-garage side) fifteen (15) feet
- c. Maximum building height – thirty (30) feet
- d. Maximum lot coverage – forty-five percent (45%) for single-story and forty percent (40%) for two-story

#### B. DECKS, BALCONIES AND COVERED PATIO

The design of elevated decks, balconies and covered patios including colors and materials should be consistent with the main structure. All vertical elements (railings, supports and columns, fascia and overhead structures) should be finished consistent with the exterior architectural style. Columns and/or supports are encouraged to appear substantial and proportionate to the building mass of the home.

#### C. PATIO COVERS

Must be consistent with architectural style and character. Acceptable covers:

- a. Sloping roof element with roofing to match home.
- b. Flat with parapet.
- c. Trellis Cover
- d. Columns/posts shall be 6 x 6 minimum and shall be detailed same as all other

columns/posts on exterior elevations of home.

#### D. ACCESSORY BUILDINGS

Accessory structures are allowed on a case by case basis. Refer to "Accessory Structures" in the Homeowner Design Guidelines section of this document.

#### E. RESIDENTIAL LANDSCAPING

- a. All plans will include full yard landscape package to be installed by the Builder or Homeowner within one hundred eighty (180) days after the issuance of the certificate of occupancy or if the acquisition occurs between April 1 and July 31. If such acquisition does not occur between April 1 and July 31, landscaping must be installed by the following June 30.
- b. The Builder or Homeowner shall provide a minimum of one (1) tree and five (5) shrubs in the front yard.
- c. The Builder or Homeowner shall also be required to install sod or groundcover in the front yard. Excluding the driveway and sidewalk, the front yard shall be covered by no less than thirty percent (30%) drought tolerant turf grass. In addition, no less than an additional twenty-five percent (25%) of the front yard shall be covered in other live plant materials. The groundcover may be a combination of irrigated and native grasses and wildflowers as appropriate to the design of the home. There shall be a minimum of 55% live materials between the front of the house and the curb. Xeriscape installations must be fifty-five percent (55%) non-rock materials.
- d. Decorative rock or gravel mulch is permitted within five (5) feet of the building foundation and shall be underlain by a weed barrier. In no case shall decorative rock or gravel mulch exceed fifteen percent (15%) of landscaped area in the front yard without live plant material within the rock or gravel mulch area.
- e. The minimum planting sizes on all required landscaping shall be two (2) inch caliper deciduous trees, one and one-half inch (1 ½) caliper ornamental trees, six (6) foot tall evergreen trees and five (5) gallon shrubs.
- f. The Homeowner is responsible for the maintenance of the front and rear yard landscaping.
- g. Residential landscaping is subject to limitations implemented by applicable water provider.

### **PLAN SUBMITTAL PROCESS**

#### DESIGN REVIEW

The intent of the design review process as described below is to ensure that the residential neighborhood developed within Meadowbrook Crossing contributes to the character and quality envisioned for the community. The Design Guidelines are a supplement to all applicable government Codes and Regulations. These Guidelines are also supported by the following:

#### COVENANTS, CONDITIONS AND RESTRICTIONS

The Guidelines do not supersede or modify any existing applicable El Paso County Codes or Regulations. Any requests for variances to the laws, regulations, or standards adopted by the County shall be submitted to the appropriate municipal agency according to established procedures following review and approval by the Architectural Review Committee. In the event of conflict or discrepancy, or for subjects not addressed herein, or as part of the Declaration of

Covenants and Restrictions of Meadowbrook Crossing, the municipal regulations and codes take precedence, and the most restrictive standards shall apply. Provided that ARC acts in good faith, neither ARC nor any representative thereof shall be liable to any applicant or any other person for any damage, loss or prejudice suffered or claimed on account of the review of plans, specifications or materials. The review and delivery of a form of approval or disapproval is not to be considered an opinion as to whether or not the plans are defective or whether the construction methods or performance of the work proposed therein is defective, or whether the facts therein are correct or meet the El Paso County building codes.

#### PLAN SUBMITTAL PROCESS – BUILDER

- A. In order to ensure a consistent, high quality and integrated design throughout all phases of the project, the Declarant of the Declaration of Covenants and Restrictions of Meadowbrook Crossing will review and approve the proposed builder home plans prior to submission to Pikes Peak Regional Building Department. Plan approval will be evidenced by a letter from the Declarant listing the home plans approved for construction in Meadowbrook Crossing.
- B. Each block face shall contain at least three (3) different models. Models with the same elevation/architectural style shall not be placed adjacent to each other or directly across the street from each other.

#### DESIGN REVIEW SUBMITTAL PROCEDURES – HOMEOWNER

- A. All Improvements and Owner plans to make on property subject to the Declaration MUST BE SUBMITTED AND APPROVED by the ARC prior to installation. The term “Improvements” means all exterior improvements, structures, and any appurtenances thereto or components thereof of every type or kind, all landscaping features and hard-scaping features, including but not limited to buildings, outbuildings, car ports, solar equipment, swimming pools, hot tubs, satellite dishes, antennae, tennis courts, tree houses, gazebos, garages, sheds, signs, patios, patio covers, awnings, solar collectors, yard art (including but not limited to statues, fountains, bird baths, and decorative pieces), paintings or other finish materials on any visible structure, additions, walkways, sprinkler systems, garages, driveways, dog runs, fences, including gates in fences, basketball backboards and hoops, swing sets and other play structures, screening walls, retaining walls, walkways, stairs, decks, landscaping, hedges, windbreaks, plantings, trees, shrubs, flowers, vegetables, sod, gravel, groundcover, excavation and site work, removal of trees or plantings, exterior light fixtures, poles, signs, exterior tanks, exterior air conditioning, cooling, heating and water softening equipment, if any.
- B. The Architectural Review Committee shall consist of three (3) or more natural persons. The Board of Directors of the District has the authority to appoint the ARC and/or to delegate some or all architectural authority, as provided in the Declaration.
- C. The District shall have the right and authority to: (a) delegate, in writing, some or all of the architectural authority to one or more other Persons, who shall be the ARC’s representative to act on its behalf. If the ARC delegates any authority, then the actions of such representative shall be the actions of the ARC, subject to the right of appeal as provided below. However, if such a representative is appointed, the District shall have the power to withdraw from such representative any of such

representative's authority, and shall also have the power to remove or replace such representative.

- D. The Architectural Review Committee shall endeavor to exercise its judgment to the end that all Improvements reasonably 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 ARC for the actual expenses incurred, or reasonably anticipated to be incurred, by the ARC, in the review and/or approval process.
- E. In addition to the required approvals by the Architectural Review Committee as provided in this Article, the construction, erection, addition, deletion, change or installation of any Improvements shall also require the applicant to obtain the approval of all governmental entities with jurisdiction thereover, and issuance of all required permits, licenses and approvals by all such entities. Without limiting the generality of the preceding sentence, issuance of building permit(s) by El Paso County, Colorado, if required, shall be a precondition to commencement of construction of, alteration of, addition to or change in, any Improvement. The ARC shall not review or approve any proposed Improvements for compliance with governmental requirements.
- F. In addition to the authority that is given to the ARC in the Declaration, as well as such authority as may be implied from any provision(s) of the Declaration, the ARC shall have all authority and to receive and review complaints from one or more Owners, any Declarant or any other Person(s), alleging that a violation of any of the Declaration has occurred or is occurring. Please use the submittal form (Exhibit C) to coordinate all information. Requests for approval must be in writing and should be e-mailed, mailed or faxed to the managing company (address and fax numbers are on the submittal form and on the introductory page). The management company will forward requests to the ARC Committee, track them through the submittal process and return written information to you regarding the Committee's decision. If a management company is not in place, submittals should be made to the District.
- G. Submittal Procedure:**
1. Plans and specifications should be detailed and include the following:
    - Plot plan showing the location of the improvement(s).
    - Landscaping descriptions – identify trees, shrubs, mulch areas, flower beds, vegetable plots, and pathways, play equipment, etc.
    - Height, width, length, materials description, and color samples for any structures or equipment.
    - Paint samples must be at least 8" x 10"
    - Include applicant/Owner name, address and phone number (mailing address if different than that of the property).
  
  2. The ARC intent is to respond to requests quickly, however, the ARC meets once per month at

irregular intervals, and it may take up to 30 days after the submittal is received for a response to be sent.

- Decisions will be delivered via email to the email contained in the application or US mail in written format and will be one of four responses:
- Approval
- Approval with conditions
- Denied - Request for additional information
- Denied

**If you do not receive a written response within 45 days, the request is deemed DISAPPROVED. Please contact the management company as soon as possible to discuss the issue.**

If a request is denied, such decision may be appealed to the Board of Directors by submitting a written request through the management company within 45 days of denial. The Board of Directors will then set a date for a hearing and notify you as to the time and place.

#### H. SUBMITTAL REQUIREMENTS

See form attached hereto and incorporated herein.

#### I. VARIANCE

The ARC may grant reasonable variances or adjustments from any conditions and restrictions imposed by these Guidelines and the Declaration in order to overcome practical difficulties or prevent unnecessary hardships arising by reason of the application of any such conditions and restrictions. Such variances or adjustments shall be granted only in the case the granting thereof shall not be materially detrimental or injurious to the other property or improvements in the neighborhood and shall not militate against the general intent and purpose hereof.

#### J. EXPIRATION OF APPROVALS

All approvals of Improvements are valid for one (1) year from the date of written notice of approvals from the ARC, at which time the approval will expire. In the event any approval for Improvements has expired, the plans for the Improvements must be processed again.

## **HOMEOWNER DESIGN GUIDELINES**

### **SPECIFIC ARCHITECTURE & LANDSCAPE GUIDELINES**

#### Accessory Structures

- Accessory structures such as gazebos, and storage sheds, etc. shall be located in the rear yard. All accessory structures must be approved in writing in advance by the ARC. Carports are prohibited. Requests for approval for accessory structures will be reviewed on a case by case basis, taking into consideration the lot size, square footage of the home and the proposed location of the accessory structure.
- Gazebos must be an integral part of the landscape plan. Accessory structures including but not limited to, storage sheds, must be aesthetically integrated with the home to include matching siding or stucco, paint

colors and roofing materials. No accessory structure shall exceed 10' x 12' and the maximum allowable height at the peak of the roof shall not exceed 10'.

#### Exterior Lighting

- Exterior lighting must be of low illumination level. Dark sky lighting principles should be utilized. Exterior solar low illumination lighting is pre-approved and does not need ARC approval. All other exterior lighting must have ARC approval.
- The dark sky principle is a way of using lighting (or the lack of lighting) to eliminate pockets of dark and light. Contrasting pockets of dark and light causes users eyes to adjust more slowly as they pass in and out of these areas. The goal of dark sky lighting is to see the thing being lit (the house/porch) and not the light itself. The human eye automatically focuses on the brightest light source in range, and adjusts to that accordingly. When you eliminate glare and create an environment with relatively even light levels, the human eye can see very clearly in much less light than you would imagine.
- The style of lights shall be consistent with the style and character of the architecture.

#### Fences

- Front yard fencing is prohibited on all Single-Family Lots.
- Fences of chain link, poultry wire, aluminum, vinyl or sheet metal, plastic, fiberglass, reeds, straw, bamboo, rope and other similar temporary or commercial materials are not permitted.
- "Invisible" dog run fences are allowed.
- All fencing adjacent to collector streets, open spaces, landscaped tracts and buffers is optional but when installed by the Builder, MCMD, or Homeowner shall be 3-rail wood fence as specified in Appendix B, shall not exceed forty-eight (48) inches in height. The wood fence must be made of Treated Wood-Red Cedar Finish. This is the only wood fence material permitted. All fence installed by Homeowner will be maintained by the Homeowner. An inconspicuous 2 x 4 welded wire mesh may be attached to the inside of the 3-rail wood fence.
- No double fences shall be allowed along the same property line.
- The location of the fencing on each Lot must be shown on a plan that is approved by the ARC.
- All other side yard, rear yard and/or wing fencing (from a side yard fence to the house) on single-family lots is optional, but when installed by either a Builder or Homeowner, shall be the 3-rail as specified in Appendix B and maintained by the Homeowner.
- Wing fences must be set back a minimum of five (5) feet from the front corner of the house or porch.
- Community perimeter fencing bordering MCMD Property shall not be replaced with any other type of fencing other than what was installed by the Builder or MCMD.
- **Homeowners shall not paint, stain or otherwise alter the MCMD and/or community perimeter fencing.**

#### Pet Enclosures

- Pet enclosures (i.e., dog runs) must be submitted to the ARC for review for all Single Family Lots. Standard type dog houses are allowed and do not need ARC approval as long as they do not exceed 4' in height.
- Pet Enclosures should not be any higher than adjacent fencing.
- Chain link enclosures are not allowed.
- Dog runs must be located in the rear or side yards, abutting the structure, substantially screened from view from neighbors and adjacent public areas and must be limited in size to two hundred (200) square feet or less. "Invisible" dog run fences are allowed.



### Homeowner Landscaping

- All portions of a Lot not improved with the Home, driveway, walkways, patios or decks (referred to as the unimproved area of a Lot) shall be landscaped by the Homeowner; provided, however, that this obligation shall not apply to any Lots landscaped by Declarant, Builders, or their assignees. The Homeowner is encouraged to plant additional trees, shrubs and flowers using xeriscape principles. Landscaping must include at least twenty percent (20%) coverage in live plant material in the side yard and rear yards combined. Artificial turf is allowed in backyards pending ARC approval. All landscaping shall be installed in accordance with landscaping plans submitted to and approved by the ARC, which plans shall be drawn to scale and shall set forth the location of landscaping, type of landscape materials, and be in accordance with the requirements of this section. The ARC may impose a fee for review of landscaping plans.
- The Homeowner of each Single Family Lot (other than Developer or a Builder) shall install landscaping on such Lot, and on adjacent tree lawn areas, within one hundred (180) days after acquisition of such Lot by such Homeowner, if said acquisition occurs between April 1 and July 31; or, by the following June 30, if such acquisition does not occur between April 1 and July 31. Landscaping plans must be submitted to the ARC for review and approval (which may be with conditions and/or requirements), and such approval shall be obtained prior to the installation of landscaping. Each Homeowner shall maintain all landscaping on such Homeowner's Lot, and on adjacent tree lawn areas, in a neat and attractive condition, including periodic and horticulturally correct pruning, removal of weeds and debris, and replacement of landscaping.
- Landscape along the back of Lots 57-67, as shown on the Meadowbrook Crossing Filing 1 & Filing 2 Preliminary Landscape Plan, shall be installed by the Builder or Homeowner at the time of home construction on an individual lot basis and shall be owned and maintained by each respective individual Homeowner.
- All grading and drainage, fencing, landscaping and architectural character must conform to the Meadowbrook Crossing Guidelines, Preliminary and Final Plats, Landscape Plans and Preliminary Development Plan, as may be amended from time to time.

### Maximum Heights

- The maximum building heights of all Improvements shall be consistent with the County, Town or governmental agency.

### Trees

- The sidewalks are attached to the back of the curb. No trees, lawns or street trees are allowed.
- Feeding, maintaining, and irrigating the trees and landscaping in the Homeowner's front and rear yards are the Homeowner's responsibility. Each Homeowner shall maintain all landscaping, trees, and lawn areas, in a neat and attractive condition, including periodic and horticulturally correct pruning, removal of weeds and debris and replacement of landscaping as required.

### Pools and Spas

- Spas and similar water features such as swimming pools and hot tubs are permitted in rear yards (or side yards if they are wide enough) without ARC approval if they are at least 5' from any fencing, are toned in color to compliment the exterior of the home or are screened with landscaping. A swimming pool, spa or other similar water feature must not damage existing walls or fences. All equipment shall be completely screened from view from publicly visible areas, and all reasonable efforts to minimize noise must be undertaken by the Homeowner.
- Privacy structures and fencing for pools and spas require ARC approval for all Single Family Lots.

Privacy structures and fencing should complement the exterior style and color of the home and/or existing fencing.

#### Screen Doors

- Screen doors on the front door entrances shall be coordinated to match the color of the front door and the style must conform to the architectural character of the home. Screen doors do not need ARC approval if this criteria is met.

#### Repainting

- ARC approval is required for all exterior painting of the home and ancillary improvements, if the original colors are being changed. The submittal must contain the manufacturer's paint chips with name and code number. Approval will take into consideration, but not be limited to, the color tone and brightness, the home's architecture, stone or brick accents, roofing color, compatibility with other body/trim colors, and the colors of neighboring properties.

#### Window Awnings

- Awnings must be submitted to the ARC for approval. Awnings must be compatible with the color and design of the existing home. They must be simple in design and color. The size, location, and form must be in scale with the window. Awnings must be properly maintained to the satisfaction of the ARC and may not be kept when frayed, spilt, torn, or faded. Temporary sun shades attached to the outer wall of the house, patio cover, or gazebo such as rolls of bamboo, fiberglass or reed are not permitted.

#### Patio Covers

- Require ARC approval
- Must be consistent with architectural style and character. Acceptable covers:
  - a. Sloping roof element with roofing to match home.
  - b. Flat with parapet.
  - c. Trellis Cover
  - d. Columns/posts shall be 6 x 6 minimum and shall be detailed same as all other columns/posts on exterior elevations of home.

#### Flag Poles

- Freestanding flagpoles may be installed but must be no more than five (5) feet from the foundation of the house and a maximum height of ten (10) feet. Flagpoles attached to the front of the house do not require ARC approval as long as the flagpole is a maximum of ten (10) feet long and does not rise above the level of the bottom sill of the second story windows. Builder model home flagpoles are exempt from this requirement.

#### Front Yard Garden Art

- Must be submitted to the ARC for approval if the front yard garden art exceeds 2' in height. Photo required for submittal.

#### Satellite Dishes/Antennae

- All satellite dishes, MMDS – An antenna designed to receive (wireless cable) programming services via multichannel, multipoint distribution services; and DBS are prohibited on Single Family Lots without prior ARC approval. If approved by the ARC, they must meet the following conditions:
  - a. An antenna designed to receive direct broadcast satellite service antenna must be one (1) meter (39") in diameter or less.

- b. To the extent feasible, the satellite dish/antennae shall be placed in the rear or side yard in such a manner that it is screened from adjacent street(s) and neighboring properties.
  - c. The satellite dish/antennae shall be installed at the lowest possible placement, utilizing ground level siting (unless a signal is unattainable).
  - d. The dish/antennae may be required to be screened with a reasonable amount of plantings to minimize its visual impact to surrounding areas.
- Antenna larger than one (1) meter (39”) are prohibited.

Exterior Mechanical Equipment

- “Energy Efficiency Measure” devices as described in the State of Colorado House Bill 08- 1270 must be reviewed by the ARC. Such devices and their location on the Lot must conform to the County’s requirements and receive ARC approval. Placement of such devices is allowed to insure optimum performance but shall not be installed more visibly than is necessary for operating efficiency.
- “Renewable Energy Generation” devices as described in the State of Colorado House Bill 08-1270 must be reviewed by the ARC. Such devices and their location on the Lot must conform to the County’s requirements and receive ARC approval. The device must be aesthetically compatible with surrounding uses and the applicant must demonstrate that the location of the device does not cause a safety issue for the resident or adjacent residents. Noise levels may be restricted at the discretion of the ARC.

Solar Energy Systems

- Each Homeowner may install a solar energy system which serves his/her Residential Site so long as (a) the design and location of the solar energy system meets the requirements of all applicable governmental ordinance and (b) said design and location receive the prior written approval of the ARC.
  - a. Energy systems must be integrated into the roof design, to respond to the roof slope, and designed to minimize the profile of the collector.
  - b. Frames must be colored to compliment the roof.
  - c. Natural aluminum frames are prohibited.
  - d. Support for solar equipment shall be located in a manner which minimizes visual and noise impact.

Sports and Play Equipment

- The ARC must preapprove all basketball backboards and other sporting or play equipment including playground equipment and trampolines.

**PREAPPROVED IMPROVEMENTS**

Address Sign

- All homes must have a house number visible from the street and all house number(s) replacing the original number(s) do not need ARC approval as long as they do not exceed six (6) inches in height and the entire area of the sign shall not exceed 1 square foot. Acceptable materials shall include, but are not limited to, wood, ceramic tile, and metal.

Exterior Solar Lighting

- Exterior solar low illumination lighting is pre-approved and does not need ARC approval. All other exterior

lighting must have ARC approval.

## **MISCELLANEOUS ITEMS**

### Holiday Lighting

- Placement and display of holiday lighting is permitted without ARC approval from October 15<sup>th</sup> through January 31<sup>st</sup> only.

### Unightly Items

- All weeds, rubbish, debris, or unsightly materials or objects of any kind shall be regularly removed from the Residential Sites and shall not be allowed to accumulate thereon. All clotheslines refuse containers, wood piles, storage areas, machinery, and equipment shall be prohibited upon any Residential Site unless obscured from view of adjoining streets, Residential Sites, sidewalks, homes, or MCMD Property.

### Trash/Recycle Cans

- Must be stored in the garage or screened from view of street, common areas and adjacent neighboring properties, behind the fence. Trash and Recycle cans are permitted to be on the street the day of pickup. All cans must be removed on the day of pickup and stored as designated above.

### Liability

- Neither the Meadowbrook Crossing Architectural Review Committee nor any representative of the Committee appointed to act on its behalf, shall be liable for damages to any Person, or to any homeowner, by reason of any action, failure to act, approval, disapproval, or failure to approve or disapprove in regard to any matter within its jurisdiction hereunder.

### Maintenance of Grade and Drainage

- Each Homeowner shall maintain the grading upon his/her Lot at the slope and pitch as shown on the Meadowbrook Crossing Overlot Grading Plan including landscaping and maintenance of the slopes. Each Homeowner agrees, for themselves and their successors and assigns, that they will not in any way interfere with the established drainage pattern over any real property which they have a duty to maintain, from adjoining or other real property.
- Each Homeowner is responsible for any erosion control that may be necessary to protect adjacent Lots or Common Areas from damage due to drainage or related erosion. All exterior grading will be adequate for drainage away from the structure and adjacent structures.

***Conditions not defined: Any condition or material not defined within these Homeowner Design Guidelines shall become a matter of judgment on the part of the ARC.***

## **COMMUNITY GUIDELINES**

### Tenant Guidelines

- The Homeowner shall have the responsibility to acquaint their tenants and guests with the MCMD governing Documents.

- For the propose of these community guidelines, a tenant shall be defined as anyone in possession of all or part of an Homeowner’s home in exchange for any sort of consideration.
- The Homeowner will, at all times, be responsible for his or her tenant’s compliance with all the provisions of the MCMD governing documents. Penalties and other actions to correct violations will be assessed against the Homeowner even though the violation was committed by tenant.
- The Homeowner is solely responsible for payment of assessments.
- Disturbances and disorderly conduct by tenants can result in a fine or legal action against the Homeowner. Preserving the community and maintaining harmony among homeowners are the ultimate goals of the Meadowbrook Crossing Metropolitan District. If a tenant is violating these goals, the Homeowner is required to take the necessary measures to correct the situation.

#### Vehicle Parking Guidelines

- Mopeds and motor bikes are subject to vehicle code restrictions and are limited to travel on public streets (i.e., both driver and motor bike must be licensed if required by state and local laws).
- No Homeowner shall conduct major repairs to any vehicle upon their Single Family Lot unless performed in a closed garage.
- No overnight parking on the streets
- Additional vehicle parking guidelines are in Section 3.7 of the Amended and Restated Declaration of Covenants and Restrictions of Meadowbrook Crossing.

#### Sign Guidelines

The ARC has determined the following regarding “Open House” and “Garage Sale” signage on MCMD Property.

- Only one (1) sign (in total) per corner on major streets (a major street is defined as any street outside of the various developments). At a four-way intersection, there are four corners where only four (4) signs may be placed.
- Signs may not remain on MCMD Property overnight.
- Signs not complying with the Design Guidelines may be summarily removed by MCMD.
- The following criterion applies to “Open House” signs.
  - (a) Owners (or their agents) wishing to advertise “Open House” for the purpose of selling their homes, must use a standard sign with restrictions on type, location and quantity.
  - (b) Signs are to be no larger than Five (5) square feet in the aggregate.
- The following criteria applies to “Garage Sale” signs:

- (a) Homes wishing to advertise “Garage Sale” for purposes of selling their goods must use a standard sign with restrictions on type, location and quantity.
  - (b) Signs are to be no larger than Five (5) square feet in the aggregate.
- Notwithstanding the foregoing, reasonable signs, advertising, or billboards used by the Declarant or a Builder in connection with the sale or rental of the Lots, or otherwise in connection with development of the Property or construction on the Lots, shall be permissible.
  - Political signs may be displayed in conformance with the El Paso County ordinance.
  - All signs must comply with County, Town and Municipal Regulations.

#### Pet Guidelines

- All dogs shall be kept on a leash and in control of the Homeowner, when not in the Homeowner’s yard.
- Each pet owner shall clean up all waste deposited by their animals upon MCMD Property, sidewalks, property of other Homeowners, and their own property.
- Excessive dog barking or other animal noise may be deemed a nuisance.
- Additional Pet Guidelines are in Section 3.4 of the Amended and Restated Declaration of Covenants and Restrictions of Meadowbrook Crossing.

#### Use of Common Elements

- No use shall be made of the Common Elements that will in any manner violate the statutes, rules, or regulations of any governmental authority having jurisdiction over the Common Elements.
- No Homeowner shall engage in any activity which will temporarily or permanently deny free access to any part of the Common Elements to all Homeowners, nor shall any Homeowner place any structure whatsoever upon the Common Elements.
- The use of the Common Elements shall be subject to such rules and regulations as may be adopted from time to time by the MCMD.
- No use shall ever be made of the Common Elements which will deny ingress and egress to those Homeowners having access to their Lots only over Common Elements, and the right of ingress and egress to said Lots is hereby expressly granted.
- No private property such as toys, tools, etc. may be left unattended in the Common Areas. Any private property left unattended may be removed by the MCMD.

#### **VIOLATIONS**

Upon completion of an Improvement, the Homeowner shall give notice to the ARC that the Improvement has been completed and the ARC shall have forty-five (45) days to inspect the premises to ensure that the Improvement conforms to the Guidelines, the CC&Rs, the approved plans and any further

requirements imposed by the ARC. If the ARC fails to inspect or advise the Homeowner of any noncompliance within the forty-five (45) day period, it shall be presumed that all ARC requirements have been satisfactorily complied with. Any noncompliant Improvement which is deemed to comply solely as a result of the ARC failure to inspect or failure to advise of the noncompliance, shall be treated as a variance from the Guidelines within the ARC's discretion and shall not constitute a waiver or estoppel of the Guidelines as to other Lots within the community. The ARC may assess fines and/or penalties against a Homeowner after written notice and a an opportunity for a hearing has been provided, and the ARC has determined that a violation of the CC&R's has occurred or is occurring due to the actions or inaction of a Homeowner, his or her guest tenant, lessee, invitee or licensee, resident or other occupant of his or her residence.

The ARC may provide the following notices and impose the following fines:

1<sup>st</sup> Notice of Violation (Courtesy Notice): Written notice to Homeowner giving nature of the alleged violation and request for compliance within fourteen (14) days.

2<sup>nd</sup> Notice of Violation (Courtesy Notice): Written notice to Homeowner that the alleged violation has not been corrected and providing notice of a hearing at which the Homeowner may appear prior to the imposition of a fine of \$50.00.

3<sup>rd</sup> Notice of Violation (\$75.00 Fine): Written notice to Homeowner that the alleged violation has not been corrected and a fine of \$75.00 has been imposed. Homeowner is given additional written notice that an additional \$25.00 fine will be imposed every ten (10) days that the alleged violation remains uncorrected.

Attorney's fees, liens and costs incurred by the ARC in seeking enforcement of the CC & R's and the Guidelines, shall be a charge against the Homeowner of the Lot and shall be billed to the Homeowner's account at the ARC.

## **FORMS**

Appendix A-Architecture Review Application Form

**APPENDIX A – ARCHITECTURAL REVIEW APPLICATION**

**Submit to:**  
**Meadowbrook Crossing Metropolitan District**  
**Attn: Chelsea Gondeck**  
**111 South Tejon Street, Suite 705**  
**Colorado Springs, CO 80903**

Include a \$35 check for payment of submittal fee.  
Additional fees may be incurred depending on design and review time.

**An application must be completed and approved BEFORE any improvements are made.**

Date Submitted: \_\_\_\_\_  
Property Owner  
Name: \_\_\_\_\_

Property Address: \_\_\_\_\_

E-mail: \_\_\_\_\_

Home No: \_\_\_\_\_ Cell No: \_\_\_\_\_

**Please specify type of request:**

- Painting     Front Landscaping     Rear Landscaping     Deck/Patio/Slab     Fencing
- Lighting     Play Equipment     Pet Enclosure     Play Equipment     Storage Shed
- Other: PLEASE DESCRIBE:

\_\_\_\_\_

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

Sheds or storage buildings require plot map depicting location of building on the lot map. Include all dimensions of building.  
Painting: state paint colors, portion of home to be painted, trim colors and accent colors

Details: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I understand that approval of the Board of Directors and/or Architectural Review Committee is required in advance to proceed. I understand that the Architectural Review Committee has up to 45 days to reply and **no response is considered Denied.** I also understand that the approval does not constitute approval of the local City/County building departments and that a Building Permit may be required. I have answered, truthfully, all questions pertaining to the proposed mentioned improvement or modification and have attached all samples, plans and permits required. I agree to complete all proposed improvements promptly after receiving approval.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_



**ARCHITECTURAL REVIEW COMMITTEE USE ONLY**

\_\_\_\_\_ Receipt of \$35 Initial Review Fee

**Recommendation of Committee:**

\_\_\_\_\_ Approved    \_\_\_\_\_ Approved with Conditions    \_\_\_\_\_ Denied-Need additional Information

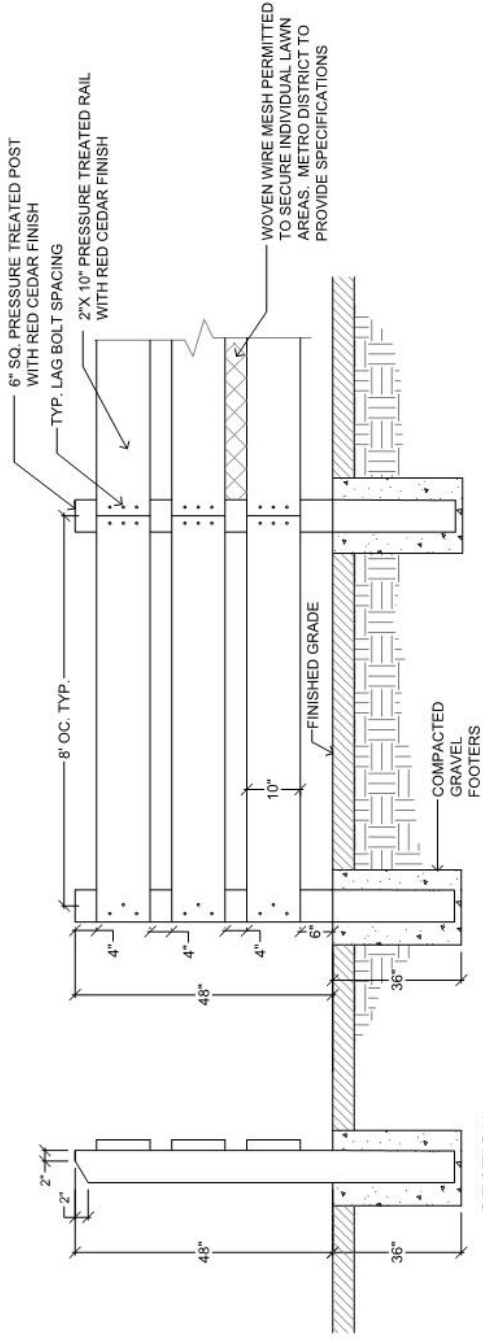
\_\_\_\_\_ Denied

Conditions: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ARC Name: \_\_\_\_\_ Date: \_\_\_\_\_

ARC Signature: \_\_\_\_\_

# APPENDIX B



- NOTE:
1. MATERIAL TO BE PRESSURE TREATED WOOD WITH RED CEDAR FINISH
  2. FIX RAILS WITH 3/8 INCH X 4 INCH LAG BOLTS W/ 1/2 INCH WASHERS

SPLIT 3-RAIL FENCE  
DETAIL

NTS