



ARCHITECTURAL AND LANDSCAPING **STANDARDS**

Revision 4.0
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Somerset Estates HOA Architectural and Landscaping Standards

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SECTION I – Introduction and Purpose

Introduction – The ACC is Here to Help

Welcome from the Somerset Estates Homeowners Association (“SEHOA”) Architectural Control Committee (“ACC”). Our goal is to help you enjoy all that our Community has to offer while protecting the investments we have each made in our homes. SEHOA seeks to maximize home values, quality of life, and position of Somerset Estates as a premier community. The role of the ACC is to work with the Executive Board and the Community to preserve the stunning views of the mountains, the high quality of home and landscaping designs, and the consistent maintenance of properties.

To support this goal, we have prepared these Architectural and Landscaping Standards (“Standards”) to clearly explain how we can all work together to maintain a high-quality environment that enhances both our property values and our shared lifestyle.

The ACC is made up of dedicated volunteers who are here to assist you in meeting our Community Standards. We are a friendly and open-minded group of neighbors, always happy to answer your questions and provide guidance. Please reach out to us about your project if you are not sure if it requires approval and/or [use our website](#) forms for any submissions.

While these Standards are comprehensive, here are a few key points to keep in mind:

- We all need to keep our yards tidy and well maintained. Each property should be in good repair with yards substantially free of weeds, overgrown vegetation, worn-out hardscape, broken fences, trees that block mountain views, pest trees garbage, prohibited items visible from the street, common areas, or neighboring lots, etc.

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- We do an annual walk around the neighborhood to check and will let you know if your Lot is not up to the Standards.
- Please consult these Standards before making improvements to your home or yard, especially if your plans may affect view corridors, your neighbors, or the neighborhood. Owners are strongly encouraged to review the current version of the Standards prior to planning and submitting any application for review.
- Common sense is essential. We do not permit paint colors, décor, or construction that would negatively impact the quality of our environment. However, small projects like planting flowers, adding shrubs or low growing trees with maturity height under 10 feet tall, or changes that are only visible to you typically do not require approval.
- No need to ask if your changes are essentially expected maintenance, including like-for-like replacements for existing approved vegetation that continues to meet current ACC guidelines.
- Being a good neighbor means caring for your home and encouraging others to do the same. By upholding these Standards together, we preserve the value of our homes and the wonderful environment we all enjoy.

Thank you for helping to make Somerset Estates a great place to live!

Purpose of These Standards

The purpose of these Standards is compliance with the general purposes expressed in the SEHOA Consolidated, Amended and Restated Declaration for Somerset Estates (“Declaration”) and prevention of violations of specific provisions of the Declaration. In particular, to:

- Provide clear maintenance requirements so Lots don’t fall into disrepair.
- Preserve mountain views.
- Assure that changes desired by Owners will be of attractive design and in harmony with other Lots and the surrounding landscape.
- Assure that materials and workmanship for all Improvements are of high quality and durability comparable to other Improvements in Somerset Estates.

Somerset Estates includes and encourages a variety of architectural and landscaping designs and styles. The intent of the ACC is to be a useful resource to Owners, not to narrowly restrict Owners’ choices. The ACC shall be timely and consistent in the implementation of these Standards and will encourage reasonable sustainable natural resource preservation practices.

NOTE: Prior versions of the Standards included detailed information about requirements for new construction and empty Lot landscaping. As construction on all Lots is completed, these details have been moved to a separate document **“Procedures and Standards for New Construction, Major Exterior Remodels, and Major Landscaping Revisions” (“Major Projects Addendum”)** that is posted on the Association website. The Major Projects Addendum is considered to be a part of the Standards, and the ACC may also refer to the details in this document for smaller projects, if applicable. This document also includes the Construction Regulations that apply to all projects but are most applicable to major projects and should be reviewed by Owners before beginning any work.

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Compliance with these Standards and/or approval by the ACC does not constitute compliance with any applicable building codes or regulations. Owners or their representatives must consult Boulder County with reference to regulatory compliance.

SECTION II – General Information and Procedures

Definitions

Primary definitions for terms used in this document are found in the SEHOA Consolidated, Amended and Restated Declaration for Somerset Estates. To avoid duplicate specifications, most definitions are not repeated in these Standards. Unless the context specifies otherwise, the following words or phrases used in this document have the following specific meanings:

Affected Owner: A Somerset Estates Owner is considered “affected” by an ACC decision relative to another Owner’s lot if the Affected Owner is a near neighbor; generally considered to be the immediate neighbor on either side, across the street from, or behind the subject property.

Association: The Somerset Estates Homeowners Association, Inc. (SEHOA).

CCIOA: The Colorado Common Interest Ownership Act, as amended, is the law that governs the formation, management, powers and operation of common interest communities (HOAs) in Colorado. The current version of CCIOA is posted on the Association website. In the case of a conflict between CCIOA and the governing documents of SEHOA (including these Standards), CCIOA prevails.

Community: The real property subject to the Declaration and known as Somerset Estates.

Declaration: SEHOA Consolidated, Amended and Restated Declaration for Somerset Estates, as it may be amended from time to time. The Declaration is posted on the Association website.

Dwelling: The residence constructed on each Lot and any replacement thereof, including the patio, deck, basement, and garage.

Improvements: Any exterior construction, structure, fixture, landscaping or facilities existing or to be placed on a Lot in Somerset Estates, as further defined in Article 1.20 of the Declaration.

Lot: Each platted lot which is a physical portion of the Community, other than Common Areas, designated for separate ownership or occupancy, the boundaries of which are described on the Plat.

Written Approval of Plans Requirements

As specified in Article 7.1 of the Declaration, all Improvements require the Owner to first submit plans and specifications to the ACC, and approval must be received in writing before work begins. Now that the Community is well-established and Dwellings are constructed and landscaping is completed on all Lots, as a practical matter, changes that are essentially expected maintenance do not require ACC approval.

If in doubt, Owners are encouraged to ask the ACC about the requirements for a particular project. **Projects that do not need approval include:**

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- Removing any vegetation, including trees, shrubs or plants, whether healthy or dead, dying, or diseased, as long as not part of a major change to prior approved landscaping plans.
- Replacing landscape materials with similar materials (e.g., refreshing rock and mulch beds, replacing aging hardscape with similar, etc.).
- Touch up painting with previously approved colors.
- Adding or replacing plantings that have a maturity height of less than 10 feet and are not on the list of pest vegetation.
- Rear yard Improvements, not including permanent structures or planting of trees, that are only visible to the Owner.
- Replacing irrigated turf grass with drought tolerant options, as long as all replacement plantings have a mature height of less than 10 feet and are well-maintained. Note that synthetic turf is not allowed in front yards.

Fees for ACC Reviews

In its review of plans, specifications and other materials and information, the ACC may require that the applicant(s) pay for extraordinary expenses such as the use of outside experts to evaluate extensive or complex projects that are beyond the scope of the committee members' expertise in the review and approval process. Such amounts, if any, shall be levied as a Specific Assessment against the Lot for which the request for ACC approval was made.

Variances, Waivers, and Reviews

Variances: Variances are initiated by the ACC and approved by the Executive Board. As specified in Article 7.9 of the Declaration, a variance refers to the process by which the ACC may consider modifications or adjustments to the application of these Standards to overcome practical difficulties or prevent unnecessary hardships arising due to the application of any such conditions and restrictions. Such variances or adjustments: 1) shall be granted only in case their granting shall not be materially detrimental or injurious to an Affected Owner's Lot or the common areas; 2) shall not have the effect of modifying the general intent and purpose of the Standards; 3) shall not set a precedent for any other applicant; and 4) shall be approved by the Executive Board after allowing opportunity for Community input.

Waivers: No waiver of the requirements of these Standards can be inferred from a prior decision of the ACC. As specified in Article 7.10 of the Declaration, these Standards apply regardless of any prior approval of any architectural or landscaping change by the ACC or the Executive Board, meaning that such approval shall not be deemed to constitute a waiver of any right to deny approval by the ACC or the Executive Board of any application or other matters which may subsequently require approval.

Reviews: Reviews are initiated by an Owner or Affected Owner if dissatisfied with a decision of the ACC. As specified in Article 7.6 of the Declaration, a majority vote of the ACC must approve an application. In the event any Owner is dissatisfied with any decision of the ACC regarding such Owner's proposed Improvements, all members of the ACC are required to meet with and review the request with the Owner (meeting can be in person, virtual, or by phone). Any further review will be according to the process outlined in Section

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III. In addition, any Owner affected by the decision of the ACC with respect to another Owner's Lot may request a review of such decision according to the process outlined in Section III. As such, the ACC may inform neighbors directly affected by an ACC decision (Affected Owners) of such pending application before approval is given.

Liability

As specified in Article 7.8 of the Declaration, the ACC, the ACC members, as well as the Association, the Executive Board, or any representative appointed by the ACC to act on its behalf, shall not be liable for any loss, damage, or injury arising out of or in any way connected with the performance of the ACC for any action, failure to act, approval, disapproval, or failure to approve or disapprove in regard to any matter within its jurisdiction, if such action was in good faith and without malice. In reviewing any matter, the ACC shall not be responsible for approving the safety, structural or otherwise, or conformance to building codes or other governmental laws and/or regulations, nor shall its approval of an Improvement be deemed approval of such matters. Final determination of whether an application meets code requirements or requires a governmental permits is the sole responsibility of the Owner in consultation with Boulder County. Any evaluation of the potential for fire hazards of vegetation and/or structures included in a submission are the responsibility of the Owner, not the ACC. Owners are encouraged to seek the advice of the local fire authority for such evaluation. Owners and their contractors are responsible for obtaining all required government permits and approvals. Even if the ACC approves an application, required government permits and approvals are the final determination for a project to go forward.

Enforcement

These Standards may be enforced by the Association as provided in the Declaration and policies and procedures approved by the Executive Board. The Association has the right to record a notice against title to a Lot to indicate that any particular Improvement has not been approved.

Amendments to Standards

As specified in Article 7.3 of the Declaration, the ACC may propose and the Executive Board may from time to time, adopt, amend or otherwise revise additional guidelines, standards, Architectural and Landscaping Standards, Rules and procedures governing architectural review for the purposes of further enhancing, defining, or interpreting what items are covered by Article 7 and providing for changes in technology, industry standards, style, materials, safety issues, consistency with updated building codes or other laws or ordinances, or for any other reason that the Executive Board deems proper, necessary, or in the best interests of the Community. Any guidelines, standards, Rules and procedures or amendment thereto, shall apply to construction, additions, modifications, installations, or items placed on a Lot occurring after the date such guidelines, standards, Rules, and procedures or amendments are published or otherwise made available to all Owners.

Prior Approvals

The ACC does not revisit prior, documented approvals of Improvements. If no documentation of prior approval exists (which is the case for some original landscaping plans and building modifications), Owners need to check with the ACC before proceeding with

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major modifications, as they may be required to bring their Lot into compliance with these Standards. According to CCIOA 38-33.3-123(2), the Association may not take action against any unapproved building (architectural) Improvement unless the action is commenced within one year from the date when the Association in the exercise of reasonable diligence knew or should have known that the Improvement was in violation of the Standards.

SECTION III – ACC Request Submittal Process

The ACC is responsible for reviewing all architectural and/or landscaping plans (Improvement plans) to determine compliance with the Declaration, CCIOA and these Standards. The ACC will decide whether to approve, disapprove, or request modifications to submitted plans based on its review of the plans and a site visit if required. If necessary, relevant experts may be requested to review the proposed Improvement.

The process for new construction, major exterior remodels, and major landscaping revisions is more extensive and may take longer. Please see the separate document Procedures and Standards for New Construction, Major Exterior Remodels, and Major Landscaping Revisions (“Major Projects Addendum”) that is posted on the website.

- The ACC will meet in person, virtually, or communicate by email every month or as needed. At its discretion, it may meet more frequently or by appointment if meetings with Owners or their Architects and Landscapers are required.
- Applications and plans should be submitted electronically, if possible. The ACC application and submission process is located on the Association website (somersestates-hoa.com/acc). The level of detail required to support a requested change will depend upon the scope of the work. Generally, changes that involve structural alterations or new construction will need to be supported by copies of the architectural plans and specifications prepared for the Boulder County building permit process. For non-permit changes, sketches, samples of colors or materials to be used and a written explanation of the scope of work are sufficient. Physical submission of color samples should be at least 8”X10” or the ACC may allow a section of the existing Dwelling painted to display the sample color. Large landscape projects require Landscape Architect plans detailing locations of structures and features, drainage patterns, plant and tree types and placements. Sketches of proposed changes together with a written explanation may support small landscape jobs. For all tree and taller shrub submittals both the common and Latin species names must be included.
- Owners are strongly encouraged to review the current version of the Standards prior to planning and submitting any application for review.
- The ACC may conclude that the proposed change(s) will affect neighbors, and, at its discretion, contact Affected Owners for their input, which will be considered by the ACC as it makes its decision.
- Owners should submit plans assuming a 30-day approval cycle. The ACC will accelerate the process if possible. If the ACC needs additional information from the Owner, it will request this information within 15 days of receipt of the application. If the ACC needs extended time to complete its review, it will work with the Owner to

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extend the approval timeline. If the ACC fails to approve or disapprove any request within 30 days after complete submission of plans, specifications, and materials, and receipt of any additional information requested, without the agreement to an extended timeline, the request shall be deemed to have been approved by the ACC.

- ACC decisions require a majority vote of the committee. Such a vote may be taken in a meeting of the ACC or electronically. If a member is recused, the decision then requires a majority of the remaining committee. If such recusal results in a tie vote, the application is considered disapproved, but the Owner may request a review as described below. The ACC will submit its approval or disapproval to the Owner electronically in writing.
- Should the ACC determine that a variance of the Standards is appropriate to a particular application (see “Variances, Waivers, and Reviews” above), it will ask the President of the Executive Board to consider approval of the variance at the next regularly scheduled Board meeting or at a special meeting of the Board.
- Any changes to the approved plans before, during or after construction or installation must first be submitted to and approved by the ACC.

Reviews and Appeals

Owners or Affected Owners who disagree with an ACC decision may seek a review as provided in Article 7.6 of the Declaration by using the following process:

1. Request a meeting with all members of the ACC to review the decision. Following the review meeting the ACC has the options to vacate, modify, or reconfirm the original decision.
2. After the outcome of the review meeting, if the Owner or Affected Owner is still not satisfied with the decision and believes it to be inconsistent with the Standards or that the application decision process was not properly followed, an appeal to the Executive Board may be requested.
3. The Owner or Affected Owner review request may be submitted to the President of the Executive Board by email, US mail or in person. The request must contain a copy of the initial submission to the ACC, the ACC final decision, and a brief explanation of why the Owner or Affected Owner is submitting the appeal.
4. The President will schedule a time for the Executive Board to meet with the Owner, Affected Owner(s), and one or more ACC members within 30 days either in person or via internet video conference. The Executive Board shall use the following process to review ACC decisions regardless of whether the request for review was submitted by the Owner or an Affected Owner:
 - a) Review documentation relative to the application in question.
 - b) Allow each party (Owner, Affected Owner, ACC members) to speak.
 - c) Consider the following questions:
 - Was the process and decision consistent with similar ACC decisions?
 - Do the Standards adequately address the concern stated in the appeal?

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- Are there other concerns about the ACC process that were not disclosed, such as whether any member had cause for recusal or abstention?
- d) After the review the Executive Board has the options to:
 - Affirm the ACC decision.
 - Overturn or amend the ACC decision.
 - Advise the ACC that the committee used an incorrect process in rendering a decision. In this event, the Executive Board will explain the incorrect process applied and ask the ACC to reconsider its approach. The ACC will then report back to the Executive Board as to whether a modified process influences its decision or Standards interpretation.
 - Approve a variance to the Standards according to Article 7.9 of the Declaration (see “Variances, Waivers, and Review” above).
 - Request the ACC propose a revision to the Standards for Board approval, followed by reconsideration of the application based on the revised Standards.

SECTION IV – Architectural Standards

This section focuses on requirements for buildings, accessory elements, and hardscape. Although homes have been constructed on all Lots, the Standards apply to Improvements to an existing home, additions and remodels, and possible future new construction (as further discussed in the Major Projects Addendum). Although “landscaping” includes both hardscape and plantings, hardscape is included in this section, with plantings covered in Section V.

Color

The color of the external materials shall generally be subdued to blend with the colors of the natural landscape. Earth tones, generally muted, are recommended, although occasionally accent colors used judiciously and with restraint may be permitted. Colors should be harmonious and compatible with colors of nearby residences and surroundings. Physical color samples should be 8"X10" in size or the ACC may allow a section of the existing Dwelling painted to display the sample color. Any major painting or repainting of the home’s exterior requires ACC approval. Touch-up painting with previously approved colors does not require ACC approval.

Building Projections

All projections including, but not limited to, chimney flues, vents, gutters, downspouts, porches, railing, and exterior stairways, shall match either the color of the surface from which they project, the exterior color palette, and/or the architectural theme of the home. Downspouts shall be painted to match exterior surfaces of the Dwelling (e.g., the base surface on which they are affixed or the window or roof trim) or may be an unpainted anodized finish color choice that matches the architectural theme. Color choices require ACC approval. Gutters, a horizontal feature, can be a color matching the window or roof trim, a standard factory color of white, black or brown, or a color that matches the base Dwelling wall color. Copper downspouts and gutters are permitted with ACC approval, but raw copper should be allowed to patina to a darker non-reflective finish (no protective coating). Like

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other exterior color treatments, replacement of gutters with different colors or materials than originally approved requires ACC approval.

Roofs

All roofs shall be of a material, color and texture approved by the ACC. Concrete tile and Slate tile are preferred materials. Copper or other metal roofing may be used as a limited accent if approved by the ACC.

Material	
Treated Cedar Shakes	No*
Concrete tile	Yes
Slate tile	Yes
Stone Coated Steel	No
Standing Seam Steel	Yes**
Architectural Asphalt	No
Clay tile	Yes
Solar tiles	Yes
Synthetic Composite tiles	Per evaluation

*Not allowed for new construction or replacement due to fire risk unless for emergency replacement for a partially damaged roof amounting to approximately 25% or less of the total area of the roof.

** Non-reflective coated standing seam steel as an accent material in a color and thickness gauge approved by the ACC. Must not to exceed 15% of total roof area.

Garage Doors

If garage doors face the street, landscaping shall screen the view of the doors, with previously approved landscaping plans taken into consideration to determine the sufficiency of such screening. The doors shall be maintained over time to assure a near-new appearance. Repainting to a different color or replacement of garage doors requires ACC approval.

Fences

All fences installed within Somerset Estates shall be approved by the ACC and shall be in design and materials consistent with the fencing standards in Appendix A. Fences should be designed to preserve the openness in the subdivision and minimize the visual impact of fencing between sites. New wooden fencing, interior to the yard or exposed to the outside, must be stained to match existing common area fences and the fences along Somerset Drive and Longview Drive. In the case of a partial replacement, the entire continuous length of fence containing the new portion must be stained. As of August 2025, the stain is Sherwin William Superdeck oil-based semi-transparent stain in a custom color. Specifications are in the ACC section of the Association website.

As required by CCIOA 38-33.3-106.5 (3), fire-hardened materials are allowed, as long as approved by the ACC.

Approved material for the containment of any pets may be added to the interior surface of perimeter fencing subject to prior approval by the ACC. Wireless fences and wire mesh fencing typically used for pet containment shall be deemed acceptable by the ACC. Dog runs

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and enclosures for pets shall also be architecturally compatible with the Dwelling and must be approved by the ACC if in view of a street or common area.

See Appendix A: Fencing Standards for more details.

Drainage and Grading

All structures and landscape elements shall be placed on the Lot so that the existing topography will be disturbed as little as possible. As noted in Article 9.5 of the Declaration, all Lots contain easements for the installation and maintenance of utilities, drainage facilities, and public or private improvements. Access to them is reserved. In particular, drainage and utility easements are reserved around the entire perimeter of each Lot, of at least 10 feet and in some cases more than 10 feet wide. Any Improvements or changes in grading in these easements must not alter the direction, obstruct, or retard the flow of water through channels or swales within any such drainage. The Association has the authority to require the removal of any Improvements, including vegetation that could change or impede the flow of water in these easements regardless of whether they are intentional or naturally occurring. Although proof of such an impediment is not required for the Association to require removal, the ACC or the Association shall offer a reasonable explanation to any impacted Owner or Affected Owner before initiating removals of any such vegetation. Paved Areas

Hard-surfaced private driveways and concrete parking areas are required. Driveway. grades should be kept under eight percent (8%) for satisfactory year-round use. Materials used to create special driveway paving patterns are subject to ACC approval.

House Numbers and Mailboxes

Each Lot has an assigned street number displayed on the mailbox. Any change to the mailbox needs to be approved by the ACC, other than routine maintenance and repairs. New mailboxes must be compatible with mailboxes installed in Somerset Estates and meet any requirements of the United States Postal Service. Owners are responsible for maintaining their mailbox, including prompt repair or replacement if damaged by accident or vandalism. House numbers installed anywhere else on the Lot other than the mailbox must be approved by the ACC.

Site Entrance

The front site entrance defines the approach to the residence and presents a strong statement to the Community. Many Lots have a pair of piers or short walls, one either side of the entry drive, to accentuate the driveway. Such piers or entry walls must be constructed of masonry or stucco with masonry accents and caps to match the architecture of the Dwelling.

Exterior Lighting

All exterior lighting on any Lot requires approval of the ACC. Exterior lighting that is subdued and whose light source is not visible from surrounding Dwellings may be permitted by the ACC for such purposes as illuminating entrances, decks, driveways, pathways and parking areas, and other approved purposes. Lighting is permissible in the form of electric or solar lights installed along the illuminated areas. Safety lighting caused by motion detectors is allowed if the light is on only temporarily. Exterior light bulbs shall be warm white (2500-3000-degree Kelvin temperature) as opposed to daylight (3000-4000-degree Kelvin

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temperature). All new exterior lighting must conform to Boulder County “dark sky” requirements.

Exterior Mechanical Equipment

Exposed exterior mechanical equipment shall be screened from the view of other Dwellings, streets or yards by ACC approved fencing, walls, vegetation, or by a Dwelling matching structure. No mechanical equipment other than solar panels shall be roof top mounted.

Swimming Pools

Swimming pools shall be designed to integrate with the existing site and architectural form. Adequate screening that does not interfere with mountain views, security, and maintenance shall be provided. Pool construction shall meet Colorado State Board of Health standards. All pool-related pumps, filters, heaters and other equipment shall be screened from view. Noise producing equipment shall be sound buffered from other Lots. These requirements apply regardless of any prior approved landscape plan when the pool was installed.

Tennis and Sport Courts, Play Sets

Tennis and other sport courts (e.g., basketball, volleyball, pickleball, or skateboard) and play sets or trampolines will be discouraged unless the Owner can show the ACC that the court will not detract from the adjacent area, either visually or by producing excessive noise. The impact of the sport court, skateboard ramp, playsets or trampolines on surrounding Lots, streets, and common areas will be considered by the ACC in any screening requirement in the application review.

Tennis and sport courts shall not be lighted and appropriate screening installed or planted as required by the ACC in its review. If fencing is required, a wire mesh material is acceptable subject to ACC approval. Galvanized fence material is not acceptable. For tennis and pickleball courts, the height of fence shall be minimized at the ends and possibly reduced at the sides depending on the location. For other courts (e.g., skateboard ramps, trampolines, volleyball courts and playsets), fence heights should be minimal. Screening must not block mountain views and can consist of fencing, walls or vegetation subject to ACC approval. Sport courts and play sets or trampolines that are in a deteriorated state must be removed if they are in view of the street, common areas, or neighboring Lots.

Solar Panel Installations

Solar panels installations are permitted as ground free-standing structures or upon roofs. Ground based structures shall be hidden from view through landscaping or a blended building structure. Roof based installations, like all roofing materials, must be reviewed for the design and visual aesthetics. Either approach must be approved by the ACC to ensure harmony with surrounding Dwellings and landscapes. ACC decisions do not override any Boulder County or statewide laws or regulations with respect to permissiveness of solar panels. All black aesthetic panels are strongly preferred to minimize visual impact.

Accessory Structures and Temporary Out-Buildings

As stated in Article 6.2.9 of the Declaration, non-permanent structures (such as portable storage units and temporary out-buildings) are not allowed. Permanent accessory structures are defined as those with foundations and/or a connection to the Dwelling and require ACC

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approval and generally need to be of similar quality and architecturally compatible with the Dwelling.

Signs

As stated in Article 6.2.10 of the Declaration, signs are not permitted in the yards or on Dwellings. There are exceptions to this rule: 1) temporary political or other signs as defined in CCIOA, 2) one real estate sign advertising the sale of the property (not larger than 2'X3'), 3) alarm company signs no larger than 8"x12", 4) content-neutral information that is not commercial oriented, and 5) temporary signs recognizing graduating students as long as removed within 60 days of graduation. Alarm company signs may be placed anywhere on any Lot at an Owner's discretion. Signs like "No Trespassing" or "Private Property" can be considered unfriendly and are discouraged although "No Trespassing" signs are allowed during construction due to legal liability to Owner. "No Solicitation" signs are allowed if located near the main entrance door of the Dwelling or near the entry of a Dwelling's driveway.

Sewer Manholes

Wherever sewer manholes are located within a Lot, the Owner shall provide access for sewer cleaning, such as easily removable fence rails, a 10-foot-wide gate, or other access method. Niwot Sanitation District needs to be able to easily access the sanitary sewer approximately every three years for general sewer clean out.

Flagpoles

Flagpoles displaying the American flag and non-commercial flags as authorized by CCIOA are allowed, subject to ACC approval for placement of poles, flag height, and flag size.

Satellite Dishes

As stated in Declaration Article 6.2.11, satellite dishes and any other installations for the transmission or reception of electronic signals, radio or television waves are subject to these Standards and therefore must meet the general requirements for visual aesthetics for the Dwelling or landscaping. Whenever possible, satellite dishes should be screened from any street, community pathway, or adjacent Lot. The installation location requires ACC approval. Dishes that become deteriorated or unsightly, or which are no longer used, should be repaired or removed.

Side Mounted Exterior Utility Boxes

Utility boxes installed on the side of Dwellings should be painted with a color to blend to the underlying color of the Dwelling without blocking the readable dials and openings; or be screened by vegetation, fencing or walls subject to ACC approval.

Building Codes

All structures shall conform to all applicable building codes and ordinances as required by Boulder County. Approval by the ACC does not constitute or imply compliance with such codes and ordinances.

SECTION V – Landscaping Standards

Landscaping includes plantings and hardscape (such as patios, walkways, concrete driveways, exposed barbeques, pools, decks, fencing, and decorative walls and structures). As most hardscape landscaping considerations are covered in Section IV, this section focuses on plantings on Lots. Differing landscape architectural design and style is permitted and encouraged. It is not the intent of these Standards to narrowly restrict design choices, but to allow variation within the framework of compatibility and harmony with the surroundings.

All new landscaping shall be approved by the ACC, with the exception that in general approval is not required for the addition or replacement of plants and shrubs whose mature height is under 10 feet tall, or replacing landscape materials with similar materials, and rear yard Improvements (not including structures) that are only visible to the Owner (and do not include plantings of trees).

Replacement of irrigated turf grass with drought tolerant options, as long as all replacements are less than 10 feet tall and are well-maintained is allowed, except for artificial turf grass in front yards. For new construction, dwelling additions, and significant changes to landscaping (e.g., greater than 10% of total landscaped area), the ACC requires architectural and landscaping plans, as described further in the Major Projects Addendum.

While these Standards provide a framework for the landscape planning and construction process, it is highly recommended that Owners obtain the assistance of a landscape architect to design the landscape. This architect should be familiar with all elements of landscape design and construction as well as the proper selection and placement of plant materials. In particular, the landscape design must address both the existing grades and proposed final grades for a given site and how they are to be integrated with the adjacent properties, particularly in terms of drainage.

Compliance with these Standards and approval by the ACC does not constitute compliance with any building code or regulation, nor proper landscaping or engineering practices. The Owner or his representative must consult with Boulder County and his architect or engineer with reference to compliance with applicable codes or regulations.

The ACC may condition approval of landscaping and plantings upon the limitation of future growth such that vegetation does not impinge upon the mountain views of Affected Owners. The ACC may also subsequently require such landscaping or plantings approved by the SEHOA ACC to be reduced in size or height to avoid impinging upon the mountain views of Affected Owners.

Site Grading

The use of soil mounding of greater than 2 feet above natural grade to raise vegetation bases must be approved by the ACC. Terracing with hardscape can be used if it is approved by the ACC and if any associated planted vegetation at any height is not reasonably expected to block any Preserved View Corridors, either presently or in the future. If new trees are proposed on top of soil mounding the height of the mature tree will include the height of the mound in considering whether the tree is detrimental to Preserved View Corridors.

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Irrigation

An automatic underground sprinkler system is required for all grassed and planted areas of the Lot. See Major Projects Addendum for details. Nonvegetative turf grass to reduce irrigation requirements is permitted in rear yards subject to approval by the ACC.

Design Recommendations for Particular Planting Areas

The design and planning of the landscape will include plantings in a variety of areas such as the front yard (street frontages), Dwelling entrance, perimeter, and rear yard, and around street monuments (on some Lots). General design recommendations for these areas are listed below and are not intended to restrict but to allow variation within the framework of compatibility with the Dwelling and the surrounding Community.

- **Front Yard Plantings**

The space between the Lot line and the edge of road pavement, on the front and/or side of a Lot, belongs to Boulder County (right-of-way), typically approximately fourteen (14) feet from the Lot line to the pavement. The Lot Owner is required to landscape and maintain the right-of-way, with the exception of the rights-of-way on either side of Somerset Drive and Longview Drive that have historically been maintained by the Association. The position of trees in the front yard is dictated by the desire to achieve a well-balanced combination of shade and evergreen trees within each Lot and between Lots. Associated with the need for balance is the Standards' requirement that landscapes are not detrimental to any Affected Owner's Preserved View Corridors. The precise number of front yard trees will be determined by appropriate groupings of trees and other vegetation, creating a pleasing setting for the home and transitioning smoothly to landscaping of adjacent neighbors.

- **Dwelling Entrance Plantings**

The entrance of the Dwelling should be well-defined and inviting and should include detail plantings and lighting. The entrance plantings should be selected for comfortable scale to people and the residence entry; detail in color, form and texture; provide year-round attractiveness and appeal. The use of enhanced paving (textured or colored concrete, such as cast cobbles, or brick pavers, edging pattern, etc.) and planting of annuals, perennials, ground covers and broadleaf evergreens is recommended.

- **Perimeter Plantings**

The perimeter plantings play an important role in providing a setting for the Dwelling. The ACC encourages homeowners to design landscapes such that 50-60% of plantings around the perimeter of their Lots consist of evergreen trees and shrubs, since evergreen plantings ensure year-round attractiveness and complement the seasonal color of ornamental, deciduous trees and shrubs.

- **Rear Yard Plantings**

The particular needs and desires of the Owner determine the plantings in the private or rear yard of a Lot. All utilities, service yards, and recreational facilities require screening from neighboring properties, both public and private. With ACC approval, Owners may install screening for privacy to obscure areas around decks, patios or similar elements. Groves of evergreen and shade trees and masses of shrub plantings simplify the landscape and can provide effective year-round privacy and are encouraged so long as

Somerset Estates HOA Architectural and Landscaping Standards

they do not block Preserved View Corridors. The ACC encourages the interplay of mass plantings and open spaces because these elements together provide an attractive and interesting sequence of views and open spaces. All landscape plantings should be in keeping with the character of Somerset Estates and consider design constraints such as storm water drainage, utilities, all types of easements that may be present on the site, setbacks, view corridors, etc. Climbing vegetation and vines on Dwellings need to be maintained below roofing and gutters and are not allowed to cross window frames.

- **Street Monument Plantings**

For Lots that include a street monument, any landscaping around the monument must be approved by the ACC. In general, monuments that have only grass or unplanted rock beds in front should remain that way and no new plantings will be allowed in front of or beside the monument sign. Vegetation behind a monument, within the Signage and Landscaping Easement, must not grow over the top of the monument.

Landscape Plant Materials

All plant materials should be indigenous or highly adaptive to our semi-arid climate unless special protective micro-climates are created to ensure a healthy and attractive landscape. Plant materials serve a variety of purposes in the landscape, such as screening objectionable views, framing desirable views, creating privacy, defining spaces, providing shade and wind control, etc. In addition to the function the plant is intended to serve, its horticultural needs must be considered during the planning process. The plant material locations should be analyzed for soil type, fertility and degree of exposure or protection.

- **Trees**

Any proposed tree or shrub in a Preserved View Corridor may not exceed the height or width determined by the ACC process (see “Preserved View Corridors – ACC Process” below), nor will groupings of trees or shrubs be permitted that have the effect of creating a fence that encroaches upon mountain views of Affected Owners. To help preserve other mountain views, shorter evergreen and deciduous trees and shrubs (estimated to be less than 25 feet tall at maturity relative to the original grade at the base of each tree) are recommended and strongly encouraged. Trees and shrubs should be planted such that the expected width at maturity will not extend beyond the Owner’s property line.

If an Owner seeks to plant a tree expected to grow taller than 25 feet at maturity, the ACC will consider approval of such applications under certain conditions, such as:

- 1) The tree is away from the exterior perimeter of the Lot (see Drainage and Grading).
- 2) The tree is narrow in width, less dense in foliage, and/or has a canopy shape that will not encroach significantly on mountain views, considering line-of-sight of Affected Owners.
- 3) The tree does not add to the encroachment of mountain views already created by the home or any outbuilding on the Lot.
- 4) The Owner is willing to participate in the Recovery of Lost Views process below to remove vegetation that is encroaching on a Preserved View Corridor of an Affected Owner before any new planting is approved that might encroach on secondary mountain views of the Affected Owner.

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Due to infestation susceptibility from the Emerald Ash Borer, new ash trees of the genus *Fraxinus* are discouraged, and all such trees require annual pesticide treatment. Black locust tree branches are prohibited as an overhang or blockage to walkways or open space access pathways since their bark, leaves, and large thorns are toxic to humans and dogs. Cottonwood and Russian Olive trees are considered pest or toxic trees and are not permitted. Furthermore, to contain their spread these pest trees should be removed promptly before they become established.

Any evaluation of the potential fire hazards of trees and shrubs is the responsibility of the Owner, not the ACC. The ACC can assist homeowners with determining expected tree maturity heights and recommendations for tree species that meet community guidelines upon request.

Preserved View Corridors

Among the best and unique features of Somerset Estates are the views of the mountains from every Lot. The subdivision was laid out with the intention that all properties should benefit from these views and the significant market value enhancement these views provide. As a result of both the slope terrain and the panoramic views available, all views are considered an important element when considering the placement of landscape materials as well as maintenance of maturing vegetation.

The ACC considers the importance of all mountain views when reviewing landscaping plans and additions, but the Standards are more specific for three Preserved View Corridors, which are defined below. When laying out the Lots and home sites during the development of Somerset Estates, the developer endeavored to place the Dwellings on each Lot to minimize the interruption of views in the three View Corridors from other Dwellings in Somerset Estates. To the extent Preserved View Corridors still existed after each Dwelling was placed, the historical Architectural and Landscaping Standards specified that these Preserved View Corridors ought not be interrupted or blocked by subsequent additions or remodels or by landscaping.

In developing these Standards, the ACC and the Executive Board considered the aesthetic and economic benefits derived from our magnificent Front Range views. As the landscaping in Somerset Estates matures, neighbors' mountain views are occasionally blocked by other Owners' vegetation. These view blockage issues are preferably resolved amicably to promote harmony and goodwill within the Community.

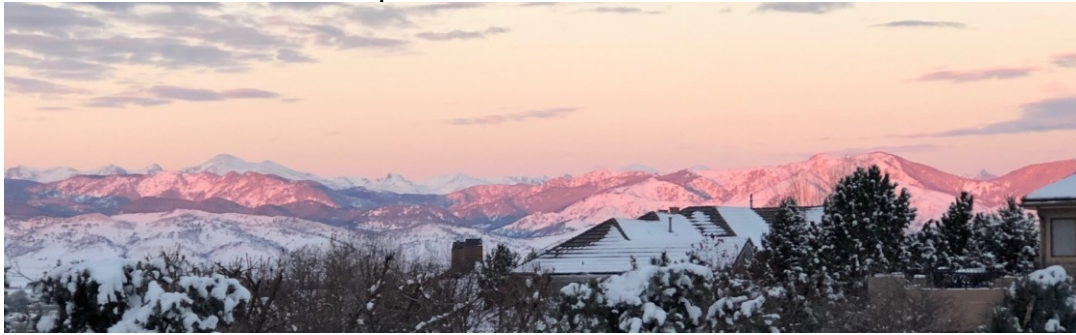
Below are photos of the three Preserved View Corridors in Somerset Estates: 1) Flatirons, 2) Indian Peaks, and 3) Longs Peak. If possible and practical, all three corridors, as viewed from Affected Owners' Lots, are preserved from being blocked or infringed upon by new construction, housing additions and landscaping.

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1) Flatirons



2) Indian Peaks from South Arapahoe Peak to Pawnee Peak



3) Longs/Meeker Peak



A Preserved View Corridor has both a destination and a reference point. When evaluating the impacts of landscaping or other Improvements on the Preserved View Corridors of Affected Owners, the reference point(s) should be from any mountain view facing family gathering area on the main floor of the Dwelling. These family gathering areas include family rooms, living rooms, dining rooms, kitchens and their associated eating areas, in all cases to the extent that these rooms were reasonably intended to take advantage of the views of the Preserved View Corridors based on the original design of each Dwelling. Non-gathering areas such as bedrooms, bathrooms, and home offices are not considered family gathering areas from the perspective of Preserved View Corridors. The evaluations will be made by physically sitting in each view location of an Affected Owner's Dwelling and looking at the corridor and its defined boundaries. The sitting locations should match reasonable usage of the room and not its physical walls.

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Preserved View Corridors – ACC Process

There are three aspects to preserving views in Somerset Estates: 1) new applications, 2) maintenance of existing landscaping, and 3) restoration of lost views.

1) New applications for Landscaping, Dwelling additions, or other structures

In considering applications for proposed Improvements, the ACC will review any applicable Preserved View Corridors, and the reference points described above to determine whether the Improvements are consistent with preserving the mountain views of Affected Owners.

Approval will be contingent upon an agreement by the applicant to maintain the vegetation such that it does not grow to impinge upon the mountain views of Affected Owners.

If placement of a Dwelling on one Lot results in blocking the mountain views of another Lot, landscape material cannot extend beyond the Dwelling to further block the mountain views of the second Lot. If an Owner chooses to block his own mountain views, this does not give an adjacent Lot Owner the right to also infringe upon such mountain views.

2) Maintenance of Existing Landscaping

Owners must maintain their landscaping as described in Section VI. Maintenance requires trimming of vegetation that has become overgrown, including vegetation that is impinging on Preserved View Corridors. Over time, and as houses are bought and sold, the original landscaping approval documentation may be lost, and/or new Owners might not be aware of its existence. The ACC will work with Owners and help them understand the goal of preserving mountain views in Somerset Estates and the implications those guidelines have with respect to regular trimming and/or removal of vegetation.

Plantings are permitted to screen non-Western adjacent Lots (e.g., block visibility of one house from another) unless they also impinge on Preserved View Corridors. Owners do not have rights (such as for privacy) to the vegetation of another Dwelling or property. Owners can remediate their own blocked views at any time even if the blockage was created by a previous Owner.

3) Recovery of Lost Views

Even though preserving the mountain views has been part of ACC practice since the inception of Somerset Estates, over time some mountain views that were intended to be preserved have become fully or partially blocked. A variety of factors contribute to this problem: trees grew taller than expected when they were approved (sometimes by over irrigation or by planting incorrect species); trees were planted in incorrect locations; trees were planted without approval; volunteer trees grew from wild seeds, shoots; trees were planted under ACC Guidelines dated before 2018, etc. Without a process to address these trees, their future growth will ensure continued encroachment upon the mountain views of neighbors. As views are a direct contributor to home valuation, a loss of value to one home adversely affects that of neighboring homes, including the home with vegetation causing the blockage. In the spirit of fostering an accommodating culture and maintaining home values, the ACC developed a reasonable, non-contentious process by which neighbors can cooperate with each other for their mutual benefit. Using this process, neighbors are encouraged to work together to create positive solutions for all parties.

- The Affected Owner whose view is fully or partially blocked may contact the ACC

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and ask it to inspect the properties and review the landscaping in light of these Standards and any available approved landscape plans. Using the results of these reviews, the ACC will help the parties come to an agreement regarding actions to improve the affected view. Privacy between neighbors may also be considered in dealing with views.

- The ACC will encourage the neighbors to negotiate a reasonable solution for view restoration, mutually agreeable to all parties.

SECTION VI – Maintenance and Upkeep

According to Article 4.3 of the Declaration, each Owner shall maintain, repair, and replace, at their own expense, all portions of their Lot including any easements located thereon including the Dwelling and all other Improvements. In addition, Article 6.3.6 requires that the Owner shall landscape and maintain the area of public street right-of-way from the lot line(s) to the edge of the asphalt paving of the public streets, except for the easements and right of way on either side of Somerset Drive and Longview Drive that have historically been maintained by the Association. Any Owner that is unsure of the boundaries of his or her responsibility may contact the ACC or the SEHOA Lot Easement Policy for clarification. Dwellings shall be maintained consistent with the original plans and any subsequent approved Improvements.

While specific details are included in this section, the goal is for every Dwelling to be in good repair and near-new condition, and for yards to be substantially free of weeds, overgrown vegetation, worn out hardscape, broken fences, trees that are blocking mountain views of neighbors, pest trees, garbage, prohibited items stored where visible from the street, common areas, and neighbors' Lots, etc.

VI.1 Exterior Finishes

No Improvement upon any Lot shall be permitted to fall into disrepair and must be kept in good condition, repair, and adequately painted and/or otherwise finished by the Owner before the surfacing becomes weather beaten or worn off. This includes garage doors, exterior lighting, mailboxes, and other hardscape.

VI.2 Roofs

Weather can particularly affect roofs. If individual tiles or shingles are replaced, they need to match the color of the existing roof.

VI.3 Lawns

Lawns must be well-maintained, including regular lawn mowing, fertilization, irrigation, and weed control. Nonvegetative turf grass in rear yards is permissible with ACC approval and must be kept in like-new condition.

VI.4 Parking on Lawns or Street

Parking on Owner's lawns or unpaved areas is not permitted except on an occasional, temporary and non-recurring basis. Should additional parking be required on a Lot, the Owner can submit a request to the ACC to extend paved areas on the Lot. Street parking is regulated by Boulder County. Street parking for extended periods is discouraged to facilitate better aesthetics for the Community.

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VI.5 Vegetation

Trees and bushes shall be properly trimmed, and dead foliage and weeds consistently removed. Climbing vegetation on Dwellings and garages needs to be trimmed away from window frames and below roofing gutters. All vegetation must be kept neat and at an appropriate height given the plant type and location. Furthermore, over time certain vegetation may have become part of a Lot's landscaping that was not part of the original plan nor subsequently approved by the ACC (e.g., "weed" trees, shoots around established trees, plantings immediately adjacent to fence lines, etc.). Vegetation growing next to fences needs to be trimmed back from the fence at least 2 feet. The ACC will identify vegetation that needs to be removed during periodic inspections.

VI.6 Composting

Ground level composting piles visible from streets and common areas must be screened, as these can easily become unsightly and malodorous.

VI.7 Fences

All fences on an Owner's Lot, whether fabricated from wood, metal, or other materials, are the responsibility of the Owner with the exception that the Association maintains the fences on both sides of Somerset Drive and Longview Drive (the "Somerset/Longview Fencing") and any other exceptions as may be in the SEHOA Lot Easement Policy. Even so, Owners are responsible for keeping the Somerset/Longview Fencing clear of vegetation and repairing fences damaged by landscaping (vegetation, rocks, etc.), pets, children, guests or other agents under the Owner's control. Owners of Lots with fences along pathways to the open space or other common areas are responsible for such fence's maintenance, vegetation control and common stained appearance.

All fences visible from a public right-of-way or common area shall be kept in good repair with no missing and/or fallen rails and no fallen posts. Metal fences need to be consistently maintained and not allowed to rust or corrode. Owners shall maintain vegetation such that it does not grow through or put weight on fences and allows at least 2 feet clearance from the fence for maintenance. Adjacent residents to neighbors' fences shall maintain vegetation off their side of the fence to avoid weight on the fence and allow at least 2 feet clearance from the fence for maintenance.

Any new wood fencing, whether full sections or individual rails, must be stained as described in Section IV-Fences. In the case of a partial replacement, the entire continuous length of fence containing the new portion must be stained.

VI.8 Street Monuments

The street signage monuments for Somerset Estates are located in Signage and Landscaping Easements on these Lots: Block 1, Lots 1, 7, 8, 15, 16, 17, 18, and 23; Block 2, Lots 1, 3, 4, 8, 9, and 12; Block 3, Lots 1, 6, 7, and 12; Block 4, Lots 1, 11, 12, and 22; and Block 5, Lots 1, 8, 9, and 13. See Appendix B for the street addresses corresponding to these Lots.

The Association will maintain and irrigate the grass and unplanted rock beds in front of the monuments and the spruce trees on either side of the monuments that were installed by the developer, with the exception of these Lots: Block 3, Lot 12; Block 4, Lots 11 and

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12 and Block 5, Lots 1, 8, 9 and 13, where the Owners will maintain and irrigate the grass and other landscaping in front of the monuments. The Association maintains the monuments and reserves the right to modify and/or replace the monuments and the landscaping in the easement around the monuments to protect the monuments and nearby sidewalks and pathways from damage or unsafe passage, to preserve view corridors, and to create a uniform harmonious look to the neighborhood.

Additional landscape elements in any part of the easements require ACC approval and must be maintained and irrigated by the Owner in a manner that provides full access to and visibility of the monument. Failure to keep vegetation around the monument (other than the spruce trees maintained by the Association) from covering the sign lettering or hanging over the top of the monument may result in removal by the Association, which may be billed to the Owner as a Specific Assessment. Should the Association choose to modify the monuments or landscaping, the Owner(s) of the respective properties will be informed prior to major work being done within the easement on such Owner's Lot(s). However, the decision to modify the monument and/or its landscaping is the purview of the Association.

VI.9 Open Space Pathways

The Association will maintain the easements for open space access paths or walkways. However, Owners of Lots adjacent to such paths or walkways are required to trim trees and vegetation so that walkway usage is not impeded. Vegetation overlapping above the paths and walkways is not allowed and must be trimmed. Vegetation should be trimmed back away from fences to not add force to the fences or overhang them. When planting near the pathway fences, consideration should be given to the mature width of the tree. It is highly recommended that trees be located a minimum distance of 10 feet away to reduce the likelihood that the tree will place undue force on the fence and cause damage.

VI.10 Trees and Preserved View Corridors

As noted elsewhere in these Standards, maturing trees or screening hedges may not impede upon the Preserved View Corridors of other Lots in Somerset Estates. Vegetation in each Lot must be trimmed, pruned, or removed by the Owner to prevent blocking views. Removal of any tree does not require ACC approval. According to arborists, the height of native trees can be controlled by irrigation without affecting life. Once the root system is well established (several seasons), normal precipitation is sufficient for the tree to thrive, unless extreme drought conditions exist. An Owner can choose to continue irrigation until the tree approaches the desired mature height and then stop regular irrigation (as opposed to winter or drought maintenance). If a tree continues to be regularly watered, it may grow to exceed the expected mature height quoted by nurseries or literature. Therefore, the ACC encourages residents to reduce or halt irrigation of mature trees to avoid excessive growth.

VI.11 Pest Trees

Cottonwood and Russian Olive trees are considered pest trees and are required to be removed at the Owner's expense. Black locust tree branches are prohibited as an overhang or blockage to walkways or open space access pathways since the bark, leaves, and large thorns are toxic to humans and dogs. Some ash trees are considered disease threatened by Boulder County and require annual pesticide treatments or should be removed at the Owner's expense.

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VI.12 Dead Vegetation

For safety and aesthetic reasons, dead and dying trees should be removed within six months or as quickly as possible after de-vegetation, at the Owner's expense. Removal does not require ACC approval. Stump heights must be less than 6 inches, preferably ground level or below. Stump removal is recommended at the same time trees are removed.

VI.13 Edging

Plastic and metal ground cover edging or separators must be near flush to the ground and reinstalled or replaced when they pop out. At times, use of steel edging materials as mini-retaining rock walls along walkways has become a pedestrian hazard when they fail or pop out and will be noted by the ACC.

VI.14 Garbage and Debris

No unsightly articles such as building materials (after construction), rubbish or debris are allowed to accumulate on Lots. This includes materials that produce unpleasant odors. Garbage, recycling and compost bins supplied by the local collection company should be kept in inconspicuous locations (e.g., not visible from the street). Waste management companies require street side placement of these bins for pickup on a preset schedule. Bins should not be placed alongside the road more than 24 hours before the scheduled pickup, and they should be returned to the house on the same day after pickup.

VI.15 Other Items in Front Yards

Electrical cords and other non-permanent cords (e.g., cable company cords) may only be used in front yards temporarily, such as for up to 60 days during the holiday season and should be hidden as much as is practical. Other items that are not part of the landscaping, such as canoes or other sporting goods, tools, ladders, leftover materials, etc. shall not be stored in front yards or where easily visible from any street or community pathway.

VI.16 Rock and Stone Walls

As stated in the SEHOA Lot Easement Policy, there are no easements in the plats or Declaration concerning rock or stone walls, and they are not common elements under the Declaration. Therefore, the Owners are responsible for maintaining the rock and drystack stone walls on their Lots, including keeping them clear of vegetation and repairing walls that are damaged. Owners may modify, remove and/or replace the walls as long as any such modifications, removals or replacements are approved by the ACC.

VI.17 Ponds

As stated in the SEHOA Lot Easement Policy, the developers of Somerset Estates installed several ponds on both common property and on private Lots. The Association owns the ponds on Outlots C and D (collectively, the "Common Property Ponds") and has sole authority to repair and maintain the Common Property Ponds subject to and in keeping with applicable laws and regulations. Owners, including those Owners whose lots are adjacent to Outlots C and D, have no special right to the Common Property Ponds.

The Association also has the sole authority to repair and maintain ponds 4, 5, 6, and 7 (the "Easement Ponds") located on private property within the Drainage, Utility, and Landscape Easements located on Block 4, (Lots 8, 9, 10, and 11) and Block 5, (Lots 1, 2, 3, and 4) and

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has an easement over and across a sufficient portion of each of these Lot to repair and maintain the Easement Ponds. The Association owns the elements of engineering associated with the Easement Ponds and the water therein. The Owners of Lots on which the Easement Ponds are located are responsible for the landscaping and irrigation adjacent to these ponds such that no vegetation grows into the ponds from the boundaries or under the pond liners. To maintain the Easement Ponds, the Association has the right, but not the obligation, to clear vegetation and repair pond liners that have been damaged by Owner's vegetation and charge the associated expenses to the Owners of such Lots as Specific Assessments.

Recreational use of any pond located within Somerset Estates is prohibited and shall be considered a violation that threatens public health and safety.

VI.18 Inspection and Enforcement

The ACC or Property Manager will periodically inspect the Community to confirm compliance with these minimum maintenance and other Standards, as viewed from the street, pathways, common areas, easements, and/or open space. These inspections will generally occur annually or more often as the ACC deems necessary. Any Affected Owner that observes maintenance issues in another Lot from his/her property may request that the ACC or Property Manager inspect that Lot from the Affected Owner's property. The ACC or Property Manager will notify each Owner of disrepair and maintenance problems observed during these inspections and require timely remedy. The timeline for remedy will be included in the notification.

Should the required maintenance not be performed in a reasonable period, the lack of compliance will be reported to the Executive Board as a complaint, and in response the Executive Board may implement the SEHOA Enforcement and Fines Policy. Note that the Enforcement and Fines Policy may be applied separately to non-compliance in each of the specific maintenance categories identified above. In addition, any Owner may submit a complaint about a property to the Executive Board. In extreme circumstances Article 3.4.4 of the Declaration allows the Association to exercise self-help to abate a violation of these Standards, levying a Specific Assessment to cover costs incurred by the Association to bring a Lot into compliance. As such, after Notice and Hearing and failure to comply, the Association can elect to contract the work to be done and assess the Owner for the work as a Specific Assessment.

APPENDIX A: Fencing Standards

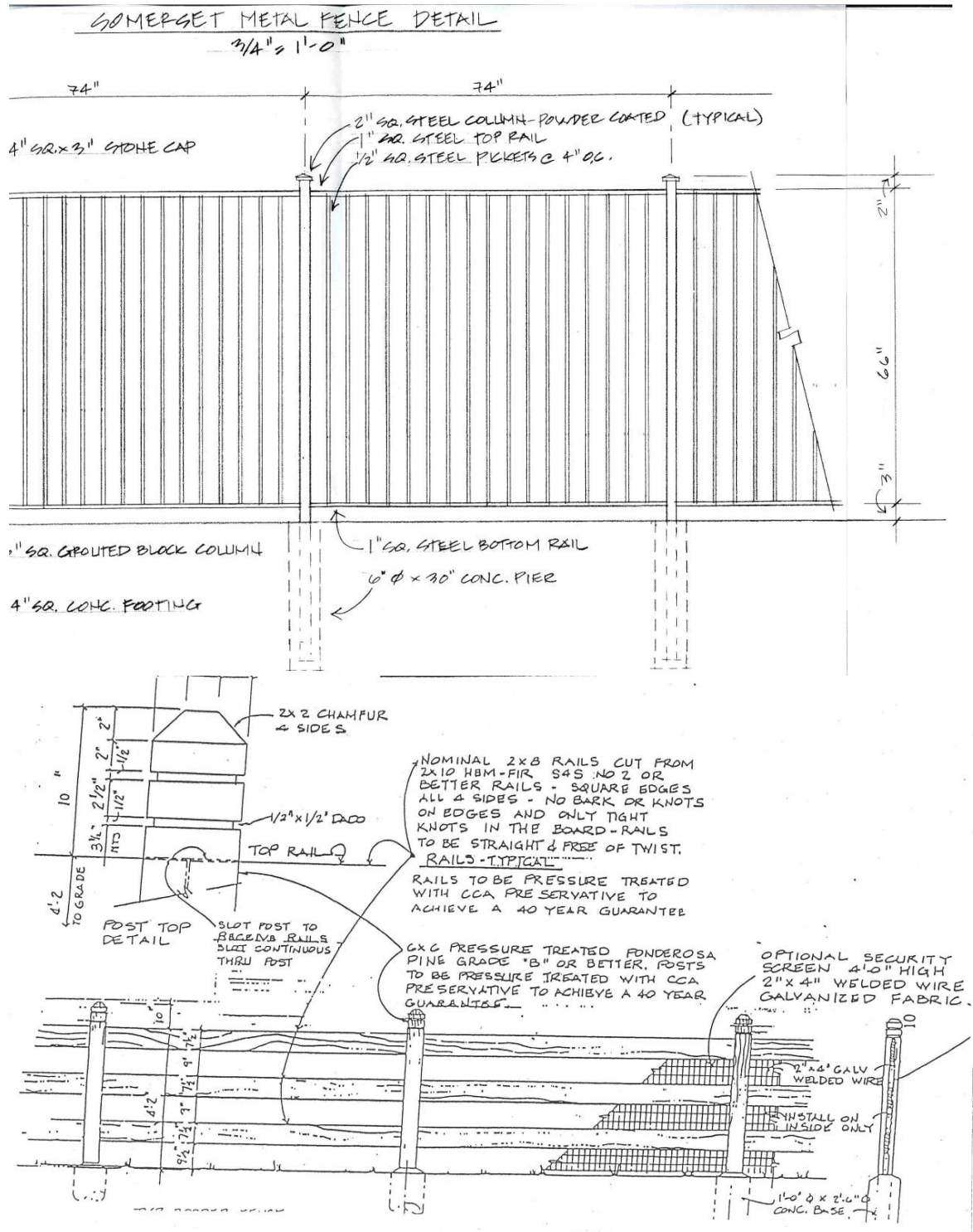
Minimal fencing is preferred to preserve the openness in the subdivision and minimize the visual impact of fencing between sites. Perimeter fencing that encloses the rear and side yards (up to the front plane of the residence) is generally accepted. Fences interior to the yard, for example to contain dogs, exclude rabbits, and keep pests out of gardens, are also generally accepted but require ACC approval.

- 1) Only one fence between adjoining properties is preferred and neighbors are encouraged to share a common fence. If that is not possible, the second fence is to be spaced a minimum of 5 feet from the first with landscaping materials planted between the fences.

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- 2) A drawing of the fence location and type must be submitted to and approved by the ACC before fencing starts.
- 3) All new fencing shall be constructed per the approved design drawing. Furthermore, long stretches shall be installed at the same time to avoid a patchwork appearance.
- 4) No metal fencing can be substituted for wood fencing along Somerset Drive and Longview Drive.
- 5) The color of metal fencing should be a dark gray or black; light colors are not permitted. Either coated aluminum or iron material is acceptable.
- 6) When adding perimeter wood fencing that connects with neighboring fences, adding interior fencing, or repairing existing fences, the new fencing shall match the texture of the fencing to which it attaches and stained to the ACC standard color, as stated in Section IV (Fences).
- 7) If the Owner wishes to include masonry piers in the fence design, the piers must be installed in accordance with the site-specific soils engineering recommendation. In most instances, the recommendation will be for a concrete pad, spread footing or caisson. The purpose of the engineered foundation is to avoid having the masonry pier tip or tilt as the result of using a foundation that does not properly recognize the soil specification and condition.
- 8) Stone caps are required for the masonry posts as they represent a unifying element between fence posts of different brick colors. Adjacent Owners are encouraged to work out any difference they have with respect to brick selection.
- 9) As noted in the illustration, mesh for the purposes of containing pets, may be added to the **inside** of fencing.

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Wood fence detail (above).

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APPENDIX B: Street Addresses to Block/Lot

The table below enables identification of Block/Lot designation from street addresses.

Number	Street	Lot	Block	Number	Street	Lot	Block
8036	Bellflower Court	21	1	8467	Firethorn Court	1	1
8049	Bellflower Court	20	1	6511	Primrose Lane	12	3
8052	Bellflower Court	22	1	6519	Primrose Lane	13	3
8061	Bellflower Court	19	1	6532	Primrose Lane	17	3
8068	Bellflower Court	23	1	6533	Primrose Lane	14	3
8073	Bellflower Court	18	1	6540	Primrose Lane	16	3
8201	Cattail Drive	17	1	6545	Primrose Lane	15	3
8215	Cattail Drive	14	1	6303	Snowberry Lane	8	5
8227	Cattail Drive	13	1	6308	Snowberry Lane	9	5
8240	Cattail Drive	16	1	6317	Snowberry Lane	7	5
8243	Cattail Drive	12	1	6324	Snowberry Lane	10	5
8259	Cattail Drive	11	1	6331	Snowberry Lane	6	5
8261	Cattail Drive	10	1	6345	Snowberry Lane	5	5
8274	Cattail Drive	15	1	6346	Snowberry Lane	11	5
8277	Cattail Drive	9	1	6359	Snowberry Lane	4	5
8293	Cattail Drive	8	1	6373	Snowberry Lane	3	5
6470	Cherry Court	2	2	6378	Snowberry Lane	12	5
6482	Cherry Court	3	2	6385	Snowberry Lane	2	5
6487	Cherry Court	1	2	6392	Snowberry Lane	13	5
6509	Columbine Court	7	3	6397	Snowberry Lane	1	5
6516	Columbine Court	11	3	6339	Somerset Drive	15	5
6517	Columbine Court	8	3	6351	Somerset Drive	14	5
6528	Columbine Court	10	3	6477	Strawberry Court	20	4
6531	Columbine Court	9	3	6481	Strawberry Court	19	4
6460	Coralberry Court	6	2	6484	Strawberry Court	17	4
6471	Coralberry Court	5	2	6495	Strawberry Court	18	4
6476	Coralberry Court	7	2	8400	Strawberry Lane	1	4
6485	Coralberry Court	4	2	8414	Strawberry Lane	2	4
6488	Coralberry Court	8	2	8417	Strawberry Lane	22	4
6474	Cranberry Court	11	2	8428	Strawberry Lane	3	4
6475	Cranberry Court	10	2	8442	Strawberry Lane	4	4
6483	Cranberry Court	9	2	8445	Strawberry Lane	21	4
6486	Cranberry Court	12	2	8456	Strawberry Lane	5	4
6504	Daylilly Court	6	3	8470	Strawberry Lane	6	4
6507	Daylilly Court	1	3	8516	Strawberry Lane	7	4
6515	Daylilly Court	2	3	8519	Strawberry Lane	16	4
6518	Daylilly Court	5	3	8532	Strawberry Lane	8	4
6529	Daylilly Court	3	3	8535	Strawberry Lane	15	4
6530	Daylilly Court	4	3	8548	Strawberry Lane	9	4
8403	Firethorn Court	4	1	8551	Strawberry Lane	14	4
8414	Firethorn Court	5	1	8564	Strawberry Lane	10	4
8425	Firethorn Court	3	1	8567	Strawberry Lane	13	4
8428	Firethorn Court	6	1	8580	Strawberry Lane	11	4
8449	Firethorn Court	2	1	8583	Strawberry Lane	12	4
8452	Firethorn Court	7	1				

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Revision History

Rev.	Description	Effective Date
Note: Only significant revisions are included below. List does not include minor changes in wording, editing, deletion of redundant information, order of paragraphs, etc.		
1.0	New release for SEHOA	March 5, 2019
2.0	- Section II - Addition of definitions of an "Affected Owner" (near neighbor), also referred to throughout as part of ACC decision process, "Construction Site", and "Protected View Corridor"; clarification about Owner responsibility to obtain governmental permits and approvals. - Section III - Addition of Reviews and Appeals process if and Owner or Affected Owner disagrees with an ACC decision. - Section IV - Additional information on colors, roofing materials, fence staining, play sets, signs, satellite dishes, and setbacks. - Section V - Divided into sub-sections for easier reference; need to remove dead and dying vegetation as soon as possible; allowance to remove healthy trees without ACC approval; clarification of split responsibility for fences between Owners and SEHOA; clarification on split responsibility for maintenance of landscaping around street monuments (see separate article); new sub-sections on maintenance of drystack stone walls and ponds. - Section VI - For new trees, maximum mature height of 15' unless adjacent to house or out of any view path; new paragraph on site grading; clarification on street monument landscaping; discouragement of climbing vegetation and vines on houses; addition of home offices as a reference point for view corridor consideration. - Appendix A - Approval needed for fences interior to the yard and for large structures such as skateboard ramps and play sets. - Appendix B - Replacement of lists of recommended ground covers, grasses, and trees with general guidelines; update on tree and shrub quantities. - Appendix C - Application of Architectural Review Procedures to major landscaping revisions in addition to new construction and major remodels. - Appendix D - Addition of working hours from 8 AM to 6 PM M-F and 9 AM to 6 PM on Saturdays. - Appendix E - New section that provides relevant citations from the SEHOA Declaration for easy reference. - Appendix F - New section that provides street monument definitions. - Appendix G - New section that identifies Block/Lot designations from street addresses.	February 9, 2021
3.0	Section II – General Information and Procedures - Definition of “Construction Site” replaced with “Lot”. - Definition of “Protected View Corridor” deleted (defined in Section V). Section III – ACC Request Submittal Process - Removal of requirement for submission of two physical copies of plans. - Additional details on Reviews and Appeals process. Section IV – Architectural Standards - Re-ordering of paragraphs to improve logic; e.g., Style and Quality moved to the beginning of the section. Editing throughout to improve readability. - Roofs: Allowance of copper or other metal roofing as a limited accent if approved by the ACC. Cedar shakes only allowed for replacement for a	March 19, 2024

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	partially damaged roof amounting to approximately 25% or less of the total area. • Building Projections: Option to paint downspouts to match window or roof trim. Option for copper downspouts and gutters if allowed to patina. • Fences: Requirement that all new wooden fencing be stained to match the common area fences. If a fence is partially replaced, the entire continuous length containing the new portion must be stained. • Drainage and Grading: This paragraph combines separate paragraphs in v2.0 (one in this section and one included in Landscaping Standards: Site Grading) so all related information is in the same paragraph. • Site Entrance: This paragraph is in the Landscaping Standards section of v2.0 but involves hardscape, so was moved to the Architectural Standards section. • Tennis and Sport Courts, Play Sets: Added information about fencing and screening. Addition of pickleball courts. • Signs: Update on allowed content of signs to comply with 2022 requirements in CCIOA. • Sewer Manholes: Clarification on access requirements. • Flagpoles: Allowance for displaying non-commercial flags as required by CCIOA. Section V – Landscaping Standards Section V is now the Landscaping Standards, with Maintenance and Upkeep moved to Section VI. The information in the section is also re-ordered for better flow and to reduce redundancies. Hardscape-related standards moved to Section IV. Editing throughout to improve readability. • General approval is not required for the addition or replacement of plants and shrubs whose mature height is under 10 feet tall instead of 6 feet tall. • Irrigation: Option for nonvegetative turf grass to reduce irrigation requirements in rear yards to comply with 2022 requirements in CCIOA. • Standards relating to Landscape Plant Materials collected in one section. Replacement of maximum tree height of 15 ft with new paragraph on trees that covers 1) trees in Protected View Corridors; 2) recommendation of 25 ft maximum height elsewhere; and 3) criteria for consideration of taller trees. • Removal of home offices as a reference point for view corridor consideration Section VI – Maintenance and Upkeep • Parking on Lawns or Street: New paragraph that generally prohibits parking on lawns. Discourages street parking for extended periods. • Vegetation: This paragraph now collects all the information on vegetation maintenance that is in multiple places in v2.0. • Fences: In keeping with the 2022 SEHOA Lot Easement Policy, assigns to the Owner the responsibility for all fences on his or her Lot, with the exception that the Association maintains the fences on both sides of Somerset Drive and Longview Drive. This includes perimeter fencing along the border of Owner property and public areas such as pathways, open space and common properties. Includes maintenance information about vegetation, repair, and staining of fences. • Pest Trees: Adds Black Locust to pest trees.	
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	• Other Items in Front Yards: This is a new section dealing with cords and other items that have appeared in front yards. • Rock and Stone Walls: In keeping with the 2022 SEHOA Lot Easement Policy, assigns to the Owner the responsibility for rock and stone walls on his or her Lot. • Ponds: In keeping with the 2022 SEHOA Lot Easement Policy, clarifies the ownership and maintenance responsibilities for ponds that are on private property, as compared to on common property. Adds a prohibition on the recreational use of any pond in Somerset Estates. Appendix A: Fencing Standards Last paragraph in v2.0 about other large structures moved to Section IV: Tennis and Sport Courts, Play Sets. Appendix B: Landscaping Requirements, Suggestions and Details • Reorganization of sub-sections for clarity. • Tree Quantities: Reduced from one to four trees for 3,630 sq ft to one to two trees. • Lawn Areas: Additional information on use of native grasses and nonvegetative turf grass. • Planting Beds: Additional information on use of native and ornamental grasses. • Tree Species: Replacement of paragraph in v2.0 with same language as in Section V. Additional information on pest trees. Appendix C: Architectural Review Procedures for New Construction, Exterior Remodels, or Major Landscaping Revisions Clarification that the Standards apply to exterior remodels, but not major interior remodels. The timing requirements for ACC review and Owner response are also clarified. Appendix D: Construction Regulations Replacement of “Construction Site” with “Lot” throughout.	
4.0	Section I – Introduction and Purpose • Addition of an Introduction – The ACC is Here to Help; update of Purpose language. • Note that detailed information for new construction, major exterior remodels, and major landscaping revisions has been moved to a separate “Major Projects Addendum” that is still part of the Standards. Section II – General Information and Procedures • Deletion of some definitions also covered in the Declaration. • Information on projects that do not require ACC approval. • Clarification on differences between variances, waivers, and reviews. • Modified Reviews and Appeals section. Section IV – Architectural Standards • Partially moved to Major Projects Addendum: Paragraphs on Style and Quality, Materials – Exterior Surfaces, Garages, Location of Dwellings and Setbacks, Height of Structures, Permitted Uses and Floor Spaces, and portions of Roofs, Garage Doors, and Drainage and Grading. • Definition of permanent accessory structures that may be approved by ACC. Section V – Landscaping Standards	Oct x, 2025

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	• Incorporation of what was Appendix F into VI.8 Street Monuments. • Replaced “Protected View Corridors” with “Preserved View Corridors” throughout. Section VI – Maintenance and Upkeep • Revised section on Garbage and Debris Receptacles. Appendix B: Landscaping Requirements, Suggestions and Details • Moved to Major Projects Addendum in its entirety. Appendix C: Architectural Review Procedures for New Construction, Exterior Remodels, or Major Landscaping Revisions • Moved to Major Projects Addendum in its entirety. Appendix D: Construction Regulations • Moved to Major Projects Addendum in its entirety. Appendix E: Relevant Citations From the SEHOA Declaration • Deleted in its entirety (as available on Association website). Appendix F: Street Monument Definitions • Deleted in its entirety (information moved to Section V). Appendix G: Street Addresses to Block/Lot • Now Appendix B.	
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