

INDIAN SPRINGS LANDOWNERS ASSOCIATION, INC.

Architectural Control Committee

As a committee, our function (Article VI, Section 2 of "covenants, conditions, restriction.") is to approve of building projects prior to the beginning of construction as to 1) Size (minimum square footage of living space on ground floor to be no less than 600), 2) Quality of proposed materials and workmanship, and 3) Harmony of external design with existing structures already in the development and with the topography of the site and surrounding area. As your committee, we also seek to assure you that our purpose is to promote your investment in and enjoyment of Indian Springs, and hope you will feel free to contact us when you want help as well as for approval of your plans. Most of us have already built in Indian Springs and can share our personal experiences.

Under the Covenants section of The Indian Springs Landowners Association, Article VII outlines the responsibilities of the landowner as to his use of his property and lists covenants related to construction. Please note that these use restrictions and covenant are legally binding on all purchasers of Indian Springs. If you do sell, we would appreciate your bringing those matters to the attention of the buyer. The buyer should understand the limitations on his purchase. Please read all sections of Article VII under "Covenants" carefully before planning a building project of any kind and note the following for additional clarifications.

1) Land-owners intending to build on their lot shall submit to the chairman of the Architectural Control Committee plans and specifications as described in Article VII, Sections 1 through 5, prior to beginning any construction.

Email through the web site under the Architectural INFO tab.

Or By

Architectural Control Committee  
Indian Springs Landowners Association  
P.O. Box 332  
Cotopaxi Co. 81223

These plans must include drawings of the proposed elevations (e.g. front, side, and rear views), floor plan with dimensions, location on the lot, and working plans adequate to show the foundation, how the building will be constructed and of what materials. We must have this information to evaluate size, permanence, and quality and design as is required of us as a committee by your association. The county will want similar plans (see 2) below).

2) In regard to quality of construction and materials (Article VII, section 6), consideration will be given to the proposed structure's permanence and conformity to accepted professional standards (refer to The National Building Code, ask advice of your own local building inspectors or professional contractors), and to existing state and county inspection standards in effect at the time of construction. Building permits and the county requires inspections before any construction can be started in Indian Springs. These govern framing and structure, septic system, electrical and plumbing systems. Allow plenty of time to obtain these permits and inspections. Obtain information about them from

The Fremont County Courthouse  
Canon City, CO 81212

3) Harmony of design with existing structures, and topography means that the structure should be as inconspicuous as possible relative to color, and texture of exterior materials. Also, that the structure be located to achieve the best balance of view for the owner and least offensive location in regard to your neighbor's view, and drainage from your proposed structure or your septic field in regard to your own water supply or someone else's. The Architectural Control Committee does not favor one style of structure over another. However, if the structure, of any design, were constructed of a shiny metal instead of a siding of a more natural texture and color, it would be considered to be in disharmony; and therefore would not be approved. For this same reason, a typical mobile home with its glossy roof and exterior would not likely be approved even if it were to be placed on a permanent foundation and did meet the minimum main floor area requirement of 600 sq. feet excluding porches, etc.

We are also enclosing Fremont County Code requirement information on Buildings, Plumbing, and Electrical.

In short, we urge you to keep your own and your neighbor's long-term investment in mind when you plan your project. We offer this committee's assistance and encouragement with sincere best wishes.

Architectural Control Committee

Present members as of 2017 are

Carl Jones, Lot 72, Chair

Brad Warrington, Lot 65

Pat Pirtle, Lot 99

# Architectural Control Committee Guidelines

## Authority

The authority of the Architectural Control Committee is found in the Articles, By-laws, and Covenants, Conditions and Restrictions of the Indian Springs Landowners Association, Inc., as follows:

Article VI, Covenants, Conditions and Restrictions

Article VII, Covenants, Conditions and Restrictions

## General Criteria

The general criteria for decisions of the Architectural Control Committee are set forth in Article VI of the Covenants, Conditions and Restrictions. As follows:

"No structure, including walls and fences, shall be erected, converted, placed, added to or altered on any lot until the construction plans and specifications and a plan showing the location of the structure has been approved in writing by the Architectural Control Committee as to quality of workmanship and materials, harmony of external design with existing structures and topography and finished grade elevation."

In addition, representations were made to prospective buyers by the Indian Springs Land Company, particularly by John D. Martin, President, as to the future appearance of the sub-division and to the covenants that would insure achieving that appearance. The representations were of a low-density community of retirement and vacation homes emphasizing conservation of the areas natural values. To the fullest extent possible, all construction would, by virtue of design, placement on the site, material used, color, etc., blend into the surroundings. Specifically mentioned was that trailer houses and mobile homes would be prohibited. Article VII, Use Restrictions, Covenants and Easements is consistent with these representations.

# Architectural Control Committee Guidelines

## Guidelines

In order to assist all present and future homeowners and all prospective purchasers. The Architectural Control Committee, acting within the authority cited above, has promulgated these guidelines. The guidelines clarify and make the criteria more specific.

### 1. Exterior Walls

Material used for the exterior main walls of any building shall be such as is traditionally associated with quality construction in a rural or rustic setting; e.g., stone, log, wood plank, board and batten, clapboard and wood sheathing. Prohibited is any reflective metal siding, plastic or simulated wood material.

### 2. Roofs

Flat or shallow pitched roofs are prohibited.

### 3. Proportion

Main buildings shall be proportional; i.e., not excessively tall relative to its length and width and not excessively long relative to its width. Proportion is defined as a main building whose peak, as measured from the first floor is not taller than its length, and whose length is no greater than twice its width.

### 4. Color

All exterior colors (walls, roofs, doors, shutters, etc.) shall be "earth" colors, i.e., browns, dark greens, dark reds, etc.

### 5. Innovative Design

The Guidelines are not meant to inhibit creative designs such as domes, pole houses, solar houses, etc. Such construction is encouraged, as long as it reflects quality design and construction and is consistent with the guidelines and the general criteria.

# Architectural Control Committee Guidelines

## ARTICLE VI

### ARCHITECTURAL CONTROL COMMITTEE

SECTION 1. Appointment. The Board of Directors shall appoint not less than two, nor more than six persons who must be Members of the Association to serve as the Architectural Control Committee to serve at the pleasure of the Board.

SECTION 2. Architectural Control. No structure, including walls and fences, shall be erected, converted, placed, added to or altered on any lot until the construction plans and specifications and a plan showing the location of the structure has been approved in writing by the Architectural Control Committee as to quality of workmanship and materials, harmony of external design with existing structures and to topography and finished grade elevation. If action to approve or disapprove plans as submitted is not taken within (30) days, approval is automatic.

## ARTICLE VII

### USE RESTRICTIONS, COVENANTS AND EASEMENTS

SECTION 1. Building Use and Type: All lots not designated on the Plat as being for business or commercial use shall be restricted to residential use either as vacation homes or year round dwellings. Such structures shall be only one family dwelling and shall be for residential use only. Auxiliary buildings or structures usual to a residence may be erected or placed thereon. Not more than one dwelling shall be erected or placed on any lot except that one guest house which shall consist of not less than 600 square feet on the ground floor level may be erected in addition to the main dwelling. Private stable, shed or animal shelter with no minimum dimensions shall be permitted provided such are not used for any commercial purposes and subject to approval by the provisions of ARTICLE VI above.

SECTION 2. Dwelling Size. No dwelling shall be erected or placed on any lot unless such dwelling has a ground floor area of not less than 600 sq. ft. exclusive of garages, carports, open porches, patios or court areas.

SECTION 3. Temporary Residences: No basement, shed, tent, or structure of a temporary nature may be used as temporary or permanent living quarters. This covenant does not preclude vacation camping in tents, trailers or campers for a period not to exceed thirty (30) continuous days.

# Architectural Control Committee Guidelines

SECTION 4. Building Location: No building shall be erected nearer than fifty (50) feet to any boundary along a street, or so that any part of said building is closer than twenty-five (25) feet to any of the other boundary lines of said premises. In case of single ownership of more than one tract, this restriction shall apply to the parcel as a whole. For the purpose of this covenant, eaves, steps and open porches shall be considered as a part of the building.

SECTION 5. Time of Construction: Once construction is started it must be completed within 12 months.

SECTION 6. Fencing: Fencing which is constructed on lot lines contiguous to road right of ways as shown on the recorded plot of Indian Springs I and Indian Springs II must be placed no further outward from the center of any lot than the interior easement line which is indicated by notes on said plot. Fences may be constructed on interior lot lines in contradiction of SECTION 7 of this ARTICLE VII except that in such case the lot owner shall be liable for expenses of damage, repair and replacement of such fencing as may be incurred by the installation of any utility systems. Any utility entity, either public or private shall have the right to breach any fencing or other obstructions located on a utility easement for purposes of construction and servicing without incurring any liability for damage thereto.

SECTION 7. Easements: Easements for installation and maintenance of utilities, roadways, bridle paths, hiking trails and such other purposes incident to development of the property as reserved and shown by notes on the recorded plot of Indian Springs I and Indian Springs II, will be kept open and readily accessible for use, service and maintenance.

SECTION 8. Nuisances: Nothing shall be done or permitted on any tract, which may be or become an annoyance or nuisance to the neighborhood. No noxious or offensive activities shall be carried on upon any tract.

SECTION 9. Garbage and Refuse Disposal: No part of the property above or below ground shall be used or maintained as a dumping ground for rubbish, trash, garbage, debris or other waste. At all times the property shall be maintained in a sanitary condition. Reasonable preventions shall be taken against fire hazards and no outdoor burning of any kind shall be permitted upon the premises (except for cooking) unless in an approved incinerator with ash control.

# Architectural Control Committee Guidelines

SECTION 10. Signs: All signs displayed upon any of the premises or The Architectural Control Committee must first approve tracts. This covenant does not preclude the display of builders or realty-type signs, or small professional signs, not to exceed one (1) square foot in area per side. The committee reserves the right, however, to require modification or removal of such signs if they are deemed not to be in keeping with the area and subdivision decor.

SECTION 11. Water and Sewage: All water wells and sewage disposal systems placed upon any tract shall comply with the requirements of Fremont County and the State of Colorado Health Department. No septic tank or field system shall be nearer than fifty (50) feet to any tract line except with the consent of the appropriate health official of the State, and no sewage, waste water, trash, garbage or debris shall be emptied, discharged, or permitted to drain into any body of water in or adjacent to the subdivision. No outside toilets or privies shall be permitted on any tract. All toilet facilities must be a part of the residence or garage and shall be of a modern flush type and connected with a proper septic tank system.

SECTION 12. Animals: No animals, livestock or poultry of any kind shall be housed, raised or kept on any tract or property either temporarily or permanently, except that commonly accepted domestic pets may be kept provided they are not kept or maintained for any commercial purposes and except that one horse for each two acres of land owned may be kept for recreational purposes. No stables, corrals, or any structure for the housing or feeding of horses shall be located or placed closer than fifty (50) feet to any adjoining lot line nor closer than one hundred (100) feet to a road or street. All stables, corrals, or any structure for the housing or feeding of horses shall be approved as to location and design by The Architectural Control Committee and shall be maintained in compliance with all lawful sanitary regulations. In case of single ownership of more than one tract then the setback restrictions of this covenant concerning horses shall apply to the parcel as a whole, horses, pets or any other animals as authorized under this covenant, shall not have free rein of the subdivision, and shall be contained on the property of their owner.

SECTION 13. Chimneys and Fireplaces: All chimneys and fireplaces shall have a protective wire inside the chimney near the top to prevent any burning particles from escaping said chimney.

SECTION 14. Mining Operations: No oil, gas, coal, sand, gravel, or other mineral development, drilling, refining, quarrying, mining, crushing, manufacturing, or processing. Operations of any kind shall not be permitted upon or in any portion of the property; nor shall oil or gas wells, tanks, tunnels, mineral excavations or shafts be permitted. The foregoing shall not be construed to prevent the drilling of water wells to serve the premises for domestic purposes.

# Architectural Control Committee Guidelines

SECTION 15. Preservation of natural timber: Live trees shall not be removed or damaged, except, as required for on-site construction, conservation and soil erosion purposes.

SECTION 16. Hunting and use of firearms: No hunting of any kind shall be permitted in any of the areas covered by these covenants. Further, no use of or discharge of firearms shall be permitted within any of the land area herein covered.

SECTION 17. Fireworks: The use of or discharge of fireworks of any kind in the area covered by these covenants shall be expressly forbidden.

SECTION 18. Driveways: Culverts in no event less than one (1) foot in diameter, must be installed at road entrance driveways in all instances in which proper drainage would otherwise be obstructed.

SECTION 19. Drainage: Nothing shall be done on any lot, which will obstruct or prevent the natural and/or proper flow.

SECTION 20. Storage: No lot may be used for the storage of property in the open, except that building material intended for use in the erection of a building or auxiliary structure on the premises may be kept in the open during the construction period, but not to exceed six months in any event. No motor vehicle of any type shall be permitted to remain on the property in a non-operating condition for more than 30 days in any calendar year. Any such vehicle, which does not display current and valid license plates, and safety inspection sticker, where required by state law, shall be deemed to be in a "non-operating condition".

SECTION 21. Re-Subdividing: Because of the varying sizes of the Lots within Indian Springs I and Indian Springs II, it shall be permissible to permit controlled and intelligent division of sizeable Lots. Therefore, re-division of tracts to a minimum of four (4) acres is permitted, provided that the owner submits a proposed plan of division and specifications to the Architectural Control Committee for preliminary approval, that such approval is in writing, that he complies with all other covenants herein and that he meets all laws and requirements of the State of Colorado and Fremont County pertaining to the subdivision of land.



# Homeowners Building Permission Checklist

Indian Springs Landowners Association, Inc.

## ***Introduction***

All landowners and all structures built within Indian Springs must comply with the Covenants that run with the land. These covenants impose legal requirements upon landowners. The covenants are enforced by the Architectural Control Committee.

To help landowners plan and to make it easy to obtain approval for building plans, we have developed the following checklist. Please note that the Covenants require notice to and approval by the Architectural Control Committee **in writing** before any construction work is commenced. Submit your plans in writing to:

Email by using the websites Architectural INFO tab

Or by mail; Architectural Control Committee, Indian Springs Landowners Association, P.O. Box 332, Cotopaxi, CO 81223. Also, all “structures” means walls, fences, signs, outbuildings, etc. When in doubt, notify the Architectural Control Committee.

Committee Members:

Scott Fallis, Chairman  
Brad Warrington, Member  
Pat Pirtle, Member

## ***CHECKLIST***

- \_\_\_\_\_ Written Notice of Building Plan submitted to Committee
- \_\_\_\_\_ Plat map showing location of proposed structure (and septic field for dwellings) in relation to roads and property lines (50 ft. from road; 25 ft. from property lines)
- \_\_\_\_\_ Color scheme and type of construction material of outside walls and roof (all must be earth tones)
- \_\_\_\_\_ Drawing of proposed structure with elevations, floor plan, dimensions, description of construction materials and foundation (Note: minimum main floor area of dwellings must be 600 sq. feet excluding porches)

# Homeowners Building Permission Checklist

## *Miscellaneous Requirements*

- \_\_\_\_\_ Minimal Tree Removal during construction
- \_\_\_\_\_ Fencing along interior easement line, interior lot line
- \_\_\_\_\_ Signs in keeping with community character
- \_\_\_\_\_ Stables, corrals, animal structures no closer than 50 feet to adjoining lot line, and 100 feet from road
- \_\_\_\_\_ Chimneys, fireplaces with protective wire
- \_\_\_\_\_ Proper drainage from structures
- \_\_\_\_\_ Driveway drainage and/or culvert to prevent erosion

For any further details please consult your copy of the “Use Restrictions, Covenants and Easements” and the “Architectural Control Committee Guidelines.”

Sample Submission:

**Date: November 15, 2016**

**From: Jim Potter**

**To: Architectural Control Committee**

**Re: Permit to Construct Storage Shed at 1111 Red Feather Road**

Dear Committee:

I would like to build an 8’x10’ storage shed. A plat map is enclosed showing its location on my property. As you can see, it will be placed 150 feet from the nearest property line and is even further from the road. It will be wood frame 2”x4” construction on top of 3 4”x4” pine runners as the foundation. The floor plan is a simple 8’x10’ rectangle. It will have a peaked roof with sandy brown asbestos shingles. The exterior walls will be of cedar tone grooved plywood in keeping with my existing structures.

No trees will be removed and the elevations and drainage will be the same as my existing structures.

Yours truly,  
Jim Potter

# Homeowners Building Permission Checklist

