

Design Standards

Northglenn, Colorado

Includes:
Fox Run
Kimblewyck
Kensington

Fox Run Homeowners Association
Fox Run Design Review Committee
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FOX RUN

DESIGN AND ARCHITECTURAL STANDARDS

SECTION 1 - INTRODUCTION

A. Purpose and Intent

The following Design and Architectural Standards ("DAS") have been prepared to ensure that the goals and vision are realized for properties in the Planned Community known as Fox Run. The initial DAS were prepared in 1996 as part of the initial development requirements of the community. The first major revision to the standards occurred in June, 2002. The revisions were warranted as a result of the Fox Run community being substantially developed. As such, there is no longer need for developer or homebuilder involvement at the pre-construction stage. There are, however, several elements of the DAS, which require revision, or updating, to meet the evolving desires of the residents of Fox Run.

The purpose of these DAS is to provide specific design criteria for the subsequent improvement or modification of individual homes and for the development and subsequent improvement or modification of landscapes within the community. The DAS are designed to establish and maintain a quality community appearance, assure compatibility, direct character and form, and enhance value. The DAS is intended to be flexible as required to meet evolving community requirements. The regulations herein may be subject to revision over time. These standards are intended to augment and compliment the project Declaration of Protective Covenants.

The primary concept behind the DAS has been, and continues to be, recognition of the following:

- A sense of quality and permanence in a residential community is achieved, primarily, by visual harmony of the project's site planning, architectural design and landscape design.
- A multitude of discordant visual elements works against the above-mentioned concept. Therefore visual "graffiti or confetti" should be kept to a minimum in those areas on public display.
- The privacy of rear yards is the appropriate place for display of personally unique items or features.
- The concept of precedent plays an important role in the establishment and enforcement of community guidelines. We, as a community, must limit our own "freedom" of expression.

The DAS also allow individual identity; yet complement an overall community theme. While the DAS ensure that each home relates to the overall community image, they do not inhibit innovative landscape design. They provide clear direction and specific criteria for evolving an overall sense of community. To this end, homeowners and their consultants are encouraged to review this entire document to better understand the relationship of each building site, or home, to the total design goals of the community. All residential development within Fox run must abide by the applicable criteria established by these DAS in addition to the zoning development standards established by the City of Northglenn and by the Fox Run Declaration (covenants).

B. Community Concept and Character

The community design concept for Fox Run provides for residential homes to be linked by public roadways and pedestrian walks. An extensively landscaped perimeter treatment is punctuated by entries to the community and project signage. Fox Run Parkway provides direct

vehicular access to the individual neighborhoods in Fox Run with special focus on the three public parks.

C. Relationship of the Design and Architectural Standards to Other Regulations

The DAS are not intended to supersede applicable federal, Colorado, or Northglenn codes or ordinances. In case of conflict or discrepancy, or for subjects not addressed in the DAS, the more restrictive DAS, governing agencies, codes and/or regulations shall take precedence.

The DAS are to be used by homeowners and their design consultants as a guide and framework for their efforts to develop homes and landscapes within Fox Run. The DAS are also to be used by owners when modifying or upgrading homes or landscaping on individual properties within Fox Run.

The DAS will also be used by the Fox Run Design Review Committee (“DRC”) in reviewing proposals to determine their relative conformance to the overall design objectives and criteria.

The DAS are intended to cover each site-specific or lot-specific issue, and community issues such as edge treatments and relationships to adjacent land uses. The DAS are to be used in conjunction with the recorded Declaration.

D. How to Use the Design and Architectural Standards

The DAS are organized into major elements such as Site Planning and Design, Architectural Design and Landscape Design and procedural sections such as Submittal Requirements and Construction Period Regulations. Each element is introduced with a description of intent followed by specific items within each element.

There are no established “number” of design criteria that must be met in each proposal. The relationship between design variables is dynamic, and each combination of elements is perceived differently. The DAS identify those elements that should be considered, and define performance characteristics the elements should have – but there is no “standard formula” for an “appropriate” design solution. In all instances, the DRC will consider the interrelationship of the design variables, and the specific criteria.

SECTION 2 - SITE PLANNING AND DESIGN

A. Accessory Structures

Accessory structures, i.e., “storage sheds,” “potting sheds,” etc., must meet strict criteria for size and design. Maximum size is not to exceed 100 square feet; maximum height, at the peak of a pitched roof, is not to exceed 8 feet. Architectural detailing such as roof material, trim, siding and doors should match the original architecture of the home as much as is practical. The color of the shed components must match the original architecture of the home. On those properties where the 8 foot height results in a strong visual presence from a public right of way or adjacent property, architectural detailing in the form of additional trim, windows, and siding will be considered an integral component of dominant structure visibility. No metal sheds will be allowed. Ground mounted storage lockers or bins constructed of wood or vinyl is acceptable if properly located. See Addendum A-Accessory Structures.

B. Concrete Driveways/Walkways

Concrete driveways and parking areas are not to be expanded or widened. No more parking spaces for automobiles than originally constructed for each property will be allowed. This relates to the original design of the various homes which provide for one car in the driveway

behind one garage space, two driveway spaces behind two garage spaces, or three driveway spaces behind three garage spaces. A 24"-wide walkway may parallel a driveway space linking the front door to the sidewalk along the street. This 24" walkway must be constructed of some type of brick or concrete paver, not poured concrete. Walkways linking the front yard area to the rear yard may be constructed of concrete, but should not exceed 24" in width.

C. Dog Runs

Dog runs will be allowed if they can be reasonably isolated and screened from adjacent properties. Height of fencing cannot exceed 5 feet. If a chain link type of enclosure is used, it cannot be visible from a public right of way. Local ordinances regarding noise, odors and other nuisances will be in effect and enforced by both Northglenn and the HOA.

D. Gardens

Vegetable gardens will be allowed in rear yards. Flower gardens are encouraged in the front or side yards as a complement to the landscape installed by the builders. Reference Section 4 - Landscape Design for additional information.

E. Parking/Storage of Recreation and Inoperative Vehicles

It is a function of the City of Northglenn zoning approval for Fox Run that the following applies:

No recreation vehicles or disassembled or partially disassembled vehicles of any type, shall be parked, stored, maintained, or used in the front yard or driveway of any dwelling, or on any public street in the plan unit development (PUD), but may be stored within the fully enclosed garage of that dwelling. However, recreation vehicles and motor homes may be temporarily parked for a maximum of three (3) consecutive days in the driveway, or visually screened in the side or rear yard of the residence, provided that vehicle does not interfere with the sight views and/or use of adjacent property. Recreation vehicles shall include, but not be limited to motor-homes, pick-up trucks with campers, unlicensed motorcycles, trailers, motor bikes, snowmobiles, jet skis, all terrain vehicles, and other apparatus intended for use on land, water, or the air, and the trailers for their transportation.

F. Elements Unique to the Kimblewyck Neighborhood

Kimblewyck neighborhood has been developed as a separate and unique "lifestyle" opportunity in Fox Run. The project was conceived as a blend of traditional housing in a "neo-traditional" or "new urbanism" setting. The project is characterized by homes which front onto streets or openspaces, rear loading garages from private streets and areas of private openspaces.

The private streets, or lanes, should never be considered alleys. The intent is to have each homeowner provide uniform fencing with appropriate landscaping to form a "streetscape". The private drives double as fire lanes, therefore no parking can be allowed. The fencing, designed to provide yard enclosure with a uniform visual presence on the private drive, is designed to also allow reasonable view opportunities when entering or exiting a garage or driveway onto the private drive. The fencing is a function of the project approvals at the City of Northglenn; therefore there can be no variation. Based upon the necessity to maintain the private components of the neighborhood, a separate homeowner's association has been put in place functioning as a sub-association to the Master Fox Run Owner's Association. See Addendum E-Kimblewyck Village Fencing and Landscaping.

G. Elements Unique to the Kensington Neighborhood

Kensington neighborhood consists entirely of townhouse residential units. Each residential unit is a component in a townhouse structure consisting of four attached residential units. While being primarily designed to function as fee simple units on public streets, small elements of private openspace and private street/parking areas exist. These elements, in conjunction with the shared architectural elements such as exterior siding and roofing, require the existence of a separate homeowner's association which functions as a sub-association to the Master Fox Run Owner's Association.

H. Elements Unique to Attached Housing-Paired Homes and Townhomes

The design of the attached units and the method of legal ownership combine to require that care be taken when implementing exterior improvements. No new construction for one unit should be physically attached to an adjacent unit, nor should anything owned by a homeowner be attached or hung on the wall of an adjacent unit. Due to the small private rear yards, especially in the Kensington townhouse neighborhood, hard surface patios are discouraged-wood decks encouraged-to allow minimum impact on the area drainage systems.

SECTION 3 - ARCHITECTURAL DESIGN

A. Purpose and Intent

The architectural character of the homes in Fox Run is intended to reflect regional character with a variety of interesting and compatible relationships of form, texture and style. Additionally, economic factors, environmental concerns, and construction practices prevalent in the industry are important influences. These DAS are intended to promote a high level of design quality, assure compatibility between residential products within the community, and guide character and form. Together, these key components comprise an essential part of the Fox Run image.

The architectural theme for Fox Run has been established by the Declarant and is best characterized by a commitment to regional design styles that demonstrate form elements with shadow-lines, building materials with strong textures, and exterior colors complimentary to the natural environment.

There is no single "correct" architectural style for homes in Fox Run, yet all design elements are expected to relate clearly to the established design theme.

This identification and compatibility with the established architectural theme is expected to be achieved at all levels of design identification, including individual dwellings, "street scenes," and the total community.

B. Color

The color of exterior materials will generally be subdued to blend with the colors of the natural landscape. Generally muted color tones are recommended, although occasionally accent colors used judiciously and with restraint may be allowed. Use of highly chromatic or "bright" colors is to be avoided. In general, homes should be very light earth tones; trim or accent colors may be darker; roof colors and materials are to remain as original. Repainting of the homes is anticipated every three to five years and homeowners are encouraged to budget appropriately. Repainting with original colors is preferred and encouraged and may be readily approved. Repainting to non-original colors requires submittal of color samples of the desired colors. Flat or satin finish paint is required; semi-gloss or gloss paint will not be approved. Submit photos of your home and the homes on either side of you, for comparison purpose and blending of color

scheme. Homeowners should not contract for home painting prior to receiving committee approval.

C. Materials

Exterior surfaces shall be of natural and such other materials that blend and are compatible with the community and the landscape. The use of each material shall be a truthful and appropriate expression of the characteristics of that particular material. Use of brick, wood, stucco and stone is preferred. Exposed concrete blocks, painted concrete, multi-colored masonry, mirrored glass, metal siding, prefabricated metal buildings, simulated brick, unnatural brick tones, and silver finish aluminum doors and windows shall not be acceptable. Architectural "add-ons," appliques or obviously simulated materials shall not be acceptable. These items can include artificial vents, gable detailing, window boxes, and "wafer thick" brick stone. Contemporary artificial stone, which is a full dimension material, will be considered.

D. Roofs

All roofs shall be of a material, color and texture approved by the DRC. Metal roofs are not acceptable. Wood, wood-like asphalt, fiberglass or concrete shingles are acceptable. Replacement material should be the same quality or better and the shingle shall match the original texture and color. No maximum or minimum pitch is specified, but approval by the DRC will be based on the visual impact of the roof on the property and/or on neighboring properties, dwellings and roads. Excessively steep roofs or roofs less than a 4:12 pitch are discouraged. The general appearance of the dwelling will be an important consideration.

E. Building Projections -- Massing of Components

All projections including, but not limited to, chimney flues, vents, gutters, downspouts, porches, railings and exterior stairways, shall match the color of the surface from which they project or shall be of an approved color. Vents are to be painted to blend with the roofing. Patio covers constructed of cedar or redwood of the lattice or trellis designs are encouraged. Compatibility with a deck is appropriate. Patio covers that are designed as architectural extensions of the home must utilize the design, materials and colors of the home. Enclosure of the underside of this type patio cover is required. Verification of structural integrity may be required.

F. Garages

The residential structure or complex on single-family lots shall include a garage of a size sufficient to accommodate a minimum of two (2) full-sized automobiles and a maximum to be approved by the DRC. Garage doors shall be oriented for minimum impact on the "streetscape" and shall be painted the same color as most of the dwelling, not a contrasting color. Garage space shall not be converted to living space or utilized for excessive storage if it precludes parking of an automobile. At the end of day, automobiles should be placed in the garage, not parked on the street or on the driveway. Garage doors must be kept in the down position as defined in the covenants.

G. Antennas/Satellite Dishes/Solar Panels

The DAS recognizes and adheres to all local, state and federal regulations concerning antennas and dishes. No one will be denied use of a recognizable system. However, the location of the equipment must be approved by the DRC. There are always alternate locations for the required equipment. Location above the eaves of the roof is generally not necessary for dishes.

Inconspicuous locations under the eaves are encouraged. Locations over the home's entry or other visually conspicuous locations are to be discouraged. Cables should be hidden or located in a non-obtrusive location. Cables should be colored to blend with the color of the home. Black cables, not hidden, are discouraged. One satellite dish is allowed per home pursuant to the terms

of the Declaration, as approved by the DRC. Large satellite dishes will be prohibited in favor of the smaller (18") varieties unless otherwise approved by the DRC. Line of sight aerials will be allowed.

Solar panels shall be ground mounted or laid flat on the same plane as the roof. Solar panels shall not be built on stilts.

H. Storm Doors/Security Doors

Storm doors, as shown on Addendum B-Storm Doors/Security Doors are allowed. The approved list of doors is intended to provide simplicity of design and minimize intrusion of non-harmonious colors at the entry of the homes. While addressing the interest of some homeowners who favor a security door over a storm door, the DRC will not consider requests for bars or other physical security devices to be placed over windows.

I. Mailboxes/Address Markers

As with other elements of "street furniture," allowable alternatives for mailboxes have been kept to a minimum. See Addendum C-Mailboxes for samples of acceptable mailbox design.

Address markers, or numbers, other than those provided with the home, are allowable. Specialized markers or numbers made of ceramic, brass or other material may be used providing the numbers are no larger than the numbers originally provided with the house. Placement by the front door, porch or centered over the garage door is acceptable.

J. Flags

The only flag suitable for display in Fox Run is the American flag. Residentially scaled flags, approximately 3' x 5', or smaller, are appropriate. If mounted on a flag holder, the holder should be placed near the entry to the home on a porch column or other appropriate location, which would allow ease of flag placement and removal. Pole mounts are discouraged, but if requested, should be residentially scaled at a 12 foot maximum. Placement must be within appropriate parameters of the home and landscaping. Strict adherence to proper rules and regulations for displaying the American flag are expected.

Because there are those who would choose to display flags, which are generally considered offensive by our society, all other flags, other than the American flag are not allowed in Fox Run.

K. Patriotic/Seasonal/Celebratory Displays

Patriotic, seasonal, and celebratory displays are encouraged in Fox Run. Acknowledgment of individual origin, pride in citizenship or country, recognition of holidays such as July 4th, Halloween, Thanksgiving, Christmas, etc., and unique days of graduation or anniversaries are all expected. Displays should be residentially scaled. Removal of each display should occur within a week of the end of the celebration.

L. Basketball Goals

Public facilities for the playing of basketball by the "big kids" have been provided by the Cities of Northglenn and Thornton in easily accessible locations, including Fox Run's Central Park. Moveable and storable temporary goals are allowed for the "smaller kids"; the goals must be stored at the end of the day in the garage or side yard behind the wing fence. Storage in the front yard is not acceptable. No permanent goals may be mounted on the home. Permanent goals may be mounted on the "short side" of each yard. Goal posts should be flat black or flat green in

color. Backboards should be devoid of graphic enhancement. Transparent backboards are encouraged.

M. Air Conditioners/Swamp Coolers

Ground mounted air conditioning equipment can be located adjacent to the exterior wall of the home in the rear yard or behind the wing fences in the side yards. Window mounted air conditioners and swamp coolers can be installed in first floor windows on the rear of the home or on the sides of the home behind the wing fences. Swamp coolers and supporting structure should be painted to match the home. No air conditioner or swamp cooler shall be mounted in a second story window or on the roof of a home.

N. Building Code

All structures will conform to all applicable building codes and ordinances. Approval by the DRC does not constitute or imply compliance with such codes and ordinances.

SECTION 4 - LANDSCAPE DESIGN

A. Purpose and Intent

The Landscape Design criteria are intended to supplement the Site Planning and Architecture Design criteria to integrate structures into the community. Additionally, landscaping should have compatibility with adjacent properties, the project's streetscape, and ultimately transition into perimeter landscaping. The DRC reserves the right to require landscape components as a part of the architectural approval, if in the opinion of the DRC, the architectural design needs specific assistance to meet the intent of the design standards. It is the intent of the criteria to perpetuate a residential landscape, which maximizes lawn and landscaped areas while minimizing areas of rock, concrete or other non-live material. As such, a minimum of 75% of a yard area should consist of live material. Landscape concepts, which promote non-live elements, will not be allowed.

B. Timing and Components

Front yard landscaping of single-family lots is provided by the homebuilder as part of the initial sales package. All other landscaping (i.e. rear and side yard landscaping) is the obligation of the owner. The DRC requires complete landscaping plans for rear and side yard landscaping with confirmation of the intent to carry out acceptable landscape construction practices. At the time of, or when possible following construction of the residential structure on a property, but not later than one (1) year following the closing or first occupancy of a home, whichever occurs first, the rear and side yard shall be suitably landscaped with grass, shrubs and trees. In the event this landscaping has not been completed within one (1) year following the closing or first occupancy of a home, whichever occurs first, landscaping requirements, as set forth in the Declaration shall be enforced.

It is the intent that each property is to be fully landscaped and owners are encouraged to make adequate provisions for landscaping costs in their budget. Plant materials native to this climate and irrigation systems for grassed areas requiring weekly mowing, are strongly encouraged.

Property owners, their builders, or other representatives are required to reduce the disruption to the community during the excavation and grading process. Consideration of snow storage and eventual runoff must be a consideration during the construction process. Existing and natural drainage corridors should be used to reduce the impact on adjacent properties.

C. Fencing

Fencing at Fox Run is subject to review and approval by the DRC. Fencing is allowed to provide a sense of security, provide confinement for family activity, and yet avoid complete physical and visual enclosure. It is intended that plant material integrate the fencing into the community to enhance desired visual enclosure. When used, these fences should be considered architectural extensions of a home. Fencing should be complemented by foundation plantings so that the fence “disappears” into the landscape. Fencing is prohibited in the front yard of homes. Removal of the perimeter fence or any side fence to access a lot is not allowed.

There are several types of fencing at Fox Run allowable only at certain locations. The fencing design at Fox Run is part of the Zoning approval by the City of Northglenn in addition to being endorsed by the DRC. Therefore, there are no allowed variations in fencing design, height or color. See Addendum D-Fencing for the fence designs. All fencing at Fox Run is to have the following finish:

Perimeter Fence:	Clear or Ponderosa Beige Grey
All Other Fences:	Clear or Ponderosa Beige Grey Available at Colorado Paint Company

Note that there are separate fence designs for the portion of Kimblewyck Village, which interfaces with the private drive. See Addendum E-Kimblewyck Village Fencing & Landscaping

D. Site Drainage and Grading

All structures and landscape elements shall be placed on the property so that the existing topography shall be disturbed as little as possible. Finish grading shall be such as to prevent ponding or washing of water on the site and on adjacent property while providing for a rolling lawn area. Drainage shall be away from structures. Newly graded areas shall be protected against erosion. Location of topsoil stockpiles, barrow pits on site, and excess material disposal areas are subject to DRC approval. Owners are encouraged to utilize soils engineers and landscape professionals to help ensure proper drainage is maintained.

It has become increasingly evident as Fox Run develops that in certain portions of the community and on many lots that hardscape landscape improvements can negatively affect drainage. In the higher density neighborhoods of Kimblewyck and Kensington where the rear yards are small, excessive paving, in lieu of live plant material or decking, is impacting adjacent properties. This is occurring on many single families and paired home properties in the narrow lot area between houses. Runoff cannot percolate into the soil where excessive concrete or other hard surface material is used to excess. The DRC encourages the use of wooden decks or pavers/flagstone area interspersed with live plant material.

E. Plant Materials

All plant materials used in the landscape should be native or naturalized to the area. Plant material selection should be made from locally available nursery or garden center stock. The Colorado Nurserymen’s Association Rocky Mountain Plant Guide lists acceptable materials.

The following landscape requirements shall apply to individual homeowners for the portion of their yards not landscaped by the homebuilder and for replacement or addition of landscaping.

The landscape for the rear and side yard of each single-family home should have a variety of deciduous and coniferous plant materials. One (1) tree is to be planted for every one thousand five hundred (1,500) square feet of gross lot area. Five (5) shrubs are to be planted for every one

(7') feet to nine (9') feet for coniferous trees, three inch (3") caliper for shade trees, one and one-half inch (1 1/2") to two inch (2") caliper for ornamental trees, and five (5) gallon for shrubs.

F. Lawns

Lawns are an important part of Fox Run primarily because the amount of land utilized as lawn is minimal. On smaller lots such as found at Fox Run, one third to one half of the front area is utilized for automobiles and pedestrians, therefore, leaving limited area for lawns. Therefore, it has been considered important to maximize lawn area. It is also important to maintain lawn area on the "short side" of each lot to avoid striping the streetscape with alternate materials. When requested, it is the DRC guideline to require live plant materials in the "short sides" if lawn is not desired. Lawn areas should be kept at least six (6') feet away from the foundation of the home or as recommended by a professional soils engineer or landscape professional, to ensure proper drainage is maintained.

G. Foundation Plantings

Planting beds should surround the foundation of each structure and provide a minimum of six (6') feet of planting area from the homes' foundation to the lawn areas and as provided for above to ensure proper drainage. No grass or direct irrigation should be utilized adjacent to the foundation. In all instances, watering near the foundation should be minimal (e.g., drip systems) to avoid possible structural damage to the dwelling unit.

H. Front Yards and Edging

All landscaping in the front yards of single-family homes as installed by a builder shall be maintained by the owner in a condition at least as good as or better than the condition at the time of installation. Augmentation of the front yard landscape with additional plant materials is encouraged. Concrete curb-type edges are discouraged due to the inability to revise or "grow" with the landscape as it matures

I. Rock

Rock used as planting bed mulch must be light grey in color (i.e., river rock). Multi-colored rock (i.e., pink granite, dark red lava rock, or other colors) is not allowed. Large (six inches (6") in diameter or greater) river rock, moss rock, or other "feature" rock may be used as part of the landscape. Maintenance of areas of rock can be intensive; all rock areas must be free of random grasses and weeds. Plants and groundcovers to grow over areas of rock are encouraged.

J. Lighting

No exterior lighting other than that provided by the builder shall be allowed on any lot except with the written approval of the DRC. Subdued exterior lighting whose light source is not visible from adjoining dwellings may be allowed by the DRC for such purposes as illuminating entrances, decks, driveways, landscaping and parking areas, and other approved purposes such as seasonal decoration. Security lighting, if consisting of large wattage or halogen bulbs of approximately 60 watts, will not be allowed since the lighting on one property would be a negative influence on adjacent properties. Porch lights or similar sized fixtures may be located over doors and may be left on throughout the night if desired. Motion lights may be utilized providing the light does not shine directly onto adjacent properties. See Section 3 K- Patriotic/Seasonal/Celebratory Displays for seasonal lighting.

K. Signs

No permanent signs are allowed on any private property. No Fox Run resident is allowed to erect a temporary sign on any public property, i.e. lamp posts, street lights, traffic lights, etc. Public kiosks at the three public parks are provided for the purpose of community communications. The kiosks are where residents may advertise for services, notify of upcoming events or provide notice of lost pets. (Kiosks will be installed pending city approval) The only allowed temporary signs on private property are those associated with the selling of a home. See Section 3 K-Patriotic/Seasonal/Celebratory Displays for allowable seasonal or celebratory signs or what some may construe as "signs".

L. Ancillary Landscape Components

Landscape features of personal taste, which may include artificial plants; plastic, fiberglass, concrete, iron or wood animals, birds or human replicas; free standing water features; windmills; agricultural equipment; may be utilized in the yard providing the total number of items does not exceed three, maximum height is 36 inches and area covered does not exceed 3 square feet per item.

SECTION 5 - DESIGN REVIEW AND APPROVAL PROCEDURE

A. Submission of Plans by Homeowners

Plans and specifications of homeowners will be submitted to the DRC as specified in the Declaration and according to the following submittal and review procedures. Plans, including the items outlined below, are to be submitted to the DRC. The DRC shall conduct a review during a meeting and is to respond no later than thirty (30) days after submittal, provided that the plans are according to the requirements outlined below. Should the plans be approved, the homeowners may apply for the appropriate building permit(s), and when approved, begin construction. In case of disapproval, the resubmittal of plans shall follow the resubmittal procedure. Plans will not be reviewed, however, until the review fee is paid. The review fee schedule, if any, shall be determined by the DRC.

A member of the DRC will be available as needed and an appointment should be made at least one (1) week in advance by calling the management agent.

B. Plan Submittal and Review

Four (4) copies of the plans and specifications are to be submitted for approval.

(a) Plans shall include

- i. An approximate time schedule indicating starting and completion dates.
 - ii. If the plans are confusing or difficult to read or review, the DRC may require a site plan with designation of all elements (at no smaller than one inch (1") =thirty feet (30') showing building locations, including accessory improvements.
 - iii. Documentation on timing of landscape plans submittal and implementation of landscape construction. Complete rear and side yard landscaping plan, including areas to be irrigated, and a description of landscaping materials shall be provided to the DRC.
- (b) Approval by the DRC shall be issued in writing. However, at least five (5) days before commencement of construction, the owner shall notify the DRC so that it may make a visual inspection of the lot.
- (c) Construction shall not commence until all of the above requirements are satisfied.
- (d) Additional construction to a dwelling and/or changes after completion of an approved structure must be submitted to the DRC for approval before initiating such changes and/or additions.

C. Re-submittal of Plans

In the case of disapproval of any submission, any resubmission of plans will follow the same procedure as an original submittal. In the event a decision by the DRC is felt to be unjust, a request may be submitted in writing to the DRC within seven (7) days of the date of notification of the decision for a special hearing. This request shall contain the reasons why the decision is felt to be unjust and any other explanatory material that would be helpful to the DRC in reviewing the situation. A meeting of all parties concerned may be arranged when warranted and the decision of the DRC at any such meeting or after reviewing this material will be final.

D. Accuracy of Plans

Any owner submitting plans for approval to the DRC shall be responsible for the verification and accuracy of all lot dimensions, grade, elevations, and the location of the key features of the natural terrain. Each owner shall certify to the accuracy of that before the DRC will undertake its review.

E. Work in Progress

The DRC may inspect all work in progress and give notice of non-compliance. Absence of such inspection and notification during the construction period does not constitute either approval of the DRC of work in progress or compliance with these DAS or the Declaration.

If, during construction, changes occur to an improvement which cause it to be significantly different from the approved documents, a request for approval of these changes shall be submitted to the DRC by furnishing four (4) copies in the following manner:

1. A written statement giving the reason such changes are desired.
2. A complete description of the change, including drawings, specifications and any other descriptive material required by the DRC.
3. The DRC may charge a fee for review of the changed plans as determined by the DRC.

In case of disapproval of the changes, resubmission of plans or request for a special hearing shall be in accordance with paragraph 2 above.

F. Completed Work by Homeowners

1. Upon completion of any improvement by a homeowner for which approval was given by the DRC, the owner shall furnish a notice of completion to the DRC.
2. Within such reasonable time as the DRC may determine, but never exceeding ten (10) days from receipt of such written notice of completion from the owner or its duly authorized representative, the DRC may inspect the improvements (dwelling). If it is found that such work was not done in strict compliance with the plan submitted or required to be submitted for its prior approval, it shall notify the owner in writing of such non-compliance, specifying in reasonable detail the particulars of non-compliance, and shall require the owner to remedy the same.

G. Right of Waiver

The DRC reserves the right to waive or vary any of the procedures or standards set forth in these DAS as its discretion for good cause shown.

H. Non-liability of the DRC and Declarant

Neither the DRC nor the Declarant, or their respective successors or assigns, shall be liable in damages to anyone submitted plans. This exemption from liability shall be for any reason, including because of mistake in judgment, negligence or nonfeasance. Every owner or other person who submits plans to the DRC for approval agrees, by submission of such plans and

specifications, that he will not bring any action or suit against the DRC or Declarant to recover damages.

I. Enforcement

These DAS may be enforced by the DRC or the Association or the Declarant as provided in the Declaration.

SECTION 6 - HOMEOWNER CONSTRUCTION PERIOD REGULATIONS

In the interest of all owners and contractors, the following regulations shall be enforced during the construction period of any improvements on a lot. These regulations shall be a part of the construction documents and contract for each home, and all contractors and owners shall abide by these regulations.

A. Construction Hours

Construction work on any structure or building site shall not commence before 7:00 a.m. or continue after 7:00 p.m. Monday through Saturday.

B. Excavation

Excess excavation material may be required to be removed from the property. Excavation, except utility trenching, shall be on the owner's site only.

C. Utilities

Contractors will use only the utilities provided on the site on which they are working. Accessing utilities from any other site without written permission of the owner of that site is trespassing and violators may be charged.

D. Debris and Trash Removal

Periodic clean up of the construction site is mandatory. All trash and debris shall be stored in a fenced or other appropriate trash disposal area and shall be removed from the trash disposal area on a periodic basis. All soil and debris flowing into the street(s) or open spaces from the construction site shall be cleaned on a periodic basis.

E. Vehicles and Parking

All construction vehicles will be parked in designated work areas, so as not to inhibit traffic or damage surrounding landscape. Construction vehicles shall not damage any improvements or public streets, including damage from dripping oil.

F. Restoration of Property

Upon completion of construction, each owner shall clean the construction site and repair all damaged property. Repairs shall include, but shall not be limited to, restoring grades, planting shrubs and trees as approved or required by the DRC, repair of streets, driveways, pathways, drains, culverts, ditches, signs, lighting and fencing.

In addition, the owner shall be held financially responsible for the cost of site restoration/re-vegetation and refuse removal required on all adjacent properties because of trespass or negligence by their employees or subcontracted agents.

G. Noise and Odor

Reasonable efforts shall be made to control noise and odor emitted from construction areas.

SECTION 7 - AMENDMENTS

The DRC shall have the right to amend and modify these DAS any time in its sole discretion. Copies of all modifications or amendments may be sent to each owner of record within thirty (30) days after their adoption, or may be held by the DRC or the Association for distribution upon request.

**SECTION 8 - ADOPTION OF DESIGN AND ARCHITECTURAL
STANDARDS**

These Design Architectural Standards are adopted by the Design Review Committee of Fox Run
this 15 day of September, 2002



Troy Reingardt, President

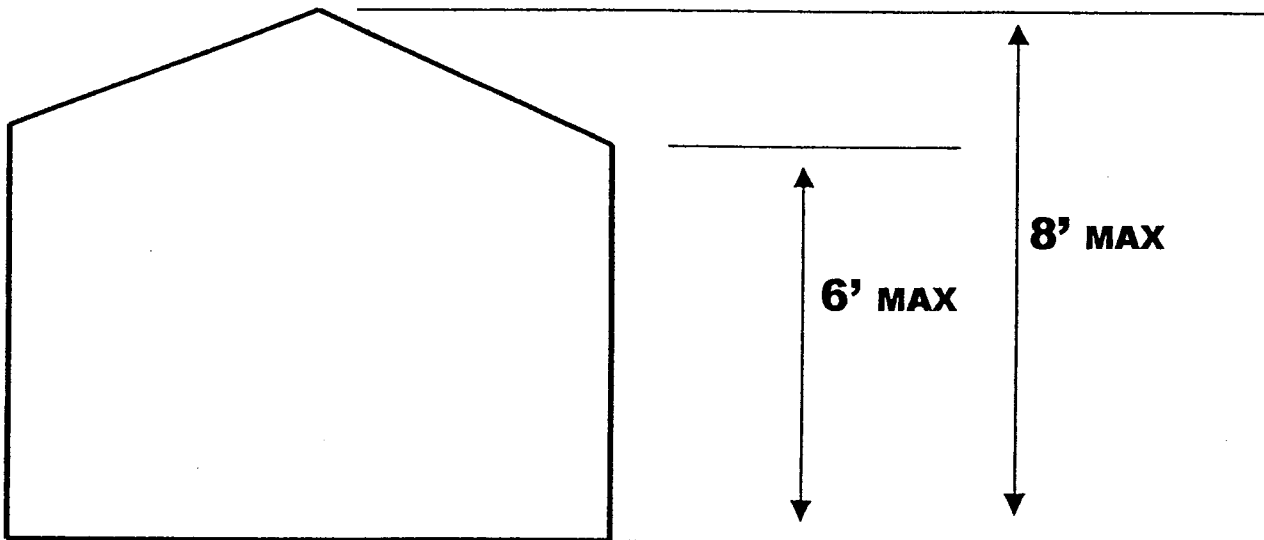
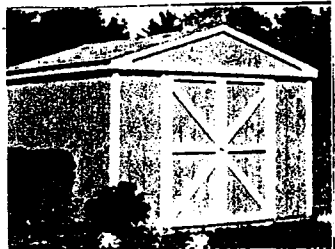
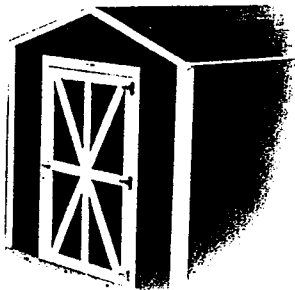
Revised this 12th day of August, 2002



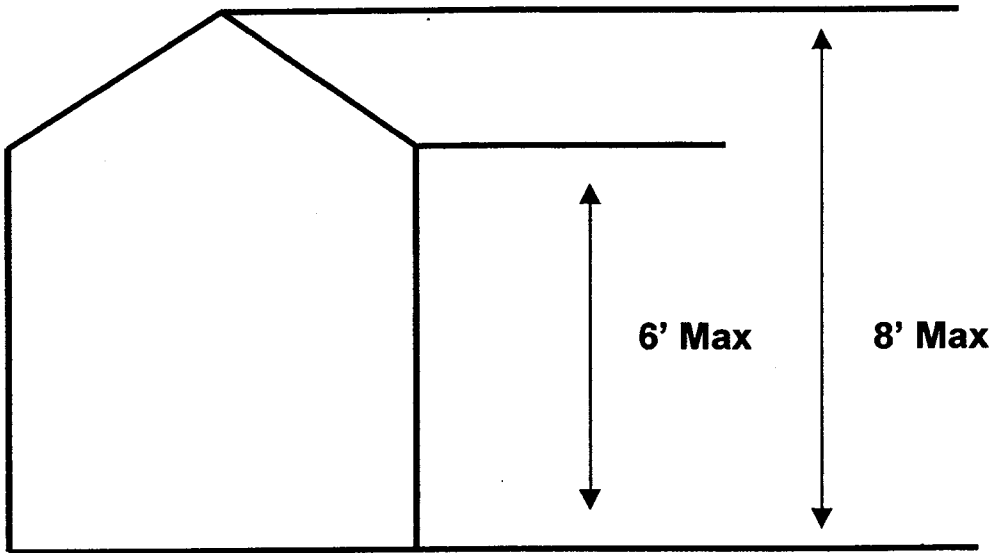
Troy Reingardt, President

Addendum A
Accessory Structures
Page 1 of 1

Foxrun Home Owners Association. Inc.
Approved Freestanding Storage Sheds



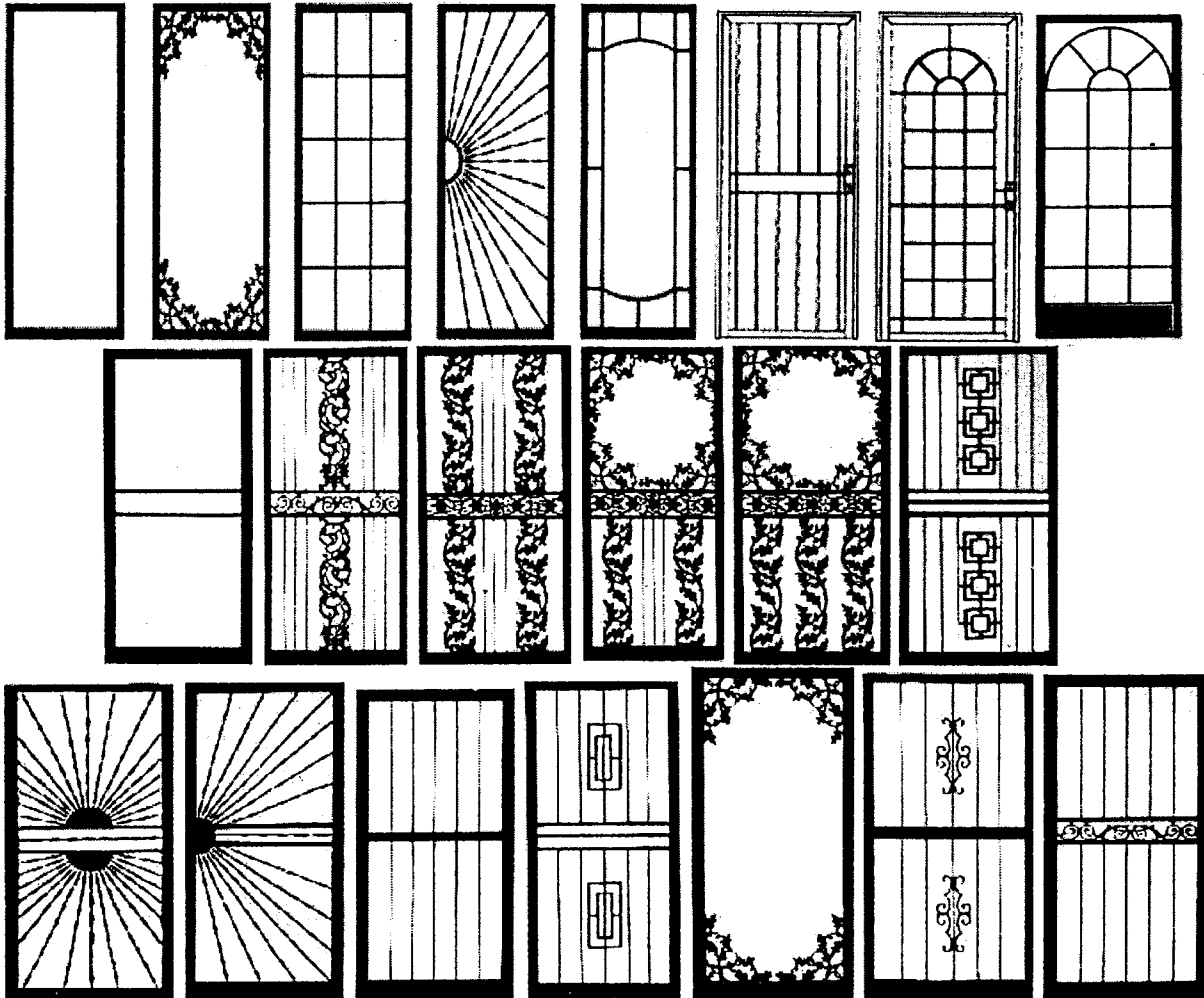
**Foxrun Home Owners Association, Inc.
Approved Freestanding Storage Shed Guidelines**



Maximum size 10'x10'x8' (100 square feet)

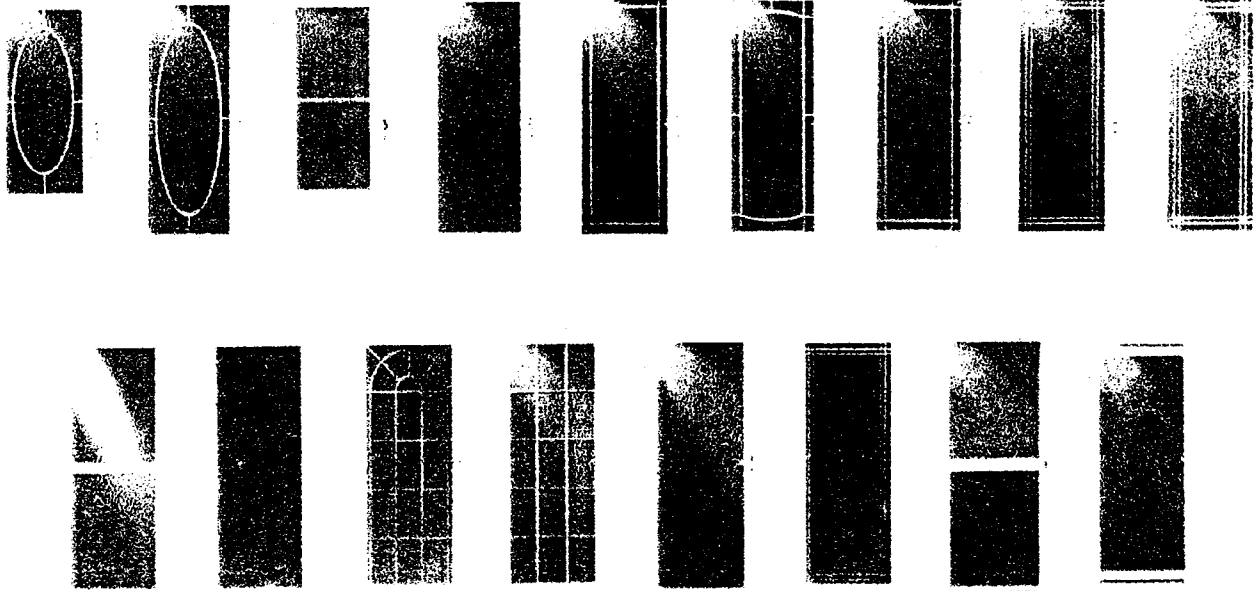
Addendum B
Security Doors / Storm Doors
Page 1 of 2

Security Doors



Addendum B
Security Doors /Storm Doors
Page 2 of 2

Storm Doors should be Full View

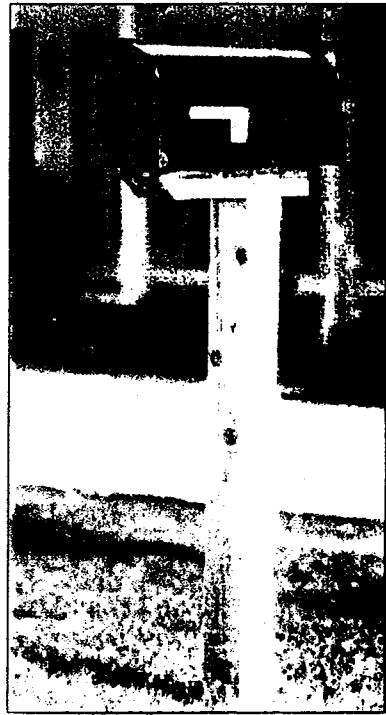
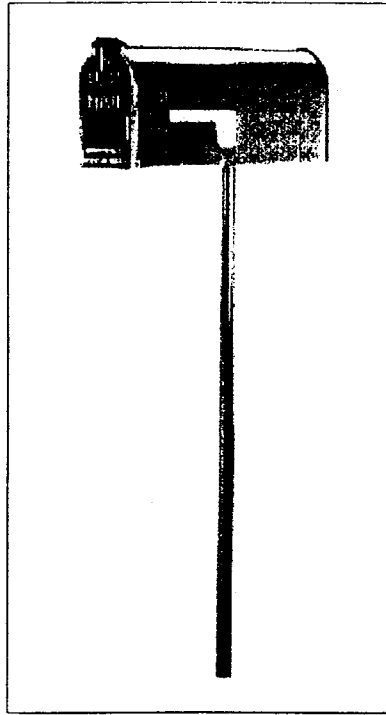
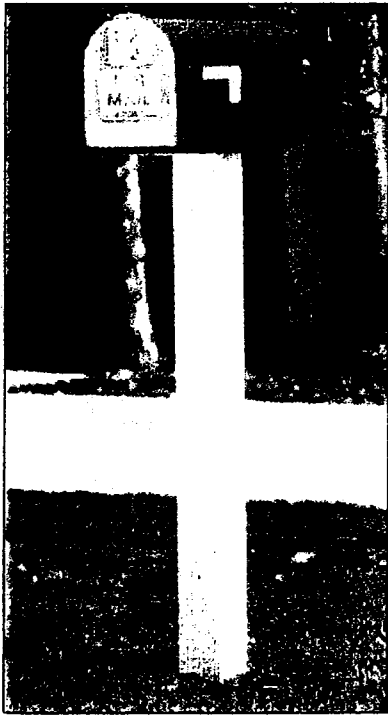


Addendum C

Mailboxes

Page 1 of 1

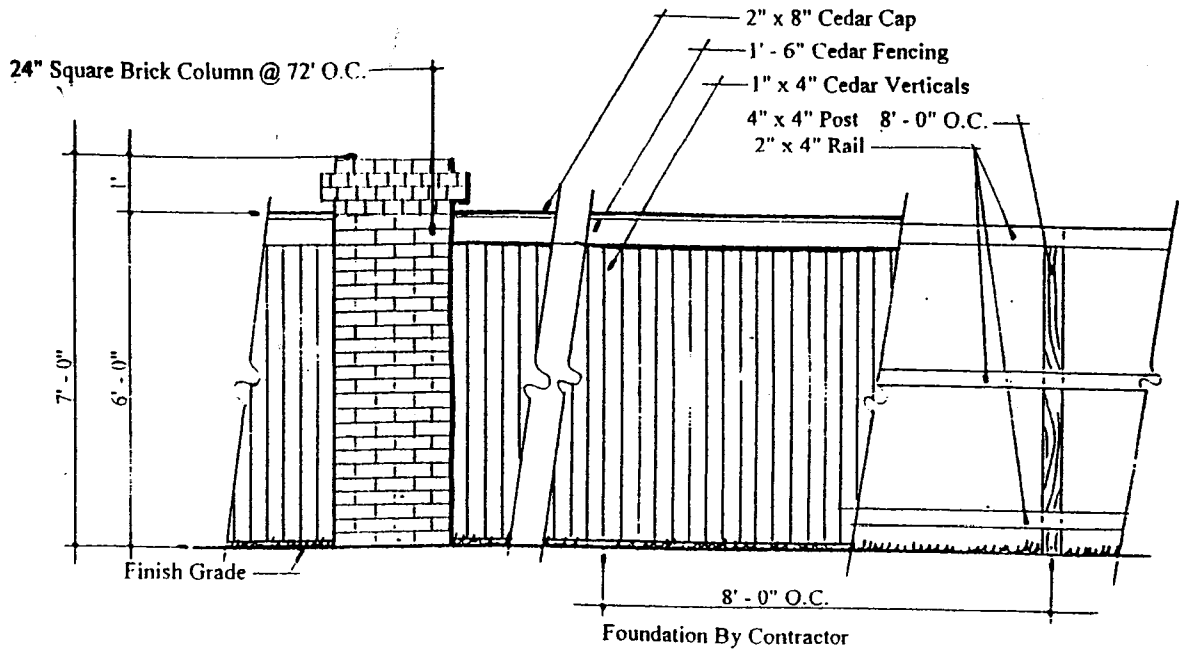
Fox Run Owners Association, Inc.
Approved Mailboxes/Posts



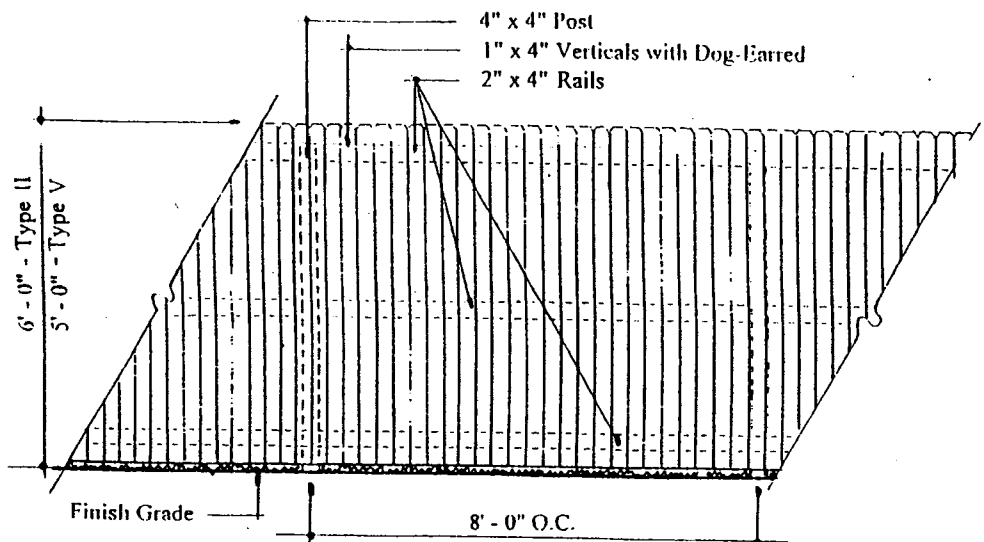
Addendum D

Fencing

Page 1 of 2



Fence Type I: 6' Cedar Fence with Brick Columns
Used on the Perimeter of Fox Run along the E. 104th Avenue and E. 112th Avenue frontages, and along Fox Run Parkway when contiguous to lot lines.



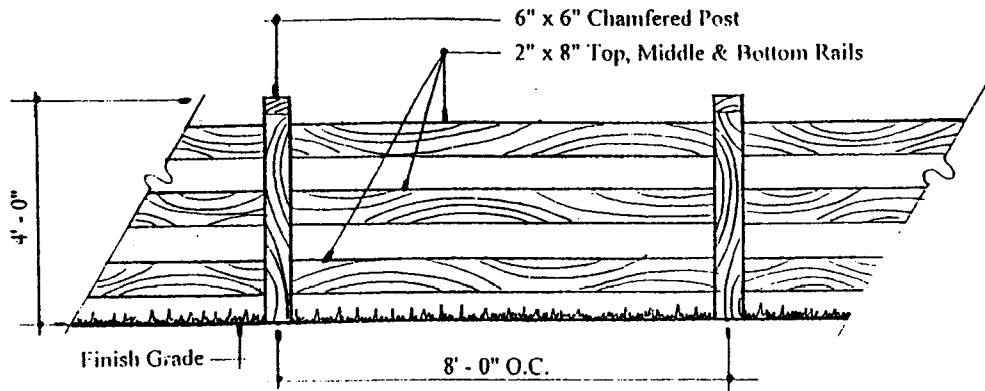
Fence Type II: 6' Cedar Fence
Used only on the Perimeter of Fox Run not fronting on E. 104th Avenue and E. 112th Avenue.

Fence Type V: 5' Cedar Fence
Optional fencing utilized on private property lines not contiguous to openspaces.

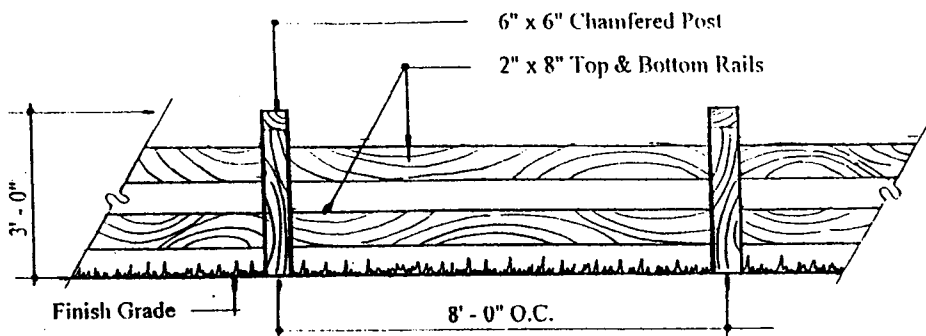
Addendum D

Fencing

Page 2 of 2



Fence Type III: 4' 3 Rail Fence
Used along lot lines contiguous to openspaces.



Fence Type IV: 3' 2 Rail Fence
Optional fencing utilized on private property lines
not contiguous to openspaces.

Addendum E
Kimblewyck Village Fencing & Landscaping
 Page 1 of 3



Kimblewyck Village
 Design Guideline for Fencing and
 Landscaping on Private Street (I)

5 Foot Tall Wood "Wing"
 Fence with Gate -
 One Side Only

5 Foot Tall Wood Fence
 in all Other Locations

Optional Fencing and Gate

Required Angled Fencing
 to Provide for Sight
 Triangle to Street

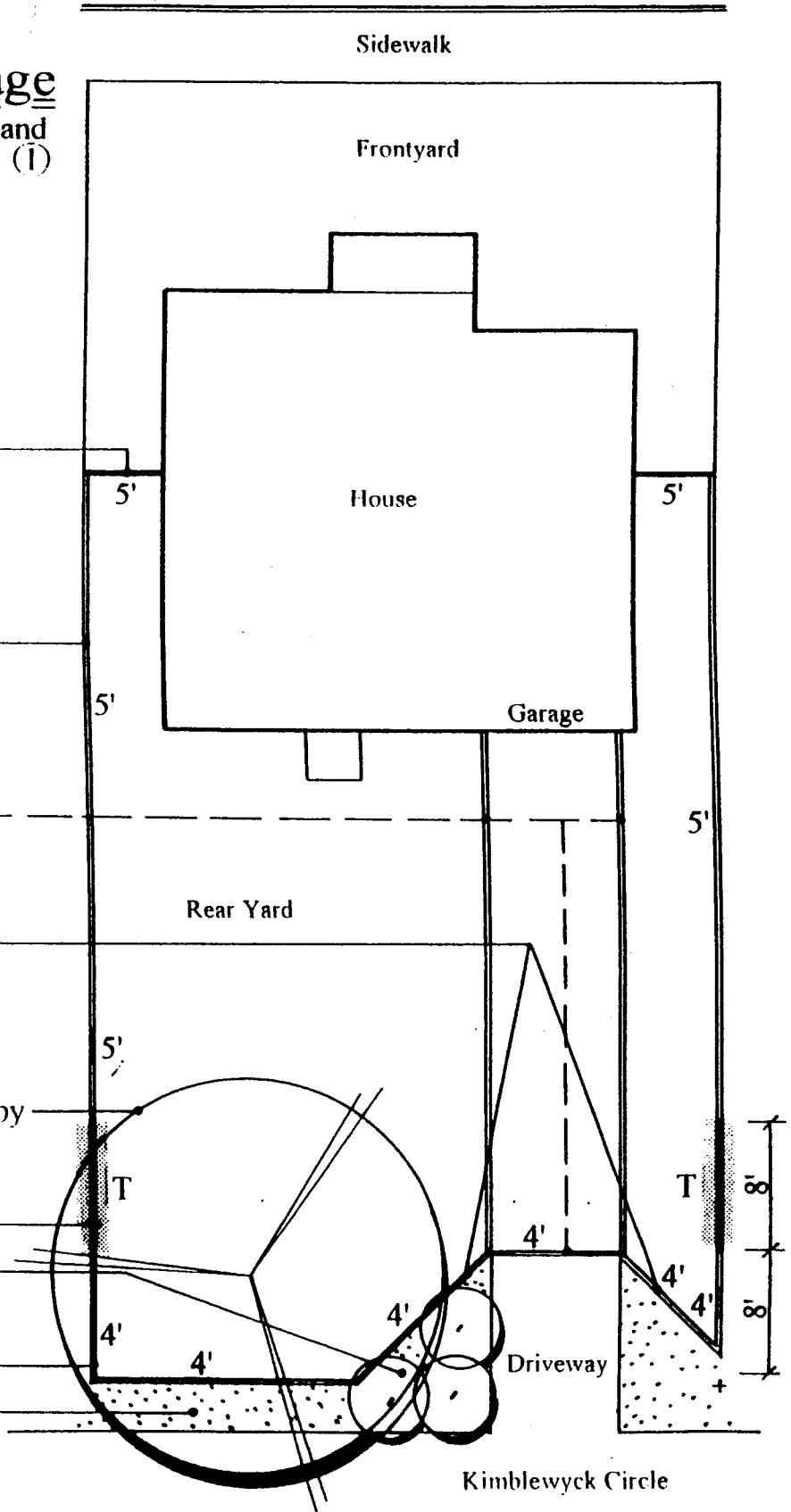
Shade Tree - to Provide Canopy
 and Visual Interest as
 part of "Streetscape"

Transitional Fence Section

Shrubs - no taller than 36
 inches - to Provide Visual
 Interest on Street

4 Foot Tall Fence

Rock



Kimblewyck Circle

Addendum E
Kimblewyck Village Fencing & Landscaping

Page 2 of 3



Kimblewyck Village

Design Guideline for Fencing and Landscaping on Private Street ②

5 Foot Tall Wood "Wing" Fence with Gate - One Side Only

5 Foot Tall Wood Fence in all Other Locations

Shrubs - no taller than 36 inches - to Provide Visual Interest on Street

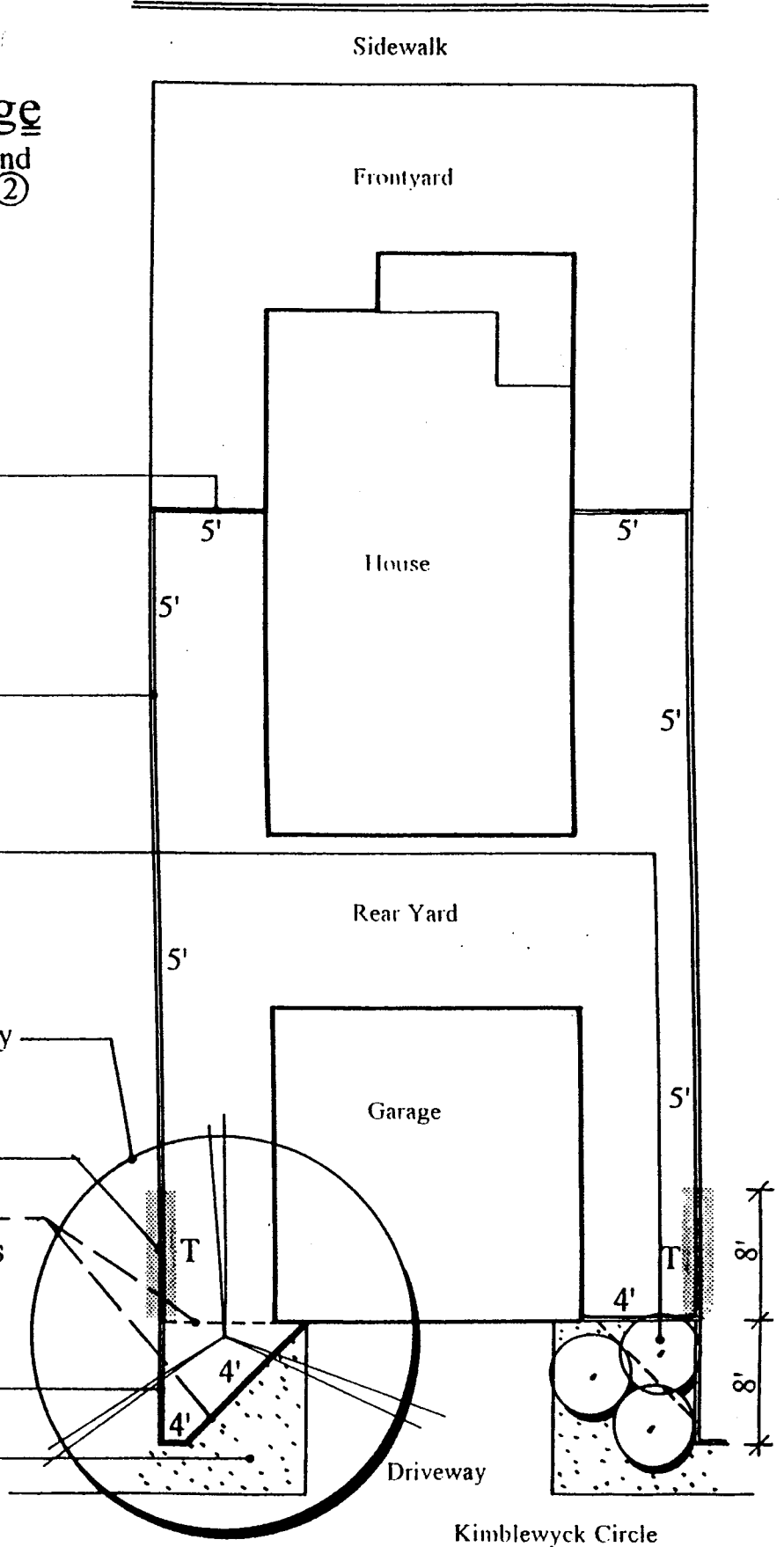
Shade Tree - to Provide Canopy and Visual Interest as part of "Streetscape"

Transitional Fence Section

Optional Straight or Angled Fence Alignment on both sides to Preserve Sight Triangle to Street

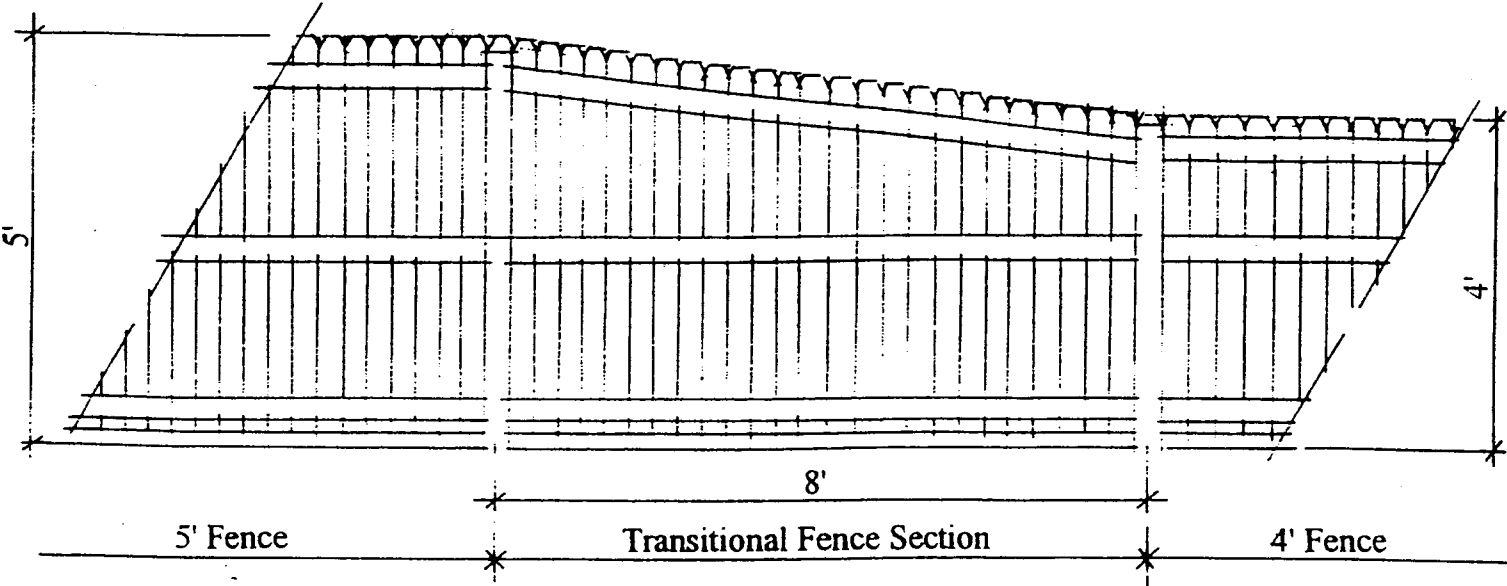
4 Foot Tall Fence

Rock



Addendum E
Kimblewyck Village Fencing & Landscaping

Page 3 of 3



Kimblewyck Village
Transitional Fence Section