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HIGHLAND MEADOWS
SUMMIT COUNTY
COMBINED ARCHITECTURAL AND DESIGN GUIDELINES
MAY 2001

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I. BACKGROUND AND STATEMENT OF INTENT

Highland Meadows Subdivision is a Planned Unit Development (PUD) being developed by Farmers Korner, Inc. The neighborhood is like nothing else in Summit County. The area is enriched by the pine forests and the mountain wildflowers of the adjacent U. S. Forest Services property, natural wetlands, and views of the beautiful Lake Dillon.

Farmers Korner Inc. desires to protect and maintain Highland Meadows Subdivision as a mountain residential area of high quality and value for the purpose of enhancing and protecting the value, desirability, and attractiveness of the property, to provide a rural, low density character, preserving open meadows and wetlands, insofar as practical, with compatibility of the surrounding forest lands, mountains, and lake views.

For the thirty new Highland Meadows Subdivision homesites, harmony with the surrounding environment will be paramount. The intent of these regulations is that the homes be indigenous to the physical and historical context of the area; that they incorporate native and natural materials, simple forms, sensitive siting and in general be unassuming in character. It is intended that the buildings not compete with each other, or assert themselves at the expense of the neighboring homes, but rather relate to each other to form a harmonious community which shares and supports a common interest and appreciation of a most unique environment.

These Architectural Design Guidelines are intended to focus on design form and character that will complement the natural environment of the community. The Architectural Design Guidelines seek to create a quality living environment of enduring value by:

*Design continuity throughout the community
Consistent quality standards
Integrated house, streetscape and community design
Protection of the natural site features*

The standards, procedures and information that follow are intended to formulate and define the means by which homes can be built at Highland Meadows Subdivision in a manner in which they will be compatible with each other and the very unique setting. The standards will be the criteria for judgement by the Committee and form the basis of control imposed by it. Compliance with the spirit of these standards is crucial to the mutual enhancement and protection of the qualities of Highland Meadows Subdivision, and to Farmers Korner, Inc.'s commitment to the preservation of this ruggedly handsome area.

Highland Meadows Design Guidelines have been created to provide direction to Owners for the improvement of their properties, to establish thresholds for design quality and the suitable application of materials and to insure sensitivity to each site's environment and its neighbors. These guidelines constitute the standards and requirements to which each Owner must adhere, subject to waivers or variances granted by the Review Board.

These Design Guidelines are promulgated by the Review Board in accordance with the Declaration of Land Use Restrictions for Highland Meadows Subdivision (the "Declaration"), and pursuant to the authority granted therein to the Board of Directors of Highland Meadows Property Owners' Association, Inc. (the "Association").

To ensure the preservation of the native forest, meadows and wetlands for the enjoyment of all residents of Highland

Meadows, the concept of a maximum allowable building area, called the "Building Envelope" has been developed. The preservation of the native environment is a fundamental principle of The Highland Meadows, and to that end, the "Building Envelope" is that portion of each lot within which all development activity must occur. It is expected that the design of each residence will evolve from and be tailored to the unique features of its specific Lot, incorporating studied consideration of existing slope, vegetation, views and prominent site features. To that end, a comprehensive design review process (the "Design Review Process") has been established, encompassing the following five phases:

1. The Pre-Design Conference, during which each Owner along with his architect may review their ideas and the natural aspects of the Lot with a representative of the Review Board before any plans are prepared. It is preferable that this meeting take place on site whenever possible.
2. The Preliminary Submittal, at which time the Review Board can review conceptual plans to ensure conformance with these Design Guidelines before the Owner finalizes his design.
3. The Final Submittal, at which time the Review Board can review final construction documents to confirm that they are consistent with the previously approved preliminary plans.
4. The Pre-Construction Conference, during which a representative of the Review Board may review the construction regulations with each selected builder to ensure understanding of, and future compliance with, these regulations.
5. The Final Inspection of the improvements by a representative of the Review Board to determine whether actual construction has been completed in strict compliance with the approved plans, approved changes, and these Design Guidelines.

The Design Review Process was developed to provide adequate checkpoints throughout the design and development phases, so that time and money are not wasted on plans and designs which do not adhere to the Design Guidelines or to the overall design principles of The Highland Meadows, or which may be inappropriate or of improper configuration for their specific Lot settings. Therefore, it is extremely important that the design steps of the Design Review Process be followed in their entirety, and in correct sequence. This process is a proven and streamlined one and will not result in time delays, provided each Owner, Architect and builder performs in the spirit with which the Design Guidelines are intended, namely, a site-sensitive approach to the development of his Lot within this unique community.

It is required that an Owner retain competent professional services of a licensed architect for planning and design to ensure a thorough analysis and understanding of a particular Lot and the Owner's special needs and living patterns, as well as to provide the ability to communicate to the Review Board the concept and design of a proposed residence or improvement. The architect may act as a design consultant to others preparing the drawing materials, but all submittals and communication during the approval process will be with a licensed architect.

The Design Review Process is intended to operate sequentially with the plan review process required by Summit County for obtaining a building permit. An application for a building permit should not be submitted to the Summit County prior to confirmation of Final Design Approval by the Review Board. However, Highland Meadows Design Review Process is independent of the Summit County's technical plan review process and design review process and is solely intended to enforce Highland Meadows Design Guidelines. Therefore, each Owner or Owner's agent shall bear the responsibility for the proposed improvements adherence to the Summit County's design, zoning, and building code standards.

No building, fence, wall or other structure or improvement of whatever type shall be commenced, erected or maintained on any Lot (except for initial construction on the Common Elements by the Declarant or Declarant's successors), nor shall there be any addition to or change to the exterior of any residence or other structure or improvement upon a Lot or the landscaping, grading or drainage thereof, including, without limitation, the painting (other than painting with the same color of paint as previously existed) of exterior walls, patio covers and fences, except in compliance with plans and specifications therefore which have been submitted to and approved by the Review Board in accordance with the Design

Guidelines as to harmony of external design and location in relation to surrounding structures and topography.

Plans and specifications shall be approved by the Review Board as to style, exterior design appearance and location, and are not approved for engineering design or for compliance with zoning and building ordinances. and by approving such plans and specifications neither the Review Board, the members or agents thereof, the Association, the Board of Directors of the Association nor the Declarant assumes any liability or responsibility therefore, or for any defect in any structure constructed from such plans and specifications. Approval of plans and specifications by the Review Board is not, and shall not be deemed to be, a representation or warranty that said plans or specifications comply with applicable governmental ordinances or regulations including, but not limited to, zoning ordinances and building codes.

The reconstruction by the Association or the Declarant after destruction by casualty or otherwise of any Common Elements which is accomplished in substantial compliance with "as built" plans for such Common Elements shall not require compliance with the provisions of these Design Guidelines.

Defined terms used herein, if not otherwise defined in these Design Guidelines, shall have the meanings set forth in the Declaration.

II. GRANTING CLAUSE

Under the terms of the First Amended Declaration of Protective Covenants for Highland Meadows Subdivision (hereafter called "Declaration"), the Architectural Review Committee (hereafter called "Committee") does hereby establish these Architectural Design Guidelines pursuant to Article II of the Declaration. Copies of the most recent Architectural Design Guidelines may be obtained from the Declarant, Farmers Korner, Inc., P. O. Box 1005, Frisco, Colorado 80443. The Declaration will control if there are any discrepancies between these Architectural Design Guidelines and the Declaration.

III. GENERAL PURPOSES

These Architectural Design Guidelines are made by the Committee for the purpose of maintaining standards for the development of the land involved. The purposes also include guarding against unnecessary and unreasonable interference with the views, natural beauty and ecological integrity of the land. Development of the land is also subject to the zoning and planning regulations of Summit County, Colorado, and to applicable federal, state and county statutes, rules and ordinances.

Although final judgment of any submission must remain the discretionary opinion of the Committee, the Committee will be guided in its decisions by the Architectural Design Guidelines. These Architectural Design Guidelines may be changed from time to time as the Committee deems necessary or appropriate.

IV. DEFINITIONS

- A. *"The Architectural Review Committee" or "Committee" is established and empowered in the Declaration. Article 11 is the primary part of the Declaration which defines the rights of the Committee.*
- B. *"Declarant" means Farmers Korner, Inc., its successors and assigns.*
- C. *"Improvement" shall mean any house, porch, patio, excavation, landscaping, or any other structure of any kind or exterior addition to or change or alteration thereto.*

D. *"Lot" has the meaning given to that term in the Declaration.*

E. *"Owner" has the meaning given to that term in the Declaration.*

Any other capitalized terms used in these Architectural Design Guidelines that are not defined herein, have the meanings given to them in the Declaration.

2. SITE PLANNING AND LANDSCAPE GUIDELINES

The climate, terrain, and existing vegetation at Highland Meadows are all important factors which must be considered in the design of any improvements to properties within its borders. It is the intent of the following guidelines to ensure environmentally sound and aesthetically pleasing development at Highland Meadows for the mutual benefit and enjoyment of all its members. New landscaping should provide screening for privacy and aesthetic appeal. Professional assistance is suggested.

2.1 BUILDING ENVELOPE AND SETBACKS

The Building Envelope is that portion of each lot within which all improvements, including structures, decks, walks, landscaping, and any construction disturbance must be located, and is the only area of the lot where alterations of or disturbance to the natural landscape may occur. The specific Building Envelope for each lot has been determined by the Declarant and Summit County on the recorded plat, whichever applies to the particular lot. All improvements to a lot must be contained within its established Building Envelope except for parking and a single driveway access no wider than fourteen feet crossing the front setback or a private access easement.

2.2 SITE WORK

No excessive excavation or fill will be permitted on any Lot except where specifically allowed by the Review Board due to terrain considerations: every attempt should be made to balance cut and fill with minimal use of retaining walls and engineered building pads.

No clear cutting of any Building Envelope or Lot will be permitted; however, it is understood that some selective pruning or removal of trees and shrubs will be necessary for the development of a wooded Lot. The retention of trees over 4 inches in diameter or over 30 feet in height is strongly encouraged. Any cutting of trees or vegetation must first be approved by the Review Board with the following exceptions; the pruning of dead limbs, removal of dead trees, and the cutting and removal of trees with a trunk diameter of 4 inches or less which are bowed, leaning, severely misshapen, diseased, or sparsely foliated. Cutting as required by the Red, White and Blue Fire Protection District for fire mitigation is also exempt.

2.3 GRADING AND DRAINAGE

Site grading and drainage must occur with minimum disruption to the Lot, without altering natural drainage patterns as runoff leaves the Lot, and without causing, conditions that could lead to unnecessary soil erosion, slippage or subsidence. Residential designs for hillside Lots (having a variation of natural grade elevation in excess of five vertical feet across the footprint of a proposed structure), must incorporate slope considerations into the design solution, so that the proposed structure terraces or steps with the natural slope. Artificial benching of sloped sites to create an engineered pad to accommodate a "flat lot design" is strongly discouraged.

Surface drainage upon and across any Lot must be addressed through the implementation of sound construction and

grading practices. Existing points of entry and exit to and from a Lot by historic surface drainage must be respected. Any improvement which creates an obstruction to surface flows resulting in a back-up of water onto a neighboring Lot or tract is strictly prohibited. Ground floor levels should be established at a vertical elevation such that final placement of backfill, walks, drives, and porches will produce a positive drainage away from the structure in all directions.

The inclusion of foundation waterproofing and a perforated pipe foundation drainage system are recommended along uphill and sidehill foundation walls on hillside Lots. Consultation by a professional soils engineer is advised for assessment of unusual or irregular soils conditions encountered.

D. Grading, Dimensions, Elevations and other Information Submitted By An Owner

Any Owner submitting plans for preliminary or construction document approval to the Committee 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.

2.4 ACCESS DRIVES

Each lot may be accessed by a single driveway only. Access drives shall be located to preserve and avoid important natural features, such as large or significant plant materials, drainage ways, rock outcroppings, so as to minimize disruption of the existing landscape. Use of switchback driveways crisscrossing the lot should be avoided. Grading of driveways shall not exceed 8% maximum and shall provide twenty feet minimum, not to exceed 4% grade at junctures with the road serving the lot.

The graded or paved surface of an access drive shall not exceed 14 feet in width where it crosses the road right-of-way and the front setback of the lot. Driveways and/or parking surfaces may not encroach into any side setback without specific approval of the Review Board: some limited encroachment may be considered where unique terrain, vegetation constraints, or limited lot width may warrant. The proposed driving surface is subject to approval by the Review Board.

2.5 ON-SITE PARKING

Each single-family residential dwelling shall provide an enclosed garage space to shelter two conventional automobiles, and sufficient driveway space for the parking of two guest automobiles. Homeowners who possess trucks, buses, motor homes, campers, boats, boat trailers, motorcycles or any other motorized vehicle other than a conventional automobile, must store or park such vehicles within an enclosed garage so as to be completely hidden from view. The parking of a guest's motor home or other large recreational vehicle outside on any Lot is limited to 72 hours at a time, and such vehicles shall not be used for on-site camping.

No on-street parking will be permitted at Highland Meadows.

2.6 UTILITIES

Utility services are stubbed to the property lines of each Lot. Water, electric, telephone and cable television service locations are clustered (usually with those of one adjacent Lot) in a utility easement located near one of the front corners of each Lot. The sewer service extension is stubbed to the property line which lies closest to the service main. The natural gas service extension is stubbed to the front property line away from the aforementioned corner cluster. The extension of services from these stub locations to the residence shall be the responsibility of each Owner, and shall be routed to minimize disruption to the natural landscape. As a general rule, utility trenches may not encroach into any required setback except where they cross the front setback between the service tap and the Building Envelope. All disturbed areas of the site must be restored to their natural condition as nearly as possible. Information regarding current tap and service fees, as well as

connection procedure, may be obtained by contacting the respective utilities, Breckenridge Sanitation District or the Summit County.

2.7 WALLS AND FENCING

Site walls or fences must appear as a visual extension of the residence, using similar materials and finishes. In no case will site walls or fences be permitted to arbitrarily delineate the Building Envelope, although it is understood that such walls or fences may define pet runs or small yards, courtyards or terraces in close proximity to the residence for the purpose of privacy. Privacy or screen walls must not exceed six feet in height, measured from existing natural grade, and they may not encroach into any required setback. Fencing is generally prohibited by the PUD except for dog runs.

Retaining wall shall be constructed of either Wolmanized timbers (brown color only), indigenous boarders, drystack stone, or walls with stone veneer. Such walls shall be engineered by a registered professional engineer with acknowledge expertise engineering.

Such retaining walls shall not exceed two (2) courses with a maximum height per course of four (4) feet where each terrace shall have minimum width of four (4) feet with a maximum slope of 3:1. Such terrace shall be landscaped and irrigated as per a landscape plan approved as part of any site plan or subdivision application that includes such walls.

2.8 MECHANICAL EQUIPMENT

No roof mounted or wall mounted mechanical equipment will be permitted. Any exterior mechanical equipment utilized must be ground mounted adjacent to the residence and must be enclosed by walls or fencing of sufficient height and density to screen the equipment from view and to buffer sound as well.

2.9 STORAGE TANKS

All fuel tanks, water tanks or similar storage facilities must be shielded from view by walls or structure or installed underground.

2.10 ANTENNAS AND SATELLITE DISHES

Antennas are not allowed. Television reception is available via a central cable system and by satellite dish. Owners desiring a supplemental dish or receiving device must first obtain approval of the Review Board.

2.11 SIGNAGE

No sign or signs shall be displayed to the public view from any Lot except that:

1. The general contractor of a marketed home may, with the consent of the Review Board, continue the display of his construction sign, for advertising and sales purposes after construction has been completed, until such time that a contract for sale has been executed;
2. Individual Lot Owners may, with the consent of the Review Board, display a single tasteful "for sale" or "for rent" sign, no larger than four (4) square feet;
3. Signs indicating security protection shall be permitted, with the consent of the Review Board, provided that such signs are ground or wall mounted, no larger than one (1) square foot, limited to two (2) per Lot (one for the front yard and one for the rear yard);

4. Development-related signs owned and erected by the Declarant shall be permitted.

Signs for temporary single events, such as a garage sale sign, may be permitted for a specific period of time, upon approval by the Review Board of a written request by the Owner describing the nature of the sign and the requested time period of display.

All permitted signs, regardless of type, are subject to the approval of the Review Board for style, design, color, text, location, and duration of exhibit, prior to their placement for display. Any other signs are prohibited and will be removed.

Address number signage is limited to 6" high numbers with no street names included. Addresses may be located near the driveway intersection with the street on monuments appropriate to the particular site. Content of the signage is subject to review and approval by the Review Board on a case by case basis. Lighting is permitted by an approved fixture.

2.12 LIGHTING

No additional lighting by an owner may occur adjacent to the right-of-way without approval of the Review Board.

Site lighting is permitted within a Building Envelope, provided such lighting does not result in excessive glare toward the street or neighboring properties. An exterior lighting plan must be submitted for approval by the Review Board. All exterior lighting must be downlighting, and the light source should not be visible. When pole mounted, the light source must be within eight feet from the ground. All such pole-mounted light sources are subject to Review Board approval.

2.13 SWIMMING POOLS AND SPAS

Swimming pools and spas, if any, must be designed as a visual extension of the residence through the use of walls or courtyards and must be shielded from view. All pools and spas must be constructed according to Summit County regulations.

2.14 TENNIS AND SPORTS COURTS

Due to the extensive clearing required by tennis courts and other sports courts, such courts will not be permitted. Wall-mounted or free standing basketball goals may be allowed subject to Review Board approval. Support posts and the back of the backboard of a freestanding basketball goal shall be painted to blend unobtrusively with its visual backdrop surroundings.

2.15 TRANSITIONAL AREA

The transitional area is that area within the Building Envelope, but outside the residence or site walls, within which an Owner may enhance the landscape and provide a "transition" from the forest floor to the residence, if desired. Minor alterations to the natural landscape are allowed within this area in addition to the use of plants found in Appendices A, B and C of these Design Guidelines. The plants from Appendix C should be planted near the residence and be provided supplemental water via drip irrigation system. In order to create a gentle transition to the natural forest floor, irrigation should be discontinued as the distance from the residence increases, and plant groupings from Appendices A and B should be utilized. All landscaping employed in the front setback to define the entry drive must be limited to an area no wider than five to six feet along each side of the driveway surface, and must stop at the front property line. Additional plant material, not included in Appendices A, B, and C, are subject to the approval of the Review Board.

Care must be taken during the siting of a residence on the lot to allow for perimeter landscaping, to occur, if desired, without necessitating encroachment into required setbacks.

2.16 APPROVED PLANT LIST

The Review Board has approved a list of plants and trees deemed to be inherently compatible with the natural Highland Meadows landscape, including indigenous and nonindigenous species. Such plants are listed in Appendices A, B and C of these Design Guidelines, and landscaping of any transitional area is expressly limited to these species. Large areas of lawn are discouraged.

2.17 PROHIBITED PLANT LIST

The plant materials set forth in Appendix D of these Design Guidelines includes species which are potentially destructive to the native landscape of Highland Meadows, and are strictly prohibited.

2.18 LOT RESTRICTIONS

Except for compounds, resulting from the combined development of two or more lots, no more than one (1) residential structure may be constructed, provided they are a visual extension of the main residence. Such "complexes" are subject to approval by the Review Board.

2.19 ORNAMENTATION

"Ornamentation" is something that lends grace or beauty but is an embellishment not essential to the integrity of the house or lot. Ornamentation includes but is not limited to statuary, play equipment, and lawn decorations.

Ornamentation within the building envelope shall be permitted, subject to the conditions set forth below.

1. If the ornamentation is a permanent part of the exterior of a structure or the lot, it must be shown on all plans to be approved by the Design Review Board. If permanent ornamentation is to be added to a structure or to the landscaping of a lot already approved by the Design Review Board or already completed, the addition of that ornamentation shall be treated as an improvement or improvements under paragraph -5.12, "Subsequent Changes, Remodels, Additions" and subject to the requirements of that paragraph.

2. No ornamentation, permanent or non-permanent, will be permitted outside of the building envelope. This prohibition does not preclude placing outside of the building envelope permanent monuments made of stone or wood and lighting for a driveway entrance as set forth in Paragraph 2.12, provided that the monuments are not ornamented, natural in appearance, compliment the existing structure, and are approved in advance by the Design Review Board.

3. The Design Review Board may, if requested by one or more members of the Association, require the relocation or, if absolutely necessary, the removal of non-permanent ornamentation.

3. ARCHITECTURAL DESIGN STANDARDS

VI. ARCHITECTURAL STANDARDS

All design requirements set forth within this section shall be incorporated into the construction document review submittal in the form of general notes, details or drawings.

A. Professional Design Assistance

It is required that all Owners engage a licensed architect, familiar with mountain home design, for the design of their residences. It is further required that the architect personally visit the Lot prior to the submission of the Schematic Design Statement of Intent.

"Off the Shelf" or stock plans are not acceptable design solutions for improvements on Highland Meadows Subdivision lots.

Repetitive use of the same plan shall not be allowed at Highland Meadows Subdivision.

B. Design and Configuration

1. *The design of individual residences shall reflect the Upper Blue Basin's mining and ranch history. It is intended that the design of the homes and improvements be as indigenous to the physical and historical context of Highland Meadows Subdivision and the mountain region as possible. This generally requires the incorporation of native and natural materials, simple forms, sensitive and, generally, an unassuming character. It is intended that the buildings not compete with each other or call attention to themselves at the expense of the neighboring homes and natural setting.*

2. *Special consideration will be given to the siting of the building with emphasis on the relationship to existing grades; preservation of natural site features, drainage patterns, trees, and plants; and the relationship to the neighboring lots and vistas. Site disturbance shall be minimized.*

3. *The residences shall have exterior elevations, roofs and details that are coordinated and consistent in their architectural treatment. Care shall be given to proportion, scale and massing qualities.*

4. *Roof forms shall utilize the gable configuration with sheds and dormers as complimentary form devices. Mansard, Gambrel, and A-Frame roof forms are not permitted. Flat roofs may be used for linking purposes and as a minor design element, or in sod roof applications.*

5. *"Street-oriented" facade design or "theme" design transplanted from another time or area, such as Chalet, Hacienda, Colonial, Tudor will not be permitted.*

The following architectural standards have evolved in response to climate and aesthetic considerations at Highland Meadows. It is the intent of these standards to evoke a sympathetic response to the character of this high forest region, promoting architectural design that is compatible with natural landscape and is environmentally sound. Designs which convey a custom or unique solution are encouraged. Solutions which reflect suburban tract home development character are not allowed.

General design considerations should include:

1. To prevent a boxy appearance of a residential structure, avoid long (and high) unbroken expanses of wall. Offsets or indentations in wall planes create visual interest, add depth via shadow lines, and in some cases, create shelter (through the inclusion of an entry niche or a covered porch, for example).

2. Two or three exterior materials in combination create added interest, but don't get carried away - too many different materials become overly busy and incoherent. Transition from one material to another at an inside corner only.

3. Added detail on the exterior of a home creates added appeal. The use of exposed beams, outriggers, or non-traditional trim widths and/or thicknesses can give a home its own unique personality.

4. Attention to window placement and their relationship to one another can enhance an elevation. Windows in combination are generally more appealing than a number of individual single units, and repetition of consistent sizes and types is better than an unrelated assortment of window units. Except for stacked window arrangements, head heights should be consistent at each story, and vertical alignment of window units or their edges is preferred in a two-story wall. Finally, windows can be used to add to the detail of the home, through the use of divided light units, or through the creative composition of units.

5. Finally, draw upon the variety of traditional design styles which exist throughout Summit County - western ranch styles, log homes, craftsman bungalows, mining and ranching history of the Upper Blue River Area - enduring styles which can be imitated or adapted.

3.1 SIZE

Except for accessory apartments, i.e. caretaker quarter, it is expected that residences will exceed 2,500 square feet of living area, except and unless there are special circumstances or unique design solutions, which can only be approved by the Review Board.

3.2 PREFABRICATED BUILDINGS

No building that is constructed off-site and requires transportation to any Lot, whole or in partial assembly, will be permitted: this includes mobile homes, stock modular buildings, or any other structure requiring transportation and set up in a partially completed state. However, structures that are assembled off-site and completely disassembled for transportation, including log cabins or custom designed modular buildings, may be permitted. The aesthetic merits of any such structures are subject to review and approval by the Review Board.

3.3 HEIGHT OF STRUCTURES

All residences at Highland Meadows will have pitched roofs with a minimum pitch of four feet in twelve and a maximum pitch of twelve feet in twelve; however, up to 1/3 of the horizontal roof area of any residence may be flat. In general, steeper pitched roofs, 8' in twelve or more are preferred to fit in with the mountain setting.

C. Building Height and Massing

Pursuant to the Highland Meadows Planned Unit Development Designation, the zoning for Highland Meadows Subdivision, the maximum building height permitted for lots is thirty feet; (30'-0") as designated on the Plat map; certain of the lower lots fronting Highway 9 (Numbers:---) are subject to further possible restriction by the Upper Blue Planning Commission of Summit County upon submission for site plan approval and are calculated as follows:

The highest and lowest elevations of a building's foundation shall be determined, and the average between these elevations calculated. Foundation elevations shall be measured at the point the foundation intersects the natural/existing grade, prior to any site disturbing activities and excluding any berming against exterior walls. The difference between the average foundation elevation and the highest roof elevation shall be

calculated. The difference shall not exceed thirty feet (30'-0"), except for chimneys and vents, which may exceed by ten percent (10%) the maximum height allowed.

Flat roof parapets shall not exceed 22 feet in height from adjacent natural grade. Mansard roofs are prohibited. Use of pre-engineered flat-chord roof trusses throughout a structure are prohibited.

3.4 FOUNDATIONS

3.5 EXTERIOR MATERIALS

There exists many traditions in high country architecture which will be encouraged at Highland Meadows, along with certain regional adaptations. Exterior materials should generally be natural materials that blend and are compatible with the native landscape. The predominate exterior materials will consist of wood or native stone, including shingles, beveled or tongue-in-groove, board-on-board, and board and batten siding. Plywood or synthetic sidings such as aluminum, vinyl and fiberglass products are prohibited. Alternative composite materials are subject to Review Board approval.

If wood siding is to be utilized, a sample of the material being proposed needs to be submitted for approval. Siding materials must meet the following quality standards:

Type	Thickness	Grade
Shiplap	3/4" minimum	select knotty
T & G	3/4" minimum	"A" or better
Board and Batten	3/4 " minimum	STK
Channel Rustic	3/4" minimum	STK
Lap or Bevel	7/8" minimum	"A" or better

Midwestern red cedar or redwood is the preferred species. All dimensions are actual. All materials should be kiln dried and pre-stained on all sides. STK = Select Tight Knot

Synthetic stone products are allowed with Review Board approval. Products must be reflective of native stone materials in thickness and appearance.

As a rule, stucco may be used only as an accent material; the use of stucco as the predominant exterior finish material of any structure is subject to Review Board approval, and will only be considered in tasteful combination with other allowed materials.

The use of brick or textured masonry block is not permitted.

The aesthetic merits of any combination of exterior materials are subject to review and approval by the Review Board in order to maintain the architectural integrity and consistent visual experience of Highland Meadows.

D. Exterior Walls

Large, unbroken planes of a single material must be avoided. Recessed and projecting design elements (i.e. bays, covered entries, chimneys, porches) shall be used to break up the elevations and to create architectural / visual interest.

Building exteriors shall be either painted or stained, and shall be finished so as to be non-reflective. High contrast color schemes are prohibited.

1. *Materials allowed for exterior walls are:*
 - a. *Logs*
 - b. *Heavy timbers*
 - c. *Shakes and shingles*
 - d. *Natural wood siding (beveled, tongue and groove, board and batten)*
 - e. *Native stone (using muted colors)*
 - f. *Stucco, limited to small accent areas only*
 - g. *Other materials may be allowed at the discretion of the Committee.*
2. *Exterior materials not permitted for exterior walls are:*
 - a. *Plywood siding, including T-1 1 1*
 - b. *Metal siding*
 - c. *Composite board/hardboard siding*
 - d. *Ferro cement siding.*
 - e. *Angled siding*
 - f. *Concrete block*
 - g. *Brick*
 - h. *Adobe*
 - i. *Contrasting light or dark grout or mortar*
 - j. *Mirrored or highly reflective glass*
3. *Foundations:*
 - a. *Native stone and river rock are preferred.*
 - b. *Exposed concrete may be used for foundation walls. However, exposed concrete walls may not exceed three feet (3'-0") in height and may be required to be faced with wood, sand blasted, or stained at the discretion of the Committee.*
4. *Finishes:*
 - a. *Transparent finishes that enhance the natural materials are preferred.*
 - b. *Semi-transparent stains, which relate to the surrounding natural coloring are permitted.*
 - c. *All colors shall be reviewed by the Committee to determined the appropriateness for Highland Meadows Subdivision. Natural muted, noncontrasting, colors are preferred.*
 - d. *All exposed metals, sheet metals, or primed woods shall be painted to natural muted, non-contrasting colors.*

3.6 ROOFS

As previously stated, all residents at Highland Meadows will have pitched roofs with the exception that up to 1/3 of the horizontal roof area may be flat.

Other desirable design considerations for roofs include:

1. Ridge line lengths less than 45' maximum.
2. Articulation of expansive roof surfaces through the introduction of dormer windows, or a shed roof "lift" with clerestory windows.
3. Inclusion of consistent substantial roof overhangs at all roof edges (except when a contemporary design style dictates otherwise).

The predominant roof material at Highland Meadows will be heavy weight three-dimensional thick butt asphaltic shingles, in accordance with County Building Codes. Additionally, the Review Board has determined that, for the sake of contrast and variety, the use of fire-retardant treated wood shingles or shake, slate, flat concrete tiles, or non-reflective raised-seam metal roofs may be permitted. The use of asphalt shingles of standard or medium thickness, any type of barrel or "S" tiles, asphalt roll roofing, or reflective metal surfaces is prohibited.

Flat roofs, where allowed, must be finished with a colored aggregate ballast or cap sheet matching the walls or other roof material of the residence.

All roof forms, both pitched and flat, are subject to the height limitations described by Design Guidelines Section 3.3.

See related Section 3.10 of these Design Guidelines, regarding projections from roofs.

E. Roofs

1. *Design:*

As noted in Section VI, B.4, roof forms shall be simple and shall utilize the gable configurations and complementary forms.

With the exception of minor flat connecting roofs, roof slopes shall be a minimum of 4 in 12 to a maximum of 12 in 12. No roofs shall be built over setback lines.

2. *All roof coverings shall be Class 'A' or Class 'B' as required by Summit County. Exterior materials allowed for roofs:*

- a. *Cedar shingles and shakes.*
- b. *Built up roofing of approved finish will be allowed on small, flat connecting roofs only.*
- c. *Architectural grade composition shingles.*
- d. *Factory-finished standing seam metal roofs, subject to Committee's review of material, color and reflectivity.*
- e. *No other roofing materials shall be used, unless specifically approved by the Committee.*

3. *TV or radio antennas are not permitted on exterior roofs. See Section VII F. for satellite dishes.*
4. *Gutters and downspouts are discouraged because of freezing conditions.*

3.7 CHIMNEYS AND OUTDOOR FIRES

Chimneys are strong design elements integral to any mountain home. They are required by code to extend higher than adjacent roof lines. This makes proportions and materials important. The Review Board recommends the use of stone consistent with the design of the building be utilized on the chimney element. "Tacked-on" or exposed flue elements will not be allowed. The top of the chimney flue or termination cap may or may not be concealed by an architectural metal or masonry chimney cap.

Due to the extreme fire danger usually present in this high forest region, all chimneys must be equipped with a U.L. or L.C.B.O. approved spark arrester, including outdoor fireplaces. Open outdoor fire pits are prohibited.

Barbecues are permitted, provided they are lidded cookers.

All other types of portable or free standing barbecues are prohibited.

3.8 EXTERIOR COLORS

The color of exterior materials must generally be subdued to blend with the natural landscape. Earth tones are recommended, although accent colors which are used judiciously and with restraint may be permitted.

All color schemes must be approved by the Review Board prior to their application to any portion of a residential structure. It is the intent at Highland Meadows to preserve the appearance of the natural landscape.

In addition to the stipulations of this section, all exterior color selections shall be in accordance with the comprehensive color standards administered by the Summit County.

3.9 WINDOWS, DOORS AND SKYLIGHTS

Highly reflective glazing material and reflective sunscreening films are prohibited for use in windows, glazed doors, skylights, or for other exterior applications. In addition, all metal windows, doors, skylight frames, etc. must be painted, anodized or pre-finished with baked enamel: raw metal components, especially aluminum or galvanized iron, are prohibited.

F. Windows

1. Wood windows are recommended. All finishes must be either natural or painted to natural colors. Other materials such as anodized metal, baked enamel or plastics of natural colors will be approved at the discretion of the Committee.

2. Reflecting glass is not permitted.

3. External shutters are not permitted.

3.10 BUILDING PROJECTIONS

All projections from a residence or other structure including, but not limited to, chimney flues, vents, flashing, louvers, gutters, downspouts, utility boxes, mail boxes, porch railings and exterior stair-ways shall match the surface from which they, project, or must be painted or stained an approved color to blend unobtrusively with adjacent materials. All

building projections must be contained within the building setbacks.

Entries and Exterior Doors

1. Front entries shall be dominant feature. Garage walls, if adjacent, shall be set back a minimum of five feet (5'0") from entry walls.

2. Solid core wood, plank, or painted hollow insulated metal doors are acceptable for exterior doors. Any painted materials must be of an approved color that relates to the surrounding natural colors. Simple designs are preferred. Ornate, gaudy or period designs are not permitted.

3. Garage doors shall be wooden or of a material and color to match adjacent surfaces. When facing the street, single-car garage doors shall be used.

3.11 GARAGES

Garages for each residence are required, either attached or detached, accommodating two automobiles: conventional carports are prohibited.

Wood panel or wood-faced insulated sectional overhead doors with fenestration or an applied panel pattern sufficient to provide visual relief, are strongly recommended. Lightweight hollow metal overhead doors are not allowed.

3.12 SOLAR APPLICATIONS

Passive solar design is encouraged. Active solar applications can result in excessive reflective glare, and would only be approved by the Review Board if the hardware is sufficiently integrated into the structure or landscaping of a Lot so as to appear unobtrusive from any other lot or property.

H. Solar Energy

- 1. Energy saving features and considerations are encouraged.*
- 2. Passive solar design considerations are encouraged whenever possible.*
- 3. Active solar applications are encouraged as an integral part of the architectural design if they can be screened from public view. Solar panels, when used, shall be flat glass with frames colored to match adjacent surfaces. Special consideration shall be given to color, finishes and reflective aspects of solar panels as they may affect neighboring lots or public areas.*

I. Skylights

Skylights, when used, shall be flat glass with frames colored to match adjacent surfaces. Special consideration shall be given to color, finishes, and reflective aspects of skylights as they may affect neighboring lots or public areas.

3.13 CHANGES OR ADDITIONAL CONSTRUCTION

All changes or additions to the approved plans before, during, or subsequent to their initial construction must be approved by the Review Board, before the alteration may be implemented.

4. CONSTRUCTION REGULATIONS

4.1 PURPOSE

In order to ensure that the natural landscape and all neighboring properties are respected, and the nuisances inherent to any construction process are kept to a minimum, the following regulations shall be enforced during the construction period of all improvements at Highland Meadows. Any violation of these regulations by an Owner's agent, representative, builder, contractor or subcontractor shall be deemed a violation by the Owner.

4.2 CONSTRUCTION FINES

The Review Board may assess fines for violations of any provision of these guidelines as follows: First violation, fifty dollars (\$50.00); second violation, one hundred dollars (\$100.00); third violation and subsequent violations, five hundred dollars (\$500.00). In the event that any person fails to cure (or fails to commence and proceed with diligence to complete the work necessary to cure any violation of the Design Guidelines, including these Construction Regulations, within ten (10) days after receipt of written notice from the Review Board designating the particular violation, the Review Board shall have the power and authority to impose upon that person a subsequent fine as outlined above. There shall be no limit to the number or the aggregate amount of Violation Fines which may be levied against a person for the same violation if not timely cured. The Violation Fines, together with interest at the highest lawful rate per annum and any costs of collection, including reasonable attorneys' fees, shall be a continuing lien upon the Lot against which such Violation Fine is made. Continued failure to comply may cause the Review Board to pursue legal remedy in the form of a "stop work" injunction or punitive damages.

The continued or habitual violation of these Design Guidelines by a general contractor, subcontractor, or materials supplier will result in the withdrawal by the Review Board of his/their approval to perform work at Highland Meadows.

4.3 CONSTRUCTION STAGING PLAN

An approved construction staging plan must be submitted for final approval. Any deviation from the plan without prior approval will result in a construction fine. This specifically includes removal or relocation of any construction fencing from the approved location, stockpiling of soil material or construction materials in areas outside the approved areas and any other provisions of the construction staging plan. The contractor shall keep 1 copy of the approved plan on the job site.

4.4 EROSION CONTROL

It is required that all areas disturbed by construction be permanently stabilized by seed and mulch, sod, and/or other plant material. Straw is recommended as a mulch over seed-sown areas to improve and hasten the germination. Silt fences shall be installed at all lots where construction activities may result in impacts to neighboring downhill properties.

4.5 FINAL INSPECTION

Prior to Certificate of Occupancy by the Summit County, the owner or contractor must request an inspection by the Review Board. This inspection will determine that the completed building follows the approved plans and will identify any deficiencies required to be completed in order to receive a final release.

4.6 HEALTH AND SAFETY COMPLIANCE

All applicable statutes, ordinances, or rules pertaining to safety and health, hazardous materials, toxic substances or wastes, including all relevant Occupational Safety and Health Act (OSHA) regulations and guidelines must be observed at all times.

4.7 CONSTRUCTION TRAILERS

Upon commencement of construction, a construction trailer or portable field office may be located on the building site within the Building Envelope, clear of all setbacks. The type, size and color of any portable office must be approved by a representative of the Review Board during the pre-construction conference. The field office may not be placed on-site earlier than two weeks prior to the actual onset of continuous construction activity. At the same time, the provision of temporary power and telephone will be determined. A construction trailer may not remain on site for a period of time exceeding six months without written approval of the Review Board.

4.8 TRASH RECEPTACLES AND DEBRIS REMOVAL

Owners and builders shall clean up all trash and debris at the end of each day; an approved trash receptacle must remain on the site at all times for this purpose to contain all lightweight materials or packaging. The receptacle must be positioned on the site alongside the access drive, clear of side and rear setbacks, adjacent road right(s)-of-way and neighboring properties. Trash receptacles must be emptied on a timely basis to avoid overflow of refuse; disposal shall be at a suitable off-site facility. Owners and builders are prohibited from dumping, burying, or burning trash anywhere on the Lot or in Highland Meadows. Heavy debris, such as broken stone, wood scrap, or the like must be removed from the site immediately upon completion of the work of each trade that has generated the debris.

All concrete washout, from both trucks and mixers, must occur within the Building Envelope of the Lot in a location where it will ultimately be concealed by structure or covered by backfill. Washout in road rights-of-way, setbacks or on adjacent properties is strictly prohibited.

During the construction period, each construction site shall be kept neat and shall be properly policed to prevent it from becoming a public eyesore or detriment to other lots or open space. Any cleanup costs incurred by the Review Board or the Association in enforcing these requirements shall be payable by the Owner. Dirt, mud, or debris resulting from activity on each construction site shall be promptly removed from public or private roads, open spaces and driveways or other portions of Highland Meadows.

4.9 SANITARY FACILITIES

Each Owner or builder shall be responsible for providing adequate sanitary facilities for his construction workers. Portable toilets must be located within the Building Envelope, clear of setbacks.

4.10 CONSTRUCTION ACCESS

The approved access drive will be the only construction access to any Lot.

4.11 VEHICLES AND PARKING AREAS

Construction crews will not park on, or otherwise use, undeveloped portions of lots or open space. All vehicles shall be parked within the Building Envelope. During very busy construction periods involving multiple trades such that all construction vehicles cannot be confined to the site proper, the overflow vehicles may be temporarily parked along the shoulder of the roadway; during these limited occurrences, vehicles must be off the paved surface of the roadway or cul-de-sac to allow continual unconstrained access by normal traffic and emergency vehicles, including fire trucks. Vehicles may not be parked on neighboring lots, in nearby driveways or on open space. Changing oil or other vehicle maintenance is

prohibited.

4.12 CONSERVATION OF NATIVE LANDSCAPING

Trees or plants which are to be preserved must be marked and protected by flagging, fencing, or barriers. The Review Board shall have the right to flag major terrain features of plants which are to be fenced for protection. Any trees or branches removed during construction must be promptly cleaned up and removed from the construction site.

4.13 EXCAVATION MATERIALS AND BLASTING

If any blasting is to occur, the Review Board must be notified two weeks in advance and appropriate approvals must be obtained from the Summit County. Blasting may only be done by approvals licensed demolition personnel, with all requisite insurance coverage's as mandated by the Summit County and state statutes, specific to their blasting activity at Highland Meadows. The Review Board shall have the authority to require in writing documentation of anticipated seismic effects, with confirmation such effects will not be injurious to other persons or properties, public or private, and that all appropriate protection measures have been utilized.

All excess materials resulting from blasting as well as all other excess excavation materials, must be removed from Highland Meadows.

4.14 DUST AND NOISE CONTROL

The contractor shall be responsible for controlling dust and noise from the construction site, including the removal of dirt and mud from public or private roads that is the result of construction activity on the site.

The sound of radios or of other audio equipment must not be audible beyond the property perimeter of any Lot; repeated violations of this provision will result in the total prohibition of any on-site use of radios or audio equipment during construction.

4.15 MATERIAL DELIVERIES

All building materials, equipment and machinery required to construct a residence on any Lot at Highland Meadows must be delivered to and remain within the Building Envelope of each Lot, clear of all setbacks. This includes all building materials, earth-moving equipment, trailers, generators, mixers, cranes and any other equipment or machinery that will remain at Highland Meadows overnight. Material delivery vehicles may not drive across adjacent Lots or tracts to access a construction site.

4.16 FIREARMS

The possession or discharge of any type of firearm by construction personnel on any construction site, Lot, or Common Elements within Highland Meadows is prohibited.

4.17 ALCOHOL AND CONTROLLED SUBSTANCES

The consumption of alcohol at anytime or use of any controlled substance except by prescription by construction personnel on any construction site, Lot, or Common Elements within Highland Meadows is prohibited.

4.18 FIRES AND FLAMMABLE MATERIALS

Careless disposition of cigarettes and other flammable materials, as well as the build-up of potentially flammable

materials constituting a fire hazard, are prohibited. At least two 20-pound ABC Rated Dry Chemical Fire Extinguishers shall be present and available in a conspicuous place on the construction site at all times, in addition to the requirements of the Red, White and Blue Fire District.

No on-site fires are allowed, except small, confined, attended fires for the purpose of heating masonry water.

4.19 PETS

No pets, particularly dogs, may be brought onto the property by a member of any construction crew. This limitation is set forth in the PUD and violation may result in prosecution by Summit County.

4.20 PRESERVATION OF PROPERTY

The use of or transit over any other Lot, Common Elements or amenity is prohibited. Similarly, the use of or transit over the natural area or setbacks outside the Building Envelope of any lot is prohibited.

Construction personnel shall refrain from parking, eating, depositing of rubbish or scrap materials (including concrete washout) on any neighboring Lot, tract, or right-of-way.

4.21 RESTORATION OF PROPERTY

Upon completion of construction, each Owner and builder shall clean his construction site and repair all property which has been damaged, including but not limited to, restoring grades, planting shrubs and trees as approved or required by the Review Board, and repair of streets, driveways, pathways drains, culverts, ditches, signs, lighting and fencing.

In addition, the Owner and general contractor shall be held financially responsible for the cost of site restoration/ revegetation and refuse removal necessitated on any and all adjacent properties as a result of trespass or negligence by their employees or sub-contracted agents.

4.22 CONSTRUCTION SIGNAGE

Temporary construction signs shall be limited to one sign per site not to exceed four (4) square feet of total surface area. This sign is intended primarily for job site identification; therefore, it must be located within the Building Envelope, facing the street frontage of the Lot. It may identify the general contractor and architect by name with address, license number and telephone number(s) and it may identify job site by Lot number or Owner's name. The sign shall be free standing, not to exceed four (4) feet in height above natural grade. The sign's design, color, style, text, duration of display and location upon the

Lot must be approved in advance by the Review Board. The construction sign may not be erected on a site earlier than two weeks prior to the onset of continuing construction activity and must be removed within two weeks of the issuance of a certificate of occupancy by the Summit County, or immediately upon the passage of 30 calendar days without significant construction activity. The general contractor of a completed market home may apply to the Review Board for continuation of his construction sign I - or advertising and sales purpose after construction has been completed, until such time that a contract for sale has been executed.

Individual signs, or construction sign attachments identifying individual sub-contractors, tradesmen, or suppliers are prohibited; identification of licensed tradesmen, when required by state or city statutes, shall be confined to the posting location of the building permit.

Attachment of signs or similar material to trees is strictly prohibited. A realtor sign is permitted of the same size, design and general location.

4.24 DAILY OPERATION

Daily working hours for each construction site shall be 30 minutes before sunrise to 30 minutes after sunset. Construction activity which generates excessive noise such as hammering, sawing excavation work, concrete delivery, etc., must be confined to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday, and 8:00 a.m. to 6:00 p.m. on Saturday. Noisy activity should be curtailed on Sunday of each week, particularly, during the periods of high Owner visitor occupancy.

4.25 SITE VISITATIONS

Due to the inherent danger associated with an active construction site, visitors to any site should be limited to those persons with official business relating to the construction activity, such as construction workers and tradesmen, building officials, security staff, design review observers, sales personnel, and the Owner. Construction personnel should not invite or bring family members or friends, especially children, to the job site.

4.26 CONSTRUCTION INSURANCE REQUIREMENTS

All contractors and sub-contractors must post evidence of insurance with their Owner prior to entering the construction premises. Confirmation shall be evidenced in the form of a valid Certificate of Insurance, naming both the Owner, and Highland Meadows as the certificate holders. The required insurance must provide coverage not less than the applicable limits of coverage relating to comprehensive general liability, automobile liability and workmen's compensation. The minimum limits of liability shall not be less than \$500,000 each for general liability and automobile liability. General liability coverage shall contain provisions for contractual liability and broad form property damage. The certificate shall provide for 30-day notice to the certificate holders in the event of cancellation or material change in the limits of coverage.

5. DESIGN REVIEW PROCEDURES

Site-sensitive, site-specific design shall be fundamental at Highland Meadows Subdivision. Design drawings should evolve from the careful and thorough analysis of a site's specific setting and features. Therefore, Owners and/or their Architects should refrain from approaching a site with a predetermined design expecting to "make it fit", with little regard to natural constraints. Highland Meadows has established this review procedure to assist the applicant through the design process in its appropriate sequence.

Plans and specifications shall be submitted to the Review Board in accordance with the following conference and submittal requirements and review procedures.

F. Owner Representation

All representatives of the Owner, including but not limited to his architect, engineer, contractor, subcontractor, and their employees, shall be made aware of and abide by the standards and procedures outlined in the Declaration of Protective Covenants for Highland Meadows Subdivision, the Articles of Incorporation for Highland Meadows Subdivision Homeowners Association, Inc., the Highland Meadows Subdivision Architectural Design Guidelines, and the Construction Period Regulations contained in Appendix "A" of these Architectural Design Guidelines.

5.1 PRE-DESIGN CONFERENCE

Prior to preparing preliminary plans for any proposed improvement, it is strongly suggested that the Owner and/or his architect meet with a representative of the Review Board to discuss proposed plans and to resolve any questions regarding building requirements at Highland Meadows. This informal review is to offer guidance prior to initiating preliminary design, and should occur on site whenever possible. A copy of the survey should be available for review at this meeting.

5.2 PRELIMINARY DESIGN SUBMITTAL

When the preliminary design is complete, plans that are submitted must include all of the following exhibits: no review will commence until the submittal is complete:

1. A copy of the Design Review, Application and Preliminary Design Review Checklist. (see appendix)
2. Site plan (scale required, showing the entire property, location of the proposed Building Envelope, the residence and all buildings, with roof plans showing all ridge heights labeled per site grades, driveway, parking area, existing and proposed topography, proposed finished floor elevations, all trees of 8 inch diameter or greater at chest height with approximate drip lines, special terrain features to be reserved and trees to be removed)
3. Survey (scale 1" = 10' or 1" = 8') required, by a registered land survey or licensed civil engineer showing Lot boundaries and dimensions, topography (2 foot contours or less), major terrain features, all trees of 8 inch diameter or greater at chest height with approximate drip lines, edge of pavement and utility locations.
4. Floor plans (scale 1/4" or 1/8" = 1'0") showing proposed finished floor elevations.
5. All exterior elevations (scale 1/4" or 1/8" = 1'0") showing both existing and proposed grade lines, plate heights, ridge heights, roof pitch, building heights related to site grades, and a preliminary of all exterior materials.
6. A preliminary material/ color board is welcome at submittal.
7. If the Committee deems it appropriate due to slope considerations or complexity of design, a study model may be required (same scale as site plan), which accurately depicts all the proposed improvements and their relationship to the site.
8. Any other drawings, materials, or samples requested by the Review Board.
9. A design review fee in the amount of \$1,500.00 An applicant may not advance to Final Design review unless this fee has been paid in full. Fee is for association cost associated with the review including but not limited to compensation of Board Members, architects, engineers, or professional review. An additional design review fee maybe required, for architects, engineer or professional review .
10. A letter from the Association stating that all Association dues, fees and other charges have been paid. The Review Board shall not take any action on a submittal if any amounts are delinquent.

The submittal shall consist of one set of prints, which shall be retained by the Review Board. A meeting of the Review Board, in order to be included on the agenda for consideration. All such submittals received during each Saturday through Friday time span, regardless of the actual date submitted, shall bear an "effective date of submittal" which corresponds to the Friday, ending that particular week's span. The submittal must be accompanied by a completed application for preliminary design review and the requisite review fee remittance.

5.3 PRELIMINARY DESIGN REVIEW

The preliminary approval shall not be an approval for construction of any kind, and will be valid for a period of six (6) months, after which it will expire.

The Review Board will meet to review the submittal and will respond in writing within 10 days after their meeting barring unavoidable delays, but no later than 30 days after the effective date of submittal.

Results of reviews will not be discussed over the telephone by members of the Review Board with an Owner or his architect or builder, and the Owner, or owner's representative shall have the right to attend a meeting of the Review Board to present the plans as specifically permitted by the Review Board. However, they may be excluded from those parts of the meetings regarding deliberation and votes.

Any response an Owner may wish to make regarding the results of a design review must be addressed to the Review Board in writing

5.4 FINAL DESIGN SUBMITTAL

After preliminary approval is obtained from the Review Board, the following documents are to be submitted for final review: no review will commence until the submittal is complete:

1. A cover letter stating how all conditions of the preliminary approval have been addressed.
2. A copy of the final design review checklist.
3. Site plan showing the entire property, location of the Building Envelope, the residence and all buildings, with roof plans showing driveway, parking area, existing and proposed topography, finished floor elevations, all protected plants or special terrain features to be preserved, trees to be removed, all utility sources and connections, and site walls.
4. Foundation plan (scale 1/4" or 1/8" = 1'0"), showing finished floor elevations.
5. Roof plan (scale 1/4" = 1'0"), showing all roof pitches and roof ridge heights labeled per site grades.
6. Building section (scale 1/4" = 1'0" or larger), indicating existing and proposed grade lines.
7. All exterior elevations (scale 1/4" = 1'0"), showing both existing and proposed grade lines, plate heights, roof pitch, building heights related to site grades, and an indication of exterior materials and colors.
8. A final material/color board with paint chips and literature as requested by the Board depicting or describing all exterior materials, subject to Section 5.5 Deferral of Material and Colorado Selection.
9. Complete landscape plan (scale 1" = 10' or 1" = 8'), showing size and type of all proposed plants, irrigation system all decorative materials or borders and all retained plants.
10. Construction staging plan delineating the areas of site disturbance, identifying the location of staging areas and the construction trailer, if any, depicting the type and location of tree protection barriers with tree protection signage, identifying topsoil storage areas and construction material storage areas, dumpster contractor parking and port-a-let location, construction signage location and construction schedule.

11. On-site staking of all building corners and other improvements, if requested by the Review Board.

The submittal shall consist of one set of prints which shall be retained by the Review Board.

A Final Design Submittal must be received at the designated address of the Review Board (see Design Guidelines Section 6.4) by noon of the Friday preceding a scheduled meeting of the Review Board, in order to be included on the agenda for consideration. All such submittals received during each Saturday through Friday time span, regardless of the actual date submitted, shall bear an "effective date of submittal" which corresponds to the Friday ending that particular week's span.

5.5 DEFERRAL OF MATERIAL OR COLOR SELECTION

An applicant may wish to delay the confirmation of final landscaping intentions (if any) and final color or stonework selections until some point in time after the start of construction in order to better visualize landscape considerations, or to test an assortment of potential colors with actual materials intended for use. The Review Board will cooperate with the applicant in this regard, provided that no landscape work may be started, nor color or material applied, until such time as the Review Board has had the opportunity to review and consent to the final selections. We advise that the re-submittal should occur before the placement of any orders for materials to avoid potential restocking costs in the event of denial of the submitted item(s). Further, the provision stated here shall be a condition of Final Design Approval; therefore, application of any material, coating, or finish without the requisite re-submittal to the Review Board shall have the effect of voiding the approval in its entirety, and a fine per Section 4.1 may be imposed. This deferral in no way eliminates the need to provide a preliminary indication of the applicant's intentions as required by the preliminary design submittal.

5.6 SITE INSPECTION

As soon as the submission of final plans is complete, a representative of the Review Board will inspect the Lot to determine that the conditions as depicted in the final submittal are accurate and complete.

5.7 FINAL DESIGN REVIEW

The Review Board will meet to review the submittal and will respond in writing within 10 days after their meeting, barring unavoidable delays, but no later than 30 days after the effective date of the submittal.

Results of reviews will not be discussed over the telephone by members of the Review Board with an Owner, or his architect or builder, and no Owner, architect or builder shall have the right to attend any meeting of the Review Board unless specifically permitted by the Review Board.

Any response an Owner may wish to make regarding the results of a design review must be addressed to the Review Board in writing.

5.8 RE-SUBMITTAL OF PLANS

In the event of any disapproval by the Review Board of either a preliminary or a final submittal, a resubmission of plans must follow the same procedure as an original submittal. The Review Board may assess an additional design review fee upon subsequent submittals which diverge substantially from previously reviewed applications for the same site, whether previously approved or denied.

E. Resubmittal of Plans and Appeal

In the event of any denial or conditional approval by the Committee of either a preliminary or construction

document submission, the resubmission of plans shall follow the same procedure as an original submission. The Owner or his architect shall reply in writing to any concerns expressed by the Committee during the review process. Any exterior additions or changes to the Lot or residence that are not a part of the original construction document approval shall be submitted to the Committee for review and approval following the same procedure.

5.9 PRE-CONSTRUCTION CONFERENCE

Prior to commencing construction, the builder must meet with a representative of the Review Board to review construction procedures and coordinate his activities in Highland Meadows. If a builder should begin any construction activities prior to this meeting, a fine of will be imposed per Section 4. 3.

5.10 COMMENCEMENT OF CONSTRUCTION

Upon receipt of final approval from the Review Board, having paid a \$2,000.00 construction compliance deposit with the Association and having satisfied all applicable Summit County review processes, the Owner shall satisfy all conditions of approval and commence the construction of any work pursuant to the approved plans within one year from the date of such approval.

If the Owner fails to begin construction within this time period, any approval given shall be automatically revoked.

If construction of an approved residence does not commence within 12 months of final approval, it will be subject to a \$100.00 re-submittal fee and must be reviewed for compliance with the then current Design Guidelines. The Owner shall, in any event, complete the construction of any improvement of his Lot within one year after commencing construction thereof, except and for so long as such completion is rendered impossible or would result in great hardship to the Owner due to labor strikes, fires, national emergencies or natural calamities.

See section 4.2, regarding forfeiture of construction compliance deposit.

If the Owner fails to comply with this schedule, or if the diligent and earnest pursuit of the completion of the improvement ceases, or is abandoned for a period of two calendar months, the Review Board may, upon the passage of sixty days after written notification to the Owner, proceed to have the exterior of the improvement completed in accordance with the approved plans, or remove the improvement and restore the Lot to its pre-construction condition to the greatest degree possible. All costs relating to the completion or removal shall be borne and reimbursed to the Review Board by the Owner, to be secured by a continuing lien on the Lot.

5.11 INSPECTIONS OF WORK IN PROGRESS

The Review Board may inspect all work in progress and give notice of noncompliance. Absence of such inspection or notification during the construction period does not constitute an approval by the Review Board of work in progress or compliance with these Design Guidelines.

5.12 SUBSEQUENT CHANGES, REMODELS, ADDITIONS

Additional construction or other improvements to a residence or Lot, or changes during construction or after completion of an approved structure, including landscaping and color modification, must be submitted to the Review Board for approval prior to making such changes or additions.

The review fee for any change, remodel, or addition will be determined, which correlates to the relative costs for duplicated review efforts upon subsequent submittals which diverge substantially from previously reviewed applications for the same site, whether previously approved or denied. This includes any color modifications to the structure. To receive a

review of any change, a submittal must be made outlining the intended improvement. All drawings must be professional quality, with sufficient design detail.

5.13 FINAL RELEASE

Upon completion of any residence or other improvement, the Owner shall give written notice of completion to the Review Board.

Within 20 days of such notification, a representative of the Review Board may inspect the residence or other improvements for compliance. If all improvements comply with these Design Guidelines, the Review Board may issue a written approval to the Owner, constituting a final release of the improvements by the Review Board, which release is to be issued within 30 days of the notification.

If it is found that the work was not done in strict compliance with the approved plans or any portion of these Design Guidelines, the Review Board may issue a written notice of noncompliance to the Owner, specifying the particulars of noncompliance, which notice is to be issued within 30 days of the original notification.

The Owner shall have 30 days from the date of notice of noncompliance within which to remedy the non-complying portions of his improvement. If, by the end of this time period the Owner has failed to remedy the noncompliance, the Review Board may take action to remove the non-complying improvements as provided for in these Design Guidelines, including, without limitation, injunctive relief or the imposition of a fine.

If the Review Board fails to issue a final release, and also fails to issue a notice of noncompliance to the Owner, within thirty (30) days of the Review Board's receipt of the Owner's written notice of completion, the completed improvements shall be deemed to be in compliance with plans as approved by the Review Board, and in compliance with these Design Guidelines.

5.14 NONWAIVER

The approval by the Review Board of any plans, drawings, or specifications for any work done or proposed shall not be deemed to constitute a waiver of any right to withhold approval of any similar plan, drawing or specification subsequently or additionally submitted for approval. Failure to enforce any provision of these Design Guidelines shall not constitute a waiver of same.

5.15 RIGHT OF WAIVER OR VARIANCE

The Review Board reserves the right to waive or vary any of the procedures or standards set forth herein at its discretion, for good cause shown. Upon submission of a written narrative request for a variance or waiver of one or more provisions of these Design Guidelines, the Review Board may, from time to time, in its sole discretion, permit Owners to construct, erect, or install improvements which are in variance with these Design Guidelines. No member of the Review Board shall be liable to any Owner or other person for any claims, causes of actions, or damages arising out of the granting or denial of any variance request by an Owner or his agent. Each request for a variance submitted hereunder shall be reviewed separately and apart from other such requests and the grant of a variance to any Owner shall not constitute a waiver of the Review Board's right to strictly enforce these Design Guidelines against any other Owner. Each such written request must identify and set forth in narrative detail the specific guideline or standard from which a variance is sought, describe in detail the exact nature of the variance sought and be accompanied by the appropriate fee, as prescribed by the Review Board. Any grant of variance by the Review Board must be in writing and must identify in narrative detail both the standard from which a variance is being sought and the specific variance being granted.

5.16 EXEMPTIONS

Utility and maintenance buildings, structures, and cabinets located on non-residential tracts are exempted from the "Architectural Design Standards" portion of this document. However, the Review Board will endeavor to attain as high a level of conformance with these standards as is practical for these types of facilities.

The reconstruction by the Association or the Declarant after-damage or destruction by casualty or otherwise of any Common Elements which is accomplished in substantial compliance with "as built" plans for such Common Elements shall not require compliance with the provisions of these Design Guidelines.

Repainting or re-staining associated with the prudent maintenance of an existing residence does not require subsequent approval by the Review Board, provided the paint/stain colors are identical to those initially approved by the Review Board for application to the residence.

5.17 DESIGN REVIEW FEE

A design review fee is based upon a minimum fee of \$100 plus an architect's fee for review of up to \$500. A minimum design review fee is required at time of submission. The final fee is assessed at the time of preliminary design submittal, on both new construction and additions, or, modifications to existing structures. The additional fee for an architect's fee is assessed solely at the discretion of the Review Board. The fee is non-refundable regardless of whether or not the Owner elects to proceed with construction.

Variance requests will also be assessed a fee as determined by the Review Board. The fee is nonrefundable regardless of whether or not the variance is granted or denied.

6. REVIEW BOARD ORGANIZATION

V. ARCHITECTURAL REVIEW COMMITTEE

Pursuant to the Declaration, no Improvement may be constructed or installed on any Lot without the prior review and written approval of the Committee. The Committee may approve a proposed Improvement, approve a proposed Improvement subject to the satisfaction of certain conditions imposed by the Committee, or withhold its approval to a proposed Improvement.

The Committee shall consist of three (3) members who shall be designated by Declarant, until such time as Declarant's Class "B" voting rights in the Architectural Review Committee ceases as provided for in Section 2.3 of the Declaration, at which time the members of the Architectural Review Committee shall be appointed by the Owners.

The members of the Committee will select a Chairman from among themselves. The Chairman shall preside over all meetings of the Committee and shall be responsible for the coordination and direction of the Committee's work.

The Committee shall meet a minimum of once per calendar year at the convenience of the members. Committee members may also conduct their business by mail or phone as often as necessary.

All actions of the Committee require the affirmative vote of at least two (2) of its members.

Applicants for Committee action may, but need not, be given an opportunity to be personally heard in support of their application. If the Committee gives approval with conditions, the applicant will be allowed to meet with the Committee, if requested by the applicant.

The address of the principal office of the Committee shall be: P. O. Box ³⁰⁵ [REDACTED], Frisco, Colorado 80443.

A. Right of Waiver

The Committee maintains the right to waive or vary the Architectural Design Guidelines in its reasonable discretion as it deems necessary or appropriate.

B. Non-Liability of the Committee and Declarant

Neither the Committee nor the Declarant shall be liable to anyone submitting plans to them for approval, or to any Owner by reason of mistake in judgement, negligence or nonfeasance arising out of or in connection with the approval, denial, or failure to approve any plans and specifications. Every Owner or other person who submits plans to the Committee for approval agrees, by submission of such plans and specifications, that he will not bring any action or suit against the Committee or Declarant to recover damages. Approval by the Committee shall not be deemed to constitute compliance with the requirements of any local building codes or the Upper Blue Planning Commission of Summit County and it shall be the responsibility of the Owner or other person submitting plans to the Committee to comply therewith.

C. Enforcement

These Architectural Design Guidelines may be enforced by the Committee as provided in the Declaration of Protective Covenants for Highland Meadows Subdivision.

Except as otherwise provided in the Declaration, the Committee shall have the right to enforce, by a proceeding at law or in equity, the provisions, conditions and regulations now or hereafter imposed by the Committee. Failure by the Committee to enforce any provision or regulation herein contained shall in no event be deemed a waiver of the right to do so thereafter.

D. Grading, Dimensions, Elevations and other Information Submitted By An Owner

Any Owner submitting plans for preliminary or construction document approval to the Committee 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.

E. Resubmittal of Plans and Appeal

In the event of any denial or conditional approval by the Committee of either a preliminary or construction document submission, the resubmission of plans shall follow the same procedure an original submission. The Owner or his architect shall reply in writing to any concerns expressed by the Committee during the review process. Any exterior additions or changes to the Lot or residence that are not a part of the original construction document approval shall be submitted to the Committee for review and approval following the same procedure.

F. Owner Representation

All representatives of the Owner, including but not limited to his architect, engineer, contractor, subcontractor, and their employees, shall be made aware of and abide by the standards and procedures outlined in the Declaration of Protective Covenants for Highland Meadows Subdivision, the Articles of Incorporation for Highland Meadows Subdivision Homeowners Association, Inc., the Highland Meadows Subdivision Architectural Design Guidelines, and the Construction Period Regulations contained in Appendix "A" of these Architectural Design Guidelines.

6.1 MEMBERS

As provided in Articles of the Declaration, the Review Board shall consist of the members of the Board of Directors of the Association, or appointees thereof. The initial members appointed in 2000 were: Gary Greg of Denver, James Neville of Silverthorne, and Charles Story of Frisco.

6.2 DELEGATION OF AUTHORITY

The Review Board may delegate its design and plan review responsibilities to one or more of its members, acting as a subcommittee of the Review Board, and/or professional design consultants retained by the Review Board on behalf of the Association. Upon such delegation, the approval or disapproval of plans and specifications by such member or consultants shall be equivalent to approval or disapproval by the entire Review Board.

6.3 DUTIES

It shall be the duty of the Review Board to perform those duties specified in the Declaration and these Design Guidelines, to consider and act upon such proposals or plans related to the construction of improvements within Highland Meadows project as are submitted pursuant to the Declaration and these Design Guidelines, to enforce the architectural provisions of the Declaration and these Design Guidelines, and to amend these Design Guidelines whenever, and in a manner, deemed appropriate by the Review Board.

6.4 ADDRESS OF REVIEW BOARD

The address of the Review Board shall be the address established for giving notice to the Association, unless otherwise specified by the Review Board. Such address shall be the place for the submittal of plans and specifications and the place where the current Design Guidelines shall be kept.

The present address for Highland Meadows Review Board is:

Highland Meadows
Design Review, Board
Post Office Box [REDACTED] 305
Frisco, Colorado 80443

6.5 MEETINGS

The Review Board shall convene as necessary to properly perform its duties. The vote of a majority of the members shall constitute an act by the Board.

The Review Board shall keep on file all submittals and copies of all written responses to Owners to serve as record of all actions taken, for a period of six (6) years.

6.6 COMPENSATION

Unless authorized by the Association, the members of the Review Board shall not receive any compensation for services rendered. However, a professional design consultant, retained to advise and assist the Review Board, and who is also serving as an appointed member of the Review Board as well, may be paid such compensation as the other Review Board members determine.

All members shall be entitled to reimbursement for reasonable expenses incurred by them in connection with their performance of their duties. Professional consultants or representatives of the Review Board retained for assistance in the review process shall be paid such compensation as the Review Board determines.

6.7 AMENDMENT OF DESIGN GUIDELINES

The Review Board may, from time to time and at its sole discretion amend or revise any portion of these design guidelines. All such amendments or revisions shall be appended to and made a part of the Design Guidelines. Each Owner is responsible for obtaining from the Review Board a copy of the most recently revised Design Guidelines.

6.8 NONLIABILITY

Plans and specifications shall be approved by the Review Board as to style, i.e. exterior design, appearance and location, and are not approved for engineering design or for compliance with zoning and building ordinances, and by approving such plans and specifications, neither the Review Board, the members or agents thereof, the Association, the Board of Directors of the Association, nor the Declarant assumes any liability or responsibility therefor, or for any defect in any structure constructed from such plans and specifications. Neither the Review Board, any member or agent thereof, the Association, the Board of Directors of the Association, nor the Declarant shall be liable to any Owner or other person for any damage, loss or prejudice suffered or claimed on account of:

1. the approval or disapproval of any plans, drawings and specifications, whether or not defective;
2. the construction or performance of any work, whether or not pursuant to approved plans, drawings and specifications;
3. the development, or manner of development, of any property within Highland Meadows project; or,
4. the execution and filing of a compliance or non-compliance certificate pursuant to these Design Guidelines, whether or not the facts therein are correct; provided, however, that such action, with the actual knowledge possessed by him was taken in good faith.

Every Owner or other person, by submission of plans and specifications to the Review Board for approval, agrees that he will not bring any action or suit against the Review Board, any of its members or agents, the Association, the Board of Directors of the Association, or the Declarant, regarding any action taken by or on behalf of the Review Board. Approval by the Review Board of plans and specifications by or on behalf of the Review Board, or of the construction of any improvement at Highland Meadows, refers only to these Design Guidelines, and in no way implies, and shall not be deemed to be a representation or warranty that, the submitted plans or specifications for the improvement comply with applicable governmental ordinances of regulations including, but not limited to, zoning ordinances and building codes.

6.9 ENFORCEMENT

The Review Board may, at any time, inspect a Lot or improvement and, upon discovering a violation of these Design Guidelines, provide a written notice of noncompliance to the Owner causing the noncompliance, including a reasonable time limit within which to correct the violation. If an Owner fails to comply within this time period, the Review Board or its authorized agents may enter the Lot and correct the violation at the expense of the Owner of such Lot; said expense to be secured by a lien upon such Lot enforceable in accordance with the Declaration.

In the event of any violation of these Design Guidelines, the Review Board may, at its sole discretion and in addition to restoration or completion expenses, impose without limitation a punitive fine, commensurate with the severity of the violation.

6.10 SEVERABILITY

If any provision of these Design Guidelines, or any section, clause, sentence, phrase or word, or the application thereof in any circumstance, is held invalid, the validity of the remainder of these Design Guidelines, and of the application of any such provision, section, sentence, clause, phrase or work in any other circumstances, shall not be affected thereby, and the remainder of these Design Guidelines shall be construed as if such invalid part were never included therein.

6.11 OBLIGATION OF OWNERS TO MAINTAIN LOTS

The adoption of these Design Guidelines, including the standards and procedures for architectural approval, shall not be construed as changing any rights, obligations or restrictions upon Owners to maintain or repair their Lots as may otherwise be specified in the Declaration or the rules and regulations of the Association.

6.12 INSPECTION OF CONSTRUCTION

Any member or authorized consultant of the Review Board, or any authorized officer, director, employee or agent of the Association, may at any reasonable time enter, without being deemed guilty of trespass, upon any Lot after reasonable notice to the Owner, in order to inspect improvements constructed or being constructed on such Lot to ascertain that such improvements have been or are being built in compliance with these Design Guidelines and the Declaration.

6.13 RELIANCE BY SUBSEQUENT OWNERS

As to purchasers and encumbrances of a Lot in good faith and for value, unless notice of noncompletion or nonconformance identifying the violating Lot and specifying the reason for the notice, executed by the Review Board, shall be recorded with the Summit County Clerk and given to the Owner of such Lot within one year after the expiration of the one-year time limitation for completion imposed under Design Guidelines Section 5. 10. or, if later, within one year following completion of the improvement, or unless legal proceedings shall have been instituted to enforce compliance or completion within such one year period, the completed improvement shall be deemed to be in compliance with plans and specifications approved by the Review Board and in compliance with the architectural standards of these Design Guidelines and the Declaration.

7. PROMULGATION AND BINDING EFFECT

These Design Guidelines are promulgated by the Review Board in accordance with, and pursuant to the authority granted in, Article IX, First Amended Declaration of Land Use Restrictions for Highland Meadows Subdivision (the "Declaration"), recorded December 30, 2000 Reception No. _____ in the public records of Summit County, Colorado. These Design Guidelines shall be deemed incorporated into the Declaration for all intents and purposes and shall be binding upon all Lots within Highland Meadows project and upon all Owners or other persons having any

interest in or to a Lot within Highland Meadows project subject to the Declaration and any Supplemental Declaration involving the lots at Highland Meadows. In the event of any conflict or inconsistency between the provisions of these Design Guidelines and the provisions of the Declaration pertaining to architectural control, standards or procedures, or to the Review Board, the provisions of these Design Guidelines shall be controlling.

J. Trash Containers - Utility Enclosures

See Lot Development Standards, Section VII D.

K. Exposed Metal, Chimneys, Vents

1. All exposed metals such as fascias, flashing, wall vents, roof vents, metal enclosures, and chimneys, shall be painted an approved color.
2. Reflective or contrasting finishes will not be permitted.
3. Spark screens are mandatory on all chimneys. Care shall be given to chimney location and existing trees for fire prevention.
4. Vents shall be grouped wherever possible.

L. Minimum and Maximum Square Foot

The minimum allowable size for each single-family residence shall be twenty-five hundred square feet (2,500 sq. ft.) of gross livable area excluding garages and unfinished basements.

The maximum allowable size for each single-family residence shall not exceed seventy-five hundred square feet (7,500 sq. ft.) of gross livable area excluding garages.

The PUD sets a maximum allowable size of garages of 800 square feet.

M. Changes

No changes in plans or materials previously approved may be undertaken without prior written approval of the Committee.

No work shall be undertaken (other than routine maintenance and repair) which will result in changes in the exterior appearance, including painting and staining, without prior written approval of the Committee.

VII. LOT DEVELOPMENT STANDARDS

The Lot standards, together with the architectural standards, form the basic visual and planning direction necessary to maintain the natural setting and integrate residential development into it.

The preservation of open space, common areas, and indigenous vegetation combined with sympathetic residential design and lot planning is the overriding goal of the Committee and in turn the Owners involved in this process.

As further described in Section VII G, revegetation at Highland Meadows Subdivision is required to return the disturbed areas to a natural condition through the use of natural grasses, flowers, and small plantings. High water consumption plantings, such as sod, are discouraged.

The following Lot standards will be in effect at Highland Meadows Subdivision:

A. Building Setbacks

Summit County has established setbacks and building envelopes for the Lots pursuant to the zoning and the plats for the Lots. In addition, the Committee may establish a location within the building envelope that is more restrictive for certain Lots within Highland Meadows Subdivision in order to promote buildings in harmony with, and subservient to the surrounding natural features with consideration given to views from neighboring Lots and public areas.

The Committee will judge on an individual basis the specific locations of structures and improvements in relation to the setback lines. Each building location will be analyzed as to its visual impact, relationship to views and neighbors, safety, access, and preservation of existing significant trees and landscape features.

Owners are urged to vary the front and rear setbacks from existing homes on adjacent Lots.

B. Fences, Walls, and Barrier Devices

Fences, walls and barrier devices are not allowed in the Highland Meadows Subdivision.

C. Garages and Parking Spaces

Garages must be integrated with the home design. A minimum of two permanent parking spaces must be provided on the Lot and two permanent enclosed parking space.

Garages shall be at the maximum as set in the PUD. Any separate garage for the caretaker units are counted within the 800 sq. ft. garage unit set in the PUD.

Side or rear entry garages, with doors facing away from streets are encouraged.

D. Utility Meters, Garbage Areas

Utility meters, garbage areas, and other related utilitarian features will be screened, buried or enclosed from view and designed as an integral (not stand alone) part of the home. Specific written approval must be obtained for such features. Such features when screened or enclosed shall be of an approved color.

E. Antennas and Satellite Dishes

TV or radio antennas are not permitted on exterior roofs or walls. Satellite dishes, 18" and smaller in diameter, may be allowed upon review on a case by case basis by the Committee.

F. Revegetation

It is the Committee's philosophy to encourage the "natural condition" of the area. This "natural condition" is defined as a combination of indigenous plant material, trees, topsoil, rock formations and natural terrain and features that exist before construction on and around the Lot. Furthermore, the Owner is required to submit a complete revegetation plan and schedule at the construction document submittal for review. Installation and maintenance of the revegetation plant material on the site are the responsibility of the Owner. Formal landscaping shall be prohibited, except those area immediately adjacent to the residence that are drip irrigation in accordance with the water district and water court regulations.

G. Driveway

Driveways shall be paved with a hard surface material. Materials other than asphaltic concrete shall be reviewed by the Committee on a case by case basis.

The maximum width of paved driveway surfaces, excluding parking areas immediately adjacent to garages, shall not exceed fourteen feet (14'0").

Driveway grades exceeding an eight percent (8%) slope, shall be heated or have design features that accommodate safety and comply with Summit County Codes.

Where culverts are required, they shall be submitted for review and approval by the Committee and Summit County Engineering.

Driveways shall be staked for approval at the Construction Document Review.

The only site access during the construction of the home will be over the approved driveway for the Lot.

H. Decks, Greenhouses, Swimming Pools, Etc.

1. Decks adjacent to the structure not over a walk out shall be designed to minimize unsightly supporting structures and to complement the total design. Underpinning for decks more than three feet (3'-0") above grade must be designed without visible cross bracing or with a continuous screen wall to conceal structural supports. Decks over walk out area must minimize the appearance of visible cross bracing or have ornamentation to avoid a flimsy or stilted look. The width of the supporting columns must increase with the height. Generally dividing guidelines for supports are 4"x 4" up to 4 feet above ground level (agl); 8"x8" up to 8 feet agl; 12"x12" up to 12 feet agl and 24"x 24" up to 24 feet agl. Like diameter logs may be substituted. Where engineering requirements do not require the sizes indicated smaller sizes may be boxed in to achieve the appropriate look.

2. Greenhouses, swimming pools and hot tubs are recognized amenities but must meet code as do other architectural elements.

3. Temporary shelters, tents, and storage units are not permitted.

4. Swimming pools shall not be prefabricated "above ground" style.

I. Signs

The following signage is permissible at Highland Meadows Subdivision homesites, subject to review and approval by the Committee:

1. House number and/or owner name signs. Signage location and copy shall be submitted and reviewed with the Construction Document submittal. The signage shall be fabricated and installed to design specifications. Address signage shall be installed prior to the post-construction inspection.
2. Construction signs - limited to ONE sign per lot not to exceed four (4) square feet of total surface area. The location of construction signage shall be shown on the site plan at the Schematic Design Review stage. This sign shall not be placed prior to ground-breaking and shall be removed upon issuance of the Certificate of Occupancy.
3. Real estate signs - limited to one sign per lot not to exceed four (4) square feet of total surface area. These signs may be placed on the day that the listing goes into effect and must be removed no later than seven days after closing.

All signs shall conform to the Summit County Sign Code now in effect or hereafter amended.

All signs shall be freestanding. At no time shall signs be placed on or nailed to trees or structures.

J. Mailboxes

In the event that mail delivery service becomes available at Highland Meadows Subdivision, the Committee will provide a detailed mailbox design and the Owner shall have it fabricated and installed according to design specifications.

K. Natural Drainage

No Owner or contractor shall interfere with or redirect the natural course of any drainage and runoff nor construct any improvement, place any landscaping or alter the drainage pattern or runoff from its natural flow into or across the land of another except to the extent such alteration in drainage pattern or runoff is approved in writing by the Committee, and any

Farmer's Korner Inc., Declarant

BY: _____
Laurence Smith, President of Farmer's Korner, Inc.

APPENDIX A - INDIGENOUS PLANT LIST

TREES

Populus tremuloides	Aspen
Populus angustifolia	Narrowleaf Cottonwood
Populus balsamifera	Balsam Poplar
Picea engelmannii	Engelmann Spruce
Picea pungens	Colorado Spruce
Pinus aristata	Bristlecone Pine
Pinus contorta 'latifolia'	Lodgepole Pine
Abies lasiocarpa	Alpine Fir

SHRUBS

Alnus tenuifolia	Thin leaf Alder
Betula glandulosa	<u>Bog Birch</u>
Ribes inerme	Gooseberry
Ribes alpinum	Alpine Currant
Ribes aureum	Golden Currant
Ribes cereum	Squaw Currant
Juniperus communis	Common Juniper
Mahonia repens	Creeping Mahonia
Lonicera involucrata	Twinberry Honeysuckle
Artocostaphyllum uva-ursi	Kinnikinnick
Salix spp.	Willows
Artemisia tridentata	<u>Bigleaf Sage</u>
Rosa woodsii	Wood's Rose
Rubus idaeus v. strigosus	Wild Raspberry
Potentilla\ species	Native Potentilla
Sambucus pubens	Red-berried Elder
Chrysothamnus nauseosus	Rabbitbrush

GRASSES

FORBES

Rocky Mountain Penstemon	Rocky Mountain Columbine
Common Yarrow	Western Native Columbine
Native Lupine	Indian Paintbrush
Pasque Flower	Cinquefoil
Native Sedum	Old-Man-on-the-Mountain
Pussytoes	Rocky Mountain Locoweed
Fernleaf Fleabane	Fireweed
Monkshood	Marsh Marigold
Shooting Star	Wild Strawberry
Gentian	Sticky Geranium
Moneyflower	Blue Bells
Delphinium	Pink Plumes (Geum)
Jacob's Ladder	Creeping Phlox
Sulphurs Flower	Showy Fleabane
Rocky Mountain Penstemon	Rocky Mountain Columbine
Common Yarrow	Western Native Columbine
Native Lupine	Russell's Hybrid Lupine
Indian Paintbrush	Pasque Flower
Cinquefoil	Native Sedum
Hybrid Sedums	Old-Man-on-the-Mountain

APPENDIX A - INDIGENOUS PLANT LIST

FORBES (continued)

Pussytoes	Rocky Mountain Locoweed
Fernleaf Fleabane	Showy Fleabane
Fireweed	Monkshood
Shooting Star	Wild Strawberry
Domestic Strawberry	Gentian
Sticky Geranium	Hybrid Geraniums
Delphinium	Monkeyflower
Blue Bells (Mertensia)	Jacob's Ladder
Pink Plumes (Geum)	Hybrid Geum
Sulpher Flower	Creeping Phlox
Hybrid Columbine	Penstemon
Anthemis	Alliums
Blue Flax	Wolf's Alyssum
Campanula	Dianthus
Gaillardia	Hens Chicks
Maltese Cross	Meadow Rue
Iceland Poppy	Hybrid Yarrow
Veronica, creeping	Thyme
Garden Sage	Chives
Beebalm	Mints
Chamomile	Comfrey
Costmary	Horseradish
Lovage	Tansy
Wormwood	

APPENDIX B - APPROVED NATIVE AND COMPATIBLE PLANTS

Supplemental Irrigation recommended

TREES

<i>Populus tremuloides</i>	Aspen
<i>Populus angustifolia</i>	Narrowleaf Cottonwood
<i>Picea engelmannii</i>	Engelmann Spruce
<i>Picea pungens</i>	Colorado Spruce
<i>Pinus aristata</i>	Bristlecone Pine
<i>Pinus contorta</i> 'latifolia'	Lodgepole Pine

SHRUBS

<i>Betula glandulosa</i>	Bog Birch
<i>Ribes inerme</i>	Gooseberry
<i>Ribes alpinum</i>	Alpine Currant
<i>Ribes aureum</i>	Golden Currant
<i>Ribes cereum</i>	Squaw Currant
<i>Juniperus communis</i>	Common Juniper
<i>Mohonia repens</i>	Creeping Mohonia
<i>Lonicera involucrata</i>	Twinberry Honeysuckle
<i>Lonicera tatarica</i> 'AR.'	Arnold's Red Honeysuckle
<i>Arctostaphyllum uva-ursi</i>	Kinnikinnick
<i>Salix</i> spp.	Willow Bluestem
<i>Artemisia tridentata</i>	Bigleaf Sage
<i>Rosa Woodii</i>	Wood's Rose
<i>Rubus idaeus</i> v. <i>Strigosus</i>	Native Raspberry
<i>Potentilla species</i>	Cinquefoil (Many cultivars)
<i>Alnus tenuifolia</i>	Thin Leaf Alder
<i>Sambucus pubens</i>	Red-Berried Elder
<i>Sambucus canadensis</i> 'aurea'	Golden Elder
<i>Syringa x prestoniae</i>	Canadian Lilac
<i>Syringa s. swegiflexa</i>	Miss Canada & James McFarland
<i>Cotoneaster acutifolius</i>	Peking Cotoneaster
<i>Caragana arborescens</i>	Siberian Peashrub
<i>Chrysothamnus nauseosus</i>	Rabbitbrush

GROUNDCOVERS AND VINES

<i>Cerastium tomentosum</i>	Snow In Summer
<i>Mahonia repens</i>	Creeping Mahonia
<i>Potentilla anserina</i>	Silverweed
<i>Ranunculus repens</i>	Creeping Buttercup
<i>Polygonum affine</i>	Border Jewel
<i>Humulus lup. neomexicanus</i>	Native Hop Vine

APPENDIX C - APPROVED PLANT LIST
In close proximity to residence
Supplemental irrigation recommended

TREES

Acer glabrum
 Crataegus crus-galli
 Crataegus phaenopyrum
 Malus bechtel
 Malus radiant
 Pinus aristata
 Pinus cembroides edulis
 Prunus cerasifera 'Thundercloud'
 Prunus virginiana 'Schubert'
 Pyrus calleryana 'Bradford'
 Quercus gambelii

Rocky Mountain Clump Maple
 Cockspur Hawthorne
 Washington Hawthorne
 Bechtel Crab
 Radiant Crab
 Bristlecone Pine
 Pinyon Pine
 Thundercloud Plum
 Candian Red Cherry
 Bradford Pear
 Gambel Oak

SHRUBS

Acer ginnala
 Berberis atropurpurea
 Chamaebatiaria millefolium
 Cotoneaster acutifolia
 Cotoneaster apiculata
 Hibiscus syriacus
 Juniperus sabina 'Buffalo'
 Lonicera
 Potentilla fruticosa
 Potentilla fruticosa 'Abbotswood'
 Potentilla fruticosa 'Gold Drop'
 Potentilla fruticosa 'Jackman'
 Prunus cistena
 Rhus trilobata
 Rosa foetida bicolor
 Salix irrorata
 Salix purpurea 'Nana'
 Sambucus cerulea
 Sambucus pubens
 Shepherdia argentea
 Spirea -Vanhouttei'
 Syringa vulgaris

Amur Maple
 Greenleaf Japanese Barberry
 Fernbush
 Peking Cotoneaster
 Cranberry Cotoneaster
 Rose of Sharon
 Buffalo Juniper
 Honeysuckle
 Native Potentilla
 Abbotswood Potentilla
 Gold Drop Potentilla
 Jackman Potentilla
 Purple Leaf Plum
 Three Leaf Sumac
 Austrian Copper Rose
 Blue Stem Willow
 Dwarf arctic Willow
 Blue Elderberry
 Native Red Berried Elder
 Silver Buffalo Berry
 Vanhoutte Spirea
 Common Lilac

GROUND COVERS AND VINES

Cotoneaster horizontalis
 Cerastium tomentosum
 Clematis ligusticifolia
 Clematis orientalis
 Galium odoratum
 Juniper-us horizontalis
 Lonicera japonica -Halliana'
 Parthenocissus quinquefolia
 Polygonum aubertii
 Sempervivum tectorum

Rock Cotoneaster
 Snow-In-Summer
 Virgins Bower
 Yellow Clematis
 Sweet Woodruff
 Horizontal Juniper
 Hall's Honeysuckle
 Virginia Creeper
 Silver Lace Vine
 Hen and Chicks

APPENDIX C- APPROVED PLANT LIST

In close proximity to residence
Supplemental irrigation recommended
(continued)

PERENNIALS

Aquilegia sp.	Columbine
Dicentra 'Luxuriant'	Bleeding Heart
Gaillardia aristata	Blanket Flower
Gaillardia aristataa 'Goblin'	Dwarf Blanket Flower
Geranium sp.	True Geranium
Lignum perenne	Perennial Blue Flax
Lupinus sp.	Lupine
Penstemon sp.	Penstemon, Beard Tongue

APPENDIX D - PROHIBITED PLANT LIST

Elaeagnus angustifolia
Ulmus parvifolia
Populus nigra 'Italica'
Tamarix sp.
Ulmus hollandica
All species of palm trees

Russian Olive
Chinese Elm
Lombardy Poplar
Tamarix
Dutch Elm
Palms

Highland Meadows

Summit County

Design Review Application

Project Name: _____

Lot No.: _____ Filing No.: _____ Address: _____

No. of Bedrooms: _____

No. of Baths: _____ -Car

Garage

Lot Size: _____

Building Size: _____

Lot Coverage: _____

Building Height: _____

Owner: _____

Address _____

Phone No. _____

Architect: _____

Address _____

Phone No. _____ License No. _____ State _____

Contractor: _____

Address _____

Phone No. _____

Design Review Fee: _____

Design Review Process:

- Pre-Design Meeting Date: _____
- Prelim-Design Approval Issued: _____
- Final Design Approval Issued: _____
- Construction Compliance Deposit Received: _____
- Pre-Construction Meeting Date: _____
- Final Inspection Date: _____
- Final Release Issued: _____
- Construction Compliance Deposit Returned: _____

Violation Fines:

Amount	Date	Reason
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_____	_____	_____
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_____	_____	_____
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_____	_____	_____
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Highland Meadows
Summit County
PRELIMINARY DESIGN REVIEW CHECKLIST

Project Name _____
Submittal Date _____ Lot No. _____
Filing No. _____

1. Application and Design Review Fee

2. Topographic survey -

- Trees 8" diameter or larger with drip lines
- Easements and Setbacks
- Natural site features
- Existing Utilities

3. Site Plan -

- Title block/North arrow
- Building with roof plan shown
- Ridge Heights labeled
- Existing trees with approximate driplines shown
- Trees to be removed shown
- Proposed finish floor elevations shown
- Utility locations and meters
- Building envelope & easements shown
- driveway, walks, and grading shown
- Driveway culvert shown if required

4. Floor Plans -

- S.F. of each level shown
- Title block/North arrow
- All door and window opening locations
- Decks, porches and balconies
- Finished floor elevations shown
- Scale 1/4"=1'0" or 1/8"=1'0"

5. Exterior Elevations -

- Existing and proposed grade lines shown
- Plate heights labeled
- Ridge heights labeled
- Roof pitch labeled
- Chimneys
- Railings
- Preliminary indication of all exterior materials shown
- Building height labeled
- Scale 1/4"=1'0" or 1/8"=1'0"

6. Preliminary material/color sample board (8 1/2" x 11")

- Include colored elevation of street or front view of building

7. Retaining wall cross sections if any exist -

Meeting Date: _____

Notice Date: _____ (Within 30 days of submittal)

Highland Meadows

Summit County

FINAL DESIGN REVIEW CHECKLIST

Project Name: _____
Submittal Date: _____ Lot No. _____
Filing No. _____

1. Site Plan -

- Title block/North arrow
- Building with roof plan shown
- Ridge heights labeled
- Existing trees with approximate driplines shown
- Trees to be removed shown
- Proposed finish floor elevations shown
- Utility locations and meters
- Building envelope & easements shown
- Driveway, walks, and grading shown
- Driveway culvert shown if required
- Final landscape plan shown
- Scale

2. Foundation Plan -

- Depths of all footings
- Top of wall heights
- Dimension and thickness of walls

3. Floor Plans -

- S.F. of each level shown
- Title block/North arrow
- All door and window opening locations and sizes
- Decks, porches and balconies
- Finished floor elevations shown
- All exterior dimensions
- Wall partition and stairways
- Line of proposed roof overhangs
- Scale 1/4" = 1'0"

4. Elevations -

- Existing and proposed grade lines shown
- Plate heights labeled
- Ridge heights labeled
- Roof pitch labeled
- Chimneys
- Railings
- Final indication of all exterior materials shown
- Building height labeled

- Garage door material and color
- Scale 1/4" or 1/8"

5. Building Sections -

- Cross section through highest part of building
- Foundation materials
- Exterior wall materials and height
- Roof construction, material and slope
- Existing and proposed grade
- Ridge height elevation
- Floor elevations
- Scale 1/4" = 1'0"

6. Final Material/Color Sample Board -

- Wood siding sample
- Stone sample

7. Final Landscape Plan -

- Title block/North arrow
- Building location
- Roof overhangs
- Finish grading
- Driveway, walks, terraces, decks with materials noted
- Location and size of all plants, trees, sod, seeded areas, etc.
- Description of erosion control techniques
- Scale 1" = 10'0"

8. Details -

- Trim details, color, size
- Chimney cap
- Fascia
- Exterior lighting locations and cut sheets

9. Construction Staging Plan -

- Construction trailer or office
- Staging areas
- Material storage areas
- Topsoil storage areas
- Construction fencing
- Parking
- Port-a-let
- Signage
- Construction Schedule
- Construction Compliance Deposit

Highland Meadows

Summit County REQUEST FOR REVIEW

Project Name: _____

Submittal Date _____ Lot No. _____ Filing No. _____

Requested by _____ Phone _____

Owner _____ Phone _____

Architect _____ Phone _____

- ☐ Request for Pre-Construction Meeting
- ☐ Request for Final Inspection
- ☐ Request for Final Release
- ☐ Request for Return of Construction Compliance Deposit

Notice to Applicant:

Following your request, the Design Review Board feels that your final building and site construction:

- ☐ Conforms
- ☐ Does not conform

to the approved plans of your final submittal and that all conditions of the approval have been satisfied.

Items to be completed before Final Release can be issued.

Dated: _____ Signed _____

Highland Meadows Design Review Administrator

Highland Meadows

Summit County

NOTICE OF NON COMPLIANCE TO CONSTRUCTION REGULATIONS

To: General Contractor _____

Owner _____

Location: Lot Number _____ Date _____ Fine Amount _____

Reference

Nature of Offense

- | | | |
|-------------------------------|-------------------------------------|-------|
| <input type="checkbox"/> 4.6 | Final Inspection | _____ |
| <input type="checkbox"/> 4.8 | Construction Trailers | _____ |
| <input type="checkbox"/> 4.9 | Trash Receptacle and Debris Removal | _____ |
| <input type="checkbox"/> 4.10 | Sanitary Facilities | _____ |
| <input type="checkbox"/> 4.11 | Construction Access | _____ |
| <input type="checkbox"/> 4.12 | Vehicles and Parking Areas | _____ |
| <input type="checkbox"/> 4.13 | Conservation of Native Landscaping | _____ |
| <input type="checkbox"/> 4.14 | Excavation Materials and Blasting | _____ |
| <input type="checkbox"/> 4.15 | Dust and Noise Control | _____ |
| <input type="checkbox"/> 4.16 | Material Deliveries | _____ |
| <input type="checkbox"/> 4.17 | Firearms | _____ |
| <input type="checkbox"/> 4.18 | Alcohol and Controlled Substances | _____ |
| <input type="checkbox"/> 4.19 | Fires and Flammable Materials | _____ |
| <input type="checkbox"/> 4.20 | Pets | _____ |
| <input type="checkbox"/> 4.21 | Preservation of Property | _____ |
| <input type="checkbox"/> 4.22 | Restoration of Property | _____ |

☐ 4.23 Construction Signage

☐ 4.24 Daily Operation

☐ 4.25 Site Visitations

☐ 4.26 Construction Insurance Requirements

You are hereby requested to cease or correct the offending action(s) or other fines will be issued.

☐ Immediately

☐ Within 10 days of notification date