

DESIGN GUIDELINES
FOR THE
CRESTMoor PARK
(2ND FILING) HOMES ASSOCIATION

Originally Adopted April 13, 2011

Revision Adopted May 6, 2024

BEFORE COMMENCING ANY DEVELOPMENT OF OR EXTERIOR IMPROVEMENT TO PROPERTY WITHIN THE CRESTMoor PARK (2ND FILING) COMMUNITY, YOU MUST OBTAIN APPROVAL OF THE PROPOSED DEVELOPMENT FROM THE ARCHITECTURAL REVIEW COMMITTEE (“ARC”) OF THE CRESTMoor PARK (2ND FILING) HOMES ASSOCIATION (THE “ASSOCIATION”). “DEVELOPMENT” IS DEFINED IN THESE DESIGN GUIDELINES AND INCLUDES DEMOLITION AND MOST BUILDING OR CONSTRUCTION ACTIVITIES, SUCH AS FENCES, WALLS, OUTBUILDINGS, MISCELLANEOUS STRUCTURES, AND LANDSCAPING. BEFORE BEGINNING ANY DEVELOPMENT, PLEASE CONSULT THESE DESIGN GUIDELINES AND CONTACT THE ARC AT THE ADDRESS IDENTIFIED ON THE ASSOCIATION’S WEB PAGE: crestmoorparktwo.org.

DESIGN GUIDELINES

CRESTMoor PARK (2ND FILING)

[NOTE: Capitalized terms not defined within the text of these Design Guidelines shall have the meanings provided in Section 1.4, below.]

1.0 Introduction to Requirements for Submission of Plans to the ARC

1. Please read this introduction. It provides guidance of how to read and understand what follows. It does not replace what follows.

2. All Owners within Crestmoor are required to secure approval of the ARC for demolition and/or any exterior construction, improvements to their Homes, or Development. Read the definition of “Development” in Section 1.4, below.

3. The process for Submission of Plans is set forth in Article 3.0, below.

4. In most circumstances, the Owner is required to deliver copies of proposed plans to certain neighbors identified below and to deliver to the ARC evidence that such plans were delivered and a report of any neighbor comments received on those plans. See Article 3.0, below.

5. The ARC strongly suggests that an Owner planning construction or other improvements contact each neighbor as early as possible in the process to describe the Owner’s intentions and to open a channel of communications for neighbor comments and to respond to neighbor concerns. This is what neighbors do.

6. The balance of this Article 1.0 sets forth both certain legal issues related to construction and improvement in Crestmoor and an overall statement of the intent and requirements of the Submission of plans and approval process. Please note the definitions in Section 1.4. These are important.

7. Sections 1.5 – 1.30 deal with specific aspects of how construction and Development are regulated by the ARC. These are intended to make the submission and approval process as straightforward and clear as possible for the Owner and the Owner’s architect and Contractor.

8. Article 2.0 describes certain practical aspects and the conduct of the construction itself on the Owner’s Lot.

9. Article 3.0 sets forth the Submission process.

10. Exhibit A provides contact information for the ARC and for the ARC’s Review Architects.

1.1 Applicability and Interpretation

These Design Guidelines apply to all Development within Crestmoor Park (2nd Filing), Denver, Colorado (“Crestmoor”) and implement the Declaration and Agreement establishing building restrictions in “Crestmoor Park 2nd Filing,” which was recorded May 23, 1947 in Book 6219, at Page 253 and as amended and restated by Amendment to Declaration and Agreement recorded May 20, 1997 at Reception #9700064285 of the Records of the Office of the Clerk and Recorder of the City and County of Denver, Colorado, (the “Declaration”).

These Design Guidelines replace in their entirety the Design Guidelines dated April 13, 2011, as they have been previously modified.

All Development shall be constructed or modified so in compliance with all Denver, state, and federal ordinances, codes, and regulations that may pertain to the construction or Development of the Crestmoor community. It is assumed the Owner and the Owner’s architect and Contractor are familiar with the current Zoning ordinance as it specifically pertains to the proposed Development.

In reviewing these Design Guidelines and applying them to a particular situation, the Owner should consider the following:

- A. In any case where the guidance and restrictions of these Design Guidelines conflict with a Denver ordinance, the provision that is stricter will control.
- B. The ARC and the Board of Directors of the Association (the “Board”) do not have the power or authority to approve any action or construction that Denver does not permit. For example, typically several feet between a legally described Lot and the abutting street are actually owned by Denver and the property line of a Lot is often several feet closer to the Home than might physically appear. Among other things, this means that (i) all Development in the strip of land between an Owner’s Lot and the abutting street requires the approval of Denver or otherwise meets Denver’s requirements and (ii) the front Setback line must be measured from the surveyed front Lot Line, not from the gutter pan or street.
- C. Not every Home within Crestmoor currently complies with the Declaration and these Design Guidelines. Such noncompliance does not create precedent for future Development within Crestmoor, all of which is governed by the Declaration and these Design Guidelines.

When interpreting these Design Guidelines, deference will be given to the ARC and the Board as long as their interpretations are consistent with the intent of these Design Guidelines set forth in Section 1.2, below, and not contrary to any provision, limit, or restriction set forth in the Declaration. The ARC and the Board reserve the right to waive or make less restrictive any provision of these Design Guidelines in a particular circumstance if they determine the requirement is not material and such waiver or loosening is consistent with the intent of these Design Guidelines set forth in Section 1.2, below.

1.2 Intent

The intent of these Design Guidelines is to supplement, and shall not be considered a replacement of, the building restrictions and requirements set forth in the Declaration. Read the Declaration. The Association, through its ARC, shall consider plans, specifications, and requirements regarding the suitability of the proposed Building, structure, or other Development and the materials of which it is to be built to its proposed site, its harmony with its surroundings, and the outlook from the street and from neighboring properties.

Single-family Development within Crestmoor has been organized to create a sense of place and community, park-like and with parkways, wide streets, and open spaces. Street-facing elevations should be interesting and diverse; garages should not be the dominating element or feature of the elevation. Crestmoor streetscapes are characterized by an open feeling, a park-like setting, and broad vistas.

Homes in the Crestmoor community were constructed initially between 1954 and about 1969, mostly as one-story ranch houses along with some traditional two-story residences, some which retain their mid-century modern and ranch aesthetics even as they have been remodeled and added to over the years. Crestmoor has in the past quarter century attracted owners who have responded to the desirability of Crestmoor and invested in constructing larger, often multi-story, Homes to the extent permitted by the Building Envelope while maintaining a traditional architecture consistent with the Declaration. The primary building material of both older and newer Homes is brick and stone; and some newer construction utilizes cementitious stucco in limited application as a complementary material and consistent with the Owner's Design Intent Statement.

The Crestmoor community has a no-sidewalk policy which is recognized by Denver regulations.* Because there are no alleys, garage access is from the street. The landscaping is mature with many well-developed trees and parklike resulting from Owners' strict observance of Setback requirements.

The intent of these Design Guidelines is to maintain consistency, harmony, and quality in architectural design and site planning for new and existing Development and to protect and enhance home values in the Crestmoor community.

1.3 No Representation or Reliance

The review of an Owner's plans and other materials Submitted to the ARC is solely for the purpose of the ARC and the Association determining whether such Owner's plans and materials comply with the Declaration and these Design Guidelines and is for the sole benefit of the Association. Such Submittal, review, any comments, or any approvals by the Association, the ARC, or the Association's Review Architect may not be relied upon by the Owner, the Owner's Contractor or architect, or any other person for any reason. The Owner and the Owner's Contractor, architect, and other professionals are solely responsible for all matters relating to the planning and construction of Development to the Owner's Lot and compliance with all applicable law.

* Rules & Regulations for Sidewalk and Curb Ramp Construction, Denver Department of Public Works, October 1, 2007, Section IV "Exempted Areas."

1.4 Definitions

In addition to capitalized terms defined elsewhere in these Design Guidelines, the following terms have the definitions set forth below.

Association

Crestmoor Park (2nd Filing) Homes Association, a Colorado non-profit corporation.

Building

Any covered structure intended for the shelter, housing, or enclosure of any person, animal, or personal property.

Building Envelope

The area of a Lot within which Buildings may be constructed as described by the front, side, and rear Setbacks established by the stricter of the Declaration or Denver ordinances. See Section 1.6, below.

Contractor

Any person or entity engaged by or on behalf of an Owner to perform construction or other services on an Owner's Home or Lot that is subject to these Design Guidelines.

Crestmoor

Has the meaning provided in Section 1.1, above.

Declaration

Has the meaning provided in Section 1.1, above.

Denver

The City and County of Denver, Colorado.

Design Intent Statement

The "Statement of Design Intent, Goals, and Architectural Style" described in Section 1.10, below.

Development

Development includes, without limitation (1) the construction, installation, erection, restoration, renovation, or expansion of any Building, structure, or other improvement, including utility facilities; (2) the demolition or destruction, by voluntary action, of any Building, structure, or other improvement; (3) the grading, excavation, filling, or similar disturbance to the surface of the land, including, without limitation, landscaping, change of grade, change of ground level, or change of drainage pattern; (4) any change, alteration, renovation, rehabilitation, or conversion of any previously approved improvement or any Building, structure, or other improvement existing within the Crestmoor Community, including any change of exterior appearance, color, or materials; (5) the installation and construction of fences, walls, trellises, play structures, ornamental structures, miscellaneous structures, solar panels, and outbuildings; and (6) the installation of any antennas, satellite dishes, or rooftop-mounted equipment.

Façade

The most exterior part of a front or other street-facing wall, sunscreen, or any screening or material covering the exterior of a Building, including any permitted covered porch or portico.

Garage

A Building or part of a Building in which motor vehicles are or may be housed or stored.

Home

A residential dwelling unit located on a lot.

Little Libraries

Has the meaning provided in Section 1.24, below.

Lot

A Lot is a parcel of land intended for the construction of a Home within Crestmoor. A Lot may be a “lot” as designated on the Plat Map establishing Crestmoor or it may include portions of adjacent Lots as described by deeds conveying title to such Lot. Typically, Lots will have a minimum of a 70-foot frontage on a public street.

Lot Line

A front, side, or rear property boundary line of a Lot. Where a Lot is adjacent to a public right-of-way, the Lot Line will be the boundary of the Denver right-of-way, but generally that is not the edge of the gutter pan or roadway but may be set back 8’-12’ from the pavement, and a survey is required to locate such Lot Line.

Owner

The legal or equitable owner or ground lessee of any real property in Crestmoor zoned or developed for residential use, whether one or more individuals, a trust, an estate, or an entity.

Review Architect

The architect(s) engaged by the ARC from time to time to assist the ARC in reviewing Submittals from Owners and to establish compliance with the Declaration and these Design Guidelines.

Setback

The area between the Building Envelope and the adjacent front, side, or rear Lot Lines.

Submittal (or Submission) and the Submittal Process

Have the meaning provided in Article 3.0, below.

Zoning

The provisions of the then current Denver Zoning ordinance applicable to the Lot.

1.5 Building Siting, Grading, and Massing

1.5.1 Siting

Privacy from other houses and adjacent properties and the effect of exterior lighting on other Homes, should be considered in the siting and design of Homes.

1.5.2 Natural Grade

Construction and Development shall maintain the natural overall grade of the Lot and be consistent with the grades of adjacent Lots. Adding fill to a Lot to increase its elevation is prohibited.

1.5.3 Massing

Architectural massing shall conform to the bulk plane and similar Building Envelope requirements of Zoning and be in harmony with the Crestmoor community.

1.6 Setbacks

Unless a greater Setback is required by Denver, and unless a lesser Setback is provided for in the Declaration, the minimum Setbacks for any Lot within Crestmoor measured perpendicular from the Lot Line are as follows:

	<u>Front</u>	<u>Rear</u>	<u>Side</u>
Primary Structures	30 feet (or less as provided in the Declaration)	20 feet (Recommended)	8 feet
Garages and Ancillary Structures (other than in the rear one-third of the Lot)	House Setback plus 3 feet	10 feet	8 feet
Garages and Ancillary Structures in the rear one-third of the Lot	N/A	Per Zoning	Per Zoning
Driveways	N/A	N/A	5 inches

Setbacks of vestibules and certain other projections are governed by Section 6 of the Declaration and Section 1.28, below.

Homes located on corner lots will have two front Setbacks (one on each street side of the Home) and two side Setbacks of eight (8) feet each.

The Setbacks stated above are subject to the specific Lot Setback requirements and exceptions set forth in Articles 5 and 6 of the Declaration.

1.6.1 Development Within Setbacks

No Development other than landscaping shall be installed in any Setback except for:

- A. Subsurface structures covered by the ground or below ground level, including structural walls to stabilize slopes in the front Setback provided such wall is not visible from any direction without regard to vegetation.
- B. Steps, driveways (no hard surface shall be located within five (5) inches of the property line of an adjacent Lot), curbing, sidewalks, benches, and related hardscape.
- C. Underground utilities and related surface utility equipment to the extent such equipment is required by utility companies and is screened as approved by the ARC.
- D. Fences, only in side and rear Setbacks and subject to Section 1.15, below.
- E. Certain permitted encroachments into building Setbacks specifically set forth in the Declaration or elsewhere in these Design Guidelines, including Section 1.28, below, dealing with certain vestibules and projections.
- F. “Little Libraries” as described in Section 1.24, below.
- G. “Garden Landscape Walls” as described in Section 1.25, below.

1.7 Garages

All Garages shall meet the following requirements:

1.7.1 Three-Foot Setback

Attached Garages should be recessed a minimum of three (3) feet from the Façade of the Home and generally shall be limited to two (2) cars in width. An additional car may be accommodated by providing sufficient space for a tandem space behind one of the side-by-side spaces. The ARC will consider a three-car wide Garage if permitted by Zoning and where the width of the Garage is less than 30% of the width of the Home’s street-facing Façade.

1.7.2 Garages on Corner Lots

Garages on corner lots shall not be located on either side of the corner of the Lot adjacent to the intersection but shall be located adjacent to either of the side Lot Lines.

1.7.3 General Requirements

Garages shall be set above grade.

Garage doors shall not be wider than eighteen (18) feet or higher than nine (9) feet measured from the Garage floor at the center of the door opening.

Garage doors shall not be constructed of fiberglass or translucent materials that permit interior light to be visible from exterior of the garage, other than for a single row of windows comprising no more than 20% of the height of the door.

Façades of side-loaded Garages that face the street shall incorporate design elements, including windows, to blend the Garage into the Home design.

Detached Garages shall be designed and constructed to be compatible with the Home and shall be constructed with the same materials and in the same style as the Home.

Metal Garages, other than Garage doors, are prohibited.

Carports are prohibited. "Carport" is defined as a covered space used or intended for the housing or storage of motor vehicles that is not fully enclosed by walls.

1.8 Roofs

All roofs shall meet the following requirements and those addressed in Section 1.14, below:

- 1.8.1** The primary roof form for all Homes and detached garages shall be sloped at a pitch of at least a three (3) in twelve (12) ratio of rise to run and no more than a twelve (12) in twelve (12) ratio of rise to run. Roofs shall be sloped so that the roof in front of the ridgeline will appear from the street adjacent to the front Façade of the Home as a traditionally sloped roof consistent with this Section 1.8.
- 1.8.2** Mansard and gambrel roofs are prohibited unless approved by the ARC as consistent with the approved Design Intent Statement.
- 1.8.3** Flat roofs and roofs with a pitch of less than three (3) in twelve (12) shall be prohibited unless such a roof is a secondary roof form on the structure and is approved by the ARC as consistent with the overall design of the Home and the Design Intent Statement.
- 1.8.4** For all roofs, both vertical and horizontal articulation is encouraged. Roof articulation may be achieved by changes in plane through the use of traditional roof forms such as gables, hips, and dormers.
- 1.8.5** No cooling tower, fans, heating and air conditioners, evaporative coolers, antennas, aeriels, communication towers, or any other structures or equipment shall be located on the roof in front of the front ridge line, and all such improvements shall be screened from view in a manner approved by the ARC. Vents and skylights

located on the roof shall be architecturally compatible with the building and approved by the ARC, and typically will not be visible from the street. Refer to Section 1.26, below, with respect to solar panels.

1.9 Building Height

1.9.1 The height of residential Buildings shall not exceed thirty-five (35) feet or such lesser height required by Zoning.

1.9.2 Building height is the vertical distance measured from either (as applicable)

(i) with respect to interior Lots: the lower of the two intersections of the front Setback line with the two side Lot lines or

(ii) with respect to corner lots: the lower of the intersection of each of the two front Setback lines with the respective side Lot lines

to the top of the highest ridge of the roof. In measuring the height of a Building, the following structures are excluded: chimneys, ornamental cupolas, spires, flues, and vents.

1.10 Design Intent and Architectural Style

Each Submittal for any addition, major exterior remodel, or new Home construction shall include a Design Intent Statement describing the specific architectural style proposed. The Design Intent Statement shall set forth the common characteristics and typical detailing of that style. Styles will be evaluated based on how the proposed design achieves the intent, goals, and architectural style described in the Design Intent Statement and its compliance with the Declaration and these Design Guidelines.

Any variances from the requirements of these Design Guidelines shall be addressed specifically in the Design Intent Statement supporting the requested variance.

Consistent use of materials, architectural detailing, and massing shall be maintained to achieve an integrated appearance. The following guidelines apply to the design of Homes.

1.10.1 Exteriors, and especially the Façade, shall include architectural detail and relief. Exteriors shall be articulated with architectural elements such as building breaks and varied architectural treatment to avoid long, monotonous walls. Architectural elements which create shadows on the Home, such as roof overhangs, offset wall planes, window boxes, bay windows, and cantilevers, should be incorporated into the design of exteriors and especially the Façade.

1.10.2 Façades and other exterior elevations shall be designed with a classic and timeless appearance including, but not limited to, styles such as the following: Ranch, American colonial, French country, Mediterranean, Tudor, and Mid-century modern, and shall be in harmony with the architecture of the Crestmoor community. Architecture that is predominantly modern or contemporary is generally prohibited.

Overly simplistic designs that lack planar articulation, have inadequate material detailing, or that have flat (or flat-appearing) roofs (except as permitted by Section 1.8, below) are not permitted.

- 1.10.3** A Home and detached garage or other outbuilding on a Lot shall be designed and constructed in a unified architectural style using the same materials.

1.11 Exterior Materials

- 1.11.1** All sides of a Home shall be designed and constructed so as to carry through a single design concept and to produce an integrated, harmonious, and complete appearance.

- 1.11.2** Each Building shall be constructed of brick or stone on all sides of the structure to be compatible with other Homes in Crestmoor. If alternative exterior materials are proposed, the Design Intent Statement shall state why the use of such material is integral to that specific architectural style proposed (including supporting architectural opinion and documentation) and state why the proposed design is consistent and harmonious with other Homes in Crestmoor.

- 1.11.3** Each Owner constructing or renovating a Home shall meet the following requirements:

- A. The structure shall be constructed with at least sixty (60) percent brick or stone on each side of the structure, unless specifically approved by the ARC.
- B. If approved in writing by the ARC, defined areas may be finished with cementitious stucco of a treatment, quality, color, and appearance approved by the ARC.
- C. If approved in writing by the ARC, certain areas, such as gable ends, may be finished with wood siding or other materials with the appearance of wood siding. Any such wood siding or other materials with the appearance of wood siding must be of a treatment, quality, color, and appearance approved by the ARC.
- D. All building materials shall be properly maintained at all times.

- 1.11.4** Concrete block, split block, metal, and vinyl (except for use as trim areas with the prior written consent of the ARC) are not permitted. Concrete block is permitted as a foundation material if surfaced with concrete or similar material to conceal the concrete block.

- 1.11.5** Foundations which extend above grade more than twelve (12) inches shall be covered with the same material used in the exteriors of the Building.

- 1.11.6** The entire exterior of any enclosure surrounding a chimney flue shall be clad in brick or stone.

1.12 Windows

- 1.12.1** Windows shall be consistent with the scale, spacing, and proportions typical of the Crestmoor community except for where they are used for special purposes (e.g., bay windows/greenhouses) or design accents (e.g., round/fan windows).
- 1.12.2** Reflective and mirrored glass with a visible reflectivity greater than ten (10) percent is prohibited. Where reflective glass is used, such glass shall be gray, bronze, or other similar neutral shade. The use of silver, gold, blue, green (except Low E glass if approved by the ARC) glass and any mirrored glass is prohibited.
- 1.12.3** Exterior window frames shall be compatible with the exterior color of the Home. Window frames other than wood shall be either anodized, electrostatically painted, or vinyl clad. Unpainted aluminum window frames are prohibited. Wood frames shall be painted, sealed, or stained.

1.13 Building Colors

- 1.13.1** All colors shall be approved by the ARC. A proposed color palette delineating colors, color ranges, and combination of colors shall be part of the Submittal. Fluorescent or bright colors are prohibited for any surface.
- 1.13.2** Color schemes are to be keeping with the aesthetic context of the Crestmoor community. The building colors shall work together to create a unified whole, including the roof color, the trim and siding colors, and any accent colors. Accent colors shall compliment the brick, stone, or main exterior color so that no accent color dominates the exterior or causes the Building to appear like it is built of separate elements.
- 1.13.3** Accent colors should be minimal and only serve to punctuate the whole color scheme and not become more noticeable than the whole. No large expanses shall be painted in accent colors.
- 1.13.4** Roof colors shall be harmonious with the total color scheme and comply with Section 1.14, below.

1.14 Roof Color and Materials

All roof colors and materials shall be subject to approval of the ARC and, in addition to the requirements of Section 1.8, above, shall meet the following requirements:

- 1.14.1** New roof materials shall be limited to slate, ceramic, or concrete tile, or laminated or multiple-ply composition shingles meeting the requirements of this Section, solar power generating shingles, or as specifically approved by the ARC.
- 1.14.2** Laminated or multiple-ply composition shingles shall meet the following conditions:

- A. Shingle product is covered with a minimum thirty (30) year manufacturer's warranty.
- B. The shingle product has a multi-dimensional appearance with a resemblance to weathered wood shake or slate shingles or other traditional looks consistent with Section 1.10.2, above.

1.14.3 Metal roofs, such as corrugated and standing seam, are prohibited, provided the ARC may approve standing seam metal roofs that are accent or secondary roofs and compatible in color, design, and location with the overall design of the Home and the Crestmoor community. Any such request shall be addressed in the Design Intent Statement.

1.14.4 All rooftop equipment, piping, flashing, and other roofing materials shall be finished to match the roof surface color or otherwise blend with the roof surface.

1.14.5 Roof color shall be in dark natural tones, such as dark browns and medium to dark grays. Roof color shall not be white, tan, light grey, or other color, and materials shall not be used which will weather to a white or light color.

1.15 Fences, Signs, and Miscellaneous Structures

(This Section 1.15 does not provide guidance with respect to Walls; see Section 1.25, below.)

1.15.1 The construction or maintenance of billboards, for sale signs, poster-boards, or advertising structures of any kind except those belonging to the Association or its duly authorized agent, on any part of any Lot is prohibited; provided:

- A. Contractors shall install signage displaying the Contractor's name and contact information but only during the period of construction.
- B. For sale and broker signs are permitted for the duration of the need for such sign.
- C. In each case, the sign may not be illuminated and shall not exceed ten (10) square feet total in surface area, whether single-sided or double-sided.

1.15.2 No wall (except as permitted by Section 1.25, below), fence, or hedge, nor any pergola or other detached structure for ornamental or other purposes shall be erected or maintained on any part of the front Setback (including with respect to corner Lots, in either of the two front Setbacks as provided in the Declaration). Notwithstanding the five-foot height limitation on fences, which originated in and remains a provision of the Declaration, the Board has determined that, absent extraordinary conditions, in most circumstances, the Board will not enforce a prohibition on fences in excess of five (5) feet in height but less than six (6) feet in height. Nonetheless, the Board cautions that Owners may have the right to enforce the five-foot maximum height limitation in the Declaration. In connection with the

construction of any fence, the Owner shall seek approval of the ARC and shall consult in person with all affected neighbors.

- 1.15.3** On Lots which abut on 6th Avenue Parkway, a fence or hedge may be erected from the Home to and along the property line on 6th Avenue Parkway; provided, however, that on corner Lots, no fence or hedge shall be erected in front of either of the front building limit lines as provided in the Declaration.
- 1.15.4** On lots which abut on Monaco Street Parkway and/or South Monaco Street Parkway, a fence or hedge may be erected from the Home to and along the property line on Monaco Street Parkway and/or South Monaco Street Parkway, provided, however, that on corner lots, no fence or hedge shall be erected in front of either of the front building limit lines as provided in the Declaration.
- 1.15.5** On Lots which abut on Holly Street (except Lots 1 to 7, inclusive, Block 27) a fence or hedge may be erected from the Home to and along the property line on Holly Street; provided, however that on corner Lots, no fence or hedge shall be erected in front of either of the front building limit lines as provided in the Declaration.
- 1.15.6** Any fence erected on Sixth Avenue Parkway, Monaco Street Parkway and/or South Monaco Street Parkway or Holly Street (other than on Lots 1 to 7, inclusive, Block 27) shall be an open fence not more than forty-two (42) inches in height.
- 1.15.7** The Declaration does not permit so-called “auxiliary dwelling units.” See Article 2 of the Declaration.

1.16 Trash Containers

All public and private service trash, sanitation, recycle, and compost containers shall be enclosed within fences, walls, or landscaping so as not to be visible from any Home or street, except on trash pick-up days and the prior evening, and shall comply with Denver ordinances.

1.17 Mailboxes

All pedestal mailboxes and outdoor package receipt receptacles must be approved by the ARC and shall not be erected in the front Setback except as approved by the ARC and located immediately adjacent to the front Façade. Housing for mailboxes shall be architecturally integrated with the individual Home to which such mailboxes and receptacles are related and shall be of similar construction, materials, design, and form to the Home.

1.18 Swimming Pools and Spas/Hot Tubs

Above ground swimming pools greater than twenty-five (25) inches in depth and nine (9) feet in diameter are prohibited. Above grade enclosures or structures which create an enclosed pool are prohibited. The definition of a swimming pool shall not include a spa or hot tub provided that such spa or hot tub is no greater than ten (10) feet in diameter and no greater than four (4) feet in depth.

1.19 Air Conditioning and Air-Cooling Devices

Ground-mounted air conditioning and cooling devices, including compressor units, shall not be located in the front of the Home and shall not be located in the side Setback unless installed completely below ground level.

Roof-mounted air conditioning and cooling devices, including compressor units, shall not be located in the front of the Home or in front of the main roof ridgeline of the Home or visible from the street.

All air conditioning compressors shall be located so as to not create a visual or noise nuisance to abutting Lots and shall meet the requirements of Section 1.8.5, above.

1.20 Basketball Backboards and Hoops

Free-standing, permanently affixed poles shall be set back behind the front Setback line and eight (8) feet from the side Lot Line.

1.21 TV Antenna, Satellite Dishes and Solar Devices

TV antenna, satellite dishes, and solar devices shall not be mounted on any street-facing Façade or roof slope or in the front Setback unless specifically approved by the ARC. Owner shall comply with Section 1.26, below, regarding solar panels, and Section 1.8.5, above, regarding roof-mounted devices.

1.22 Outdoor Lighting

With the exception of intermittent security lighting, all outdoor lighting shall be designed and installed to not cast any direct light on adjacent properties and shall conform with the Zoning Code, including Section 10.7.4.2.

1.23 Dumpsters and Storage Pods

Placement of dumpsters and temporary storage structures (sometimes referred to as storage PODs) shall not be permitted in the front Setback of any Home except in accordance with this Section 1.23 and with all Denver requirements. During any period of construction or landscaping, Owners may maintain dumpsters and PODs within the front Setback, and in connection with moving or storing household furnishings, Owners may maintain PODs within the front Setback. In no case shall PODs remain in place other than during loading and unloading, with a two-week maximum, except in connection with a major remodel, such PODs may remain in place during the term the building permit is outstanding, not to exceed three months without the consent of the ARC. The HOA urges Owners to place dumpsters, PODs, and porta potties on their Lots and not in the adjacent street for safety purposes and in consideration of neighbors' views, walking along the street, and street parking.

1.24 Little Libraries

Construction of so-called “Little Libraries” is not permitted in the front Setback of a Lot since such Little Libraries constitute structures and Developments. Nonetheless, the ARC and the Board have determined as a matter of policy that the Association will not prohibit the construction and installation of such Little Libraries in the front Setback if an Owner complies with each of the following:

- A. The Owner must Submit plans to the ARC but not to the Review Architects unless instructed by the ARC.
- B. The Little Libraries should be located on the Owner’s Lot and not in the Denver right-of-way (unless permitted by Denver).
- C. The Site Plan shall have been approved by the immediately adjacent neighbors.
- D. The Little Libraries shall not be located within either eight (8) foot side Setback on the Owner’s Lot unless agreed to in writing by the Owner of the adjacent Lot.

1.25 Garden Landscape Walls

1.25.1 Small garden landscape walls may be constructed to partially or fully enclose small garden or tree areas in the front Setback. Such small garden landscape wall or walls shall be constructed with decorative stone or brick consistent with or complimentary to the front Façade and shall not exceed twelve (12”) inches in height and twenty (20) feet in length. Such small garden landscape walls shall not be designed or constructed so as to structurally retain the ground or soil (other than garden topsoil, mulch, or similar ground covering), but rather shall be solely designed and constructed to aesthetically enhance the appearance of the garden or tree area.

1.25.2 Notwithstanding Section 1.25.1, above, landscape walls located within ten (10) feet from the front of the Home may be wider than twenty (20) feet and up to sixteen (16) inches high (but in no event higher than the main floor of the Home) and may be constructed to retain soil and/or to be the Façade of a porch or patio permitted by these Design Guidelines.

1.26 Solar Panels

Solar panels and other “solar energy devices” (as defined in Colo. Rev. Stat. § 38-32.5-100.3(2)) may be installed on a Lot provided all of the following requirements are satisfied:

- A. The Owner Submits a plan for such installation to the ARC pursuant to the Submittal Process.
- B. The installation is not within any front or side Setback.

- C. The installation shall to the extent reasonable not detract from the overall aesthetic appearance of the Home and shall minimize visibility from adjacent streets. For purposes of the preceding, the ARC may impose aesthetic requirements on installations provided they do not significantly increase the cost of the solar panel installation nor decrease its performance or efficiency consistent with the provisions of Colo. Rev. Stat. § 38-30-168(a).

1.27 Demolition

No Owner shall commence demolition of a Home or a material portion thereof prior to approval by the ARC of design plans submitted as required by Article 3.0, below, and the issuance of a building permit for the construction of the replacement Home or other Development (or the date that is 30 days following the reasonably anticipated issuance of such building permit determined after consultation with the ARC).

1.28 Setbacks of Vestibules and Other Projections

Section 6 of the Declaration permits certain “projects,” including “vestibules,” into Setbacks and should be consulted by Owners. In addition, the Board has determined that, consistent with the Declaration and permitted “vestibules,” (i) a roof no wider than eight (8) feet may extend up to four (4) feet into the front Setback above a one-story, six (6) foot wide (or narrower) enclosed vestibule or (ii) a roof no wider than 30% of the width of the Home (not including the width of a street-facing Garage) may extend up to four (4) feet into the front Setback above a one-story open vestibule, in each case (x) above a horizontal surface set at or below the grade of the adjacent first (main) floor of the Home and (y) only with the approval of the ARC and the ARC’s determination that such projection is consistent with Crestmoor’s open and park-like setting described in Section 1.2, above.

1.29 Trees

Crestmoor is characterized by its many mature trees and well-established landscaping. Owners are strongly encouraged by the Association and the ARC to maintain mature trees on their Lots whenever appropriate. Plans Submitted to the ARC and adjacent neighbors as required by these Design Guidelines shall show any proposed removal of mature trees and their replacement. Owners shall give due consideration to the privacy of neighbors and views of such trees from neighbors’ properties and the street. Owners shall also comply with all Denver ordinances related to maintaining, protection, removal, and replacement of mature trees and shall consult with the Denver Forester when required or appropriate.

1.30 Landscape-Only Development

- 1.30.1** Notwithstanding the definition of “Development,” no Submittal of plans is required with respect to landscaping additions and modifications involving only planting and replanting turf, flowers, trees, shrubs (but not plantings that have the effect of creating a hedge), planting beds, incidental paths and walks at ground level, and in-ground irrigation facilities.

1.30.2 All landscaping on corner lots shall comply at all times with a 30-foot minimum “sight triangle” and any more restrictive Zoning requirements.

2.0 Construction Matters

2.1 Hours of Construction

The hours that Owners or Contractors are allowed to construct, modify, or otherwise conduct exterior work shall be from 7:00 a.m. to 9:00 p.m. Monday through Friday, and 8:00 a.m. to 5:00 p.m. on weekends and federally recognized holidays or such more restrictive times as provided by Denver ordinance.

2.2 Construction Dumpsters and Construction Equipment

Construction dumpsters, trailers, tool sheds, portable toilets, and other equipment that is not self-propelled and is not intended to be moved on a daily basis shall be kept and located as described in Section 1.23, above.

2.3 Construction Trash and Debris

It is the obligation of the Owner to ensure that any construction dumpsters do not overflow or create a visual or trash nuisance on the Owner’s Lot or on any adjacent properties. Further, it is the obligation of the Owner to ensure that the construction site remains free and clean of debris and that streets be kept free of dirt residue from the construction site during all times of construction. The Owner shall patch and repair street cuts consistent with the surrounding adjacent pavement and in compliance with all Denver ordinances.

2.4 Excavated Soil and soil Runoff Prevention

All excavated soil stored on the site shall be covered with protective material. Soil runoff and erosion from any cause to the street or adjacent properties shall be prevented.

2.5 Construction Security

All addition, major exterior remodel, and new Home construction sites shall be protected by fencing from intrusion and locked during non-construction hours until such time that the Building is fully weathered-in and secured and the site does not present any construction-related safety hazards.

2.6 Construction Noise

Construction related noise, including music on the site, shall comply with the Denver noise ordinance. Music played on the construction site shall be limited so as not to be heard on any adjacent Lot.

2.7 Contractors

Owners are solely responsible for hiring any Contractors to perform construction and other activities on such Owner's Lot. All Contractors shall be appropriately licensed and insured, and Owners shall provide evidence of such licensing and insurance to the ARC upon request.

2.8 Compliance With Law

All construction and related activities undertaken on an Owner's Lot shall at all times comply with Denver ordinances and all other applicable law, including, securing all required permits.

3.0 Notices, Submittals, and Compliance Agreement

3.1 Submittals and Notices

3.1.1 All Submittals to the ARC shall be provided to the address in the "Architectural Review Plan Submittal Procedures" attached as Exhibit A and as appearing on the Association's web page: crestmoorparktwo.org., as they may be changed from time to time.

3.1.2 Submittal of plans is required for "Major Construction" and "Minor Construction" and may be required for "Landscape-Only Projects," as such terms are defined below:

- A. "Major Construction" means demolition of existing Homes, construction of new Homes, exterior additions to existing Homes, and exterior remodels.
- B. "Minor Construction" means exterior remodels that (i) do not change the Home's footprint (ii) continue the use of existing exterior materials, and (iii) and are not visible from the street as well as (x) solar installations, (y) like-for-like substitutions, and (z) other limited projects as determined by the ARC after consultation by the Owner.
- C. "Landscape-Only Projects" (i) means projects involving changes only to the exterior landscaping that do not include additions of any structures in the front Setback, including driveway and/or entry sidewalk modification and replacements, and (ii) excludes Landscape-Only Development described in Section 1.30, above.

Submission of plans is not required for Little Libraries (Section 1.24, above) or window replacement, roof replacement, or repainting which, in each case, does not materially change the look or footprint of the Home.

Owners should contact the ARC for Submission requirements with respect to Landscape-Only Projects. See Section 1.30, above, and Section 3.1.3(C), below.

3.1.3 All digital and hardcopy Submittals to the ARC shall be Submitted per the instructions found on Exhibit A.

- A. Major Construction Submittals shall include the following:
1. Architectural Review Plan Submittal Application (Exhibit C).
 2. Survey of Property.
 3. Architectural and Landscape Drawings which shall be fully dimensioned; site plans must be at a minimum scale of 1/16" = 1'-0" and all other drawings must be at a minimum of 1/8" = 1'-0".
 4. Demo Site Plan (including landscape and tree removal).
 5. Proposed Site Plan (including Crestmoor and Denver Setbacks).
 6. Floor Plans.
 7. Exterior Elevations.
 8. Roof plan.
 9. Landscape plan with notes, detail, and materials description.
 10. A 3D rendering for new Homes.
 11. A Materials Board shall be Submitted in digital format unless physical samples are requested by the ARC and shall include (to the extent applicable) a clear color photo and any manufacturer name, model type, finish, an/or color to clearly distinguish the exact material specified for every exterior material including but not limited to roofing, wall finish, doors (entry, patio, garage, etc.), windows, sills, headers, soffits, fascia, trim, gutters, downspouts, decorative elements (e.g. chimney caps, decorative vents), rails, fences, and hardscape surfaces.
 12. A Neighbor Notification Packet containing the following documents shall be delivered to the ARC and to each of the Owners of the abutting Lots (including Lots which would abut but for an intervening street):
 - a. Letter including the contractor's name and contact information, description of the scope of demolition and construction, and the projected timeline.
 - b. The letter shall also invite discussion with the Owner and Contractor and invite the neighbor to contact the ARC if it appears the proposed construction is not in conformity with the Declaration or these Design Guidelines.

- c. Drawing Set, including Demolition Site Plan, proposed Site Plan, proposed exterior Elevations, and 3D rendering if required. All site plans must be at a minimum scale of 1/32" = 1'-0"; all elevations must be at a minimum of 1/16" = 1'-0".
 13. Design review fee as calculated on Exhibit A.
- B. Minor Construction Submittals shall include:
1. Architectural Review Plan Submittal Application (Exhibit C).
 2. Survey of Property, only if required by Denver for permit review.
 3. A Drawings Set for solar panel installation shall fully illustrate the proposed work including a roof plan with solar panel locations in relation to the street/s. Any site plans must be at a minimum scale of 1/16" = 1'-0" and any other drawings must be at a minimum of 1/8" = 1'-0".
 4. A Materials Board shall be Submitted in digital format unless physical samples are requested by the ARC and shall include a clear color photo and any manufacturer name, model type, finish and/or color to clearly distinguish the exact material specified for every exterior material including but not limited to architectural structures, walls, decorative elements, rails, fences, and hardscape surfaces.
 5. Neighbor Notification Packet as described in Section 3.1.3.A.10, above.
 6. Design review fee as calculated on Exhibit A to be submitted after review has been completed at the ARC's direction based upon the Review Architect's hourly rate.
- C. Landscape-Only Projects (including changes to driveway, front walk, and any fencing). After consultation with the ARC, a Submittal may be required including some or all of the following:
1. Architectural Review Plan Submittal Application (Exhibit C).
 2. Survey of Property, only if required by Denver for permit review.
 3. Architectural and Landscape Drawings shall be fully dimensioned; site and landscape plans must be at a minimum scale of 1/16" = 1'-0" and all other drawings must be at a minimum of 1/8" = 1'-0").
 4. Demo Site Plan (including landscape and tree removal).

5. Proposed Site Plan (including Crestmoor and Denver Setbacks).
6. Hardscape Plan (may be combined with Proposed Site Plan).
7. Landscape plan with notes, detail, and materials description.
8. Materials Board shall be Submitted in digital format unless physical samples are requested by the ARC and shall include a clear color photo and any manufacturer name, model type, finish and/or color to clearly distinguish the exact material specified for every exterior material including but not limited to architectural structures, walls, decorative elements, rails, fences, and hardscape surfaces.
9. Neighbor Notification Packet as described in Section 3.1.3.A.10, above.
10. Design review fee as calculated on Exhibit A.

3.2 Architectural Review Plan Submittal Procedures

The procedures for Submittal of plans and other materials to the ARC and its Review Architects are set forth on attached Exhibit A which is incorporated into these Design Guidelines.

3.3 Compliance Letter

As a condition of plan approval, the Owner, architect, and Contractor will each sign a “Construction Activity Compliance Letter” in the form attached as Exhibit B to ensure that the Developments are constructed as designed and approved which shall be Submitted with the plans as described in this Article 3.0.

3.4 Questions to the ARC

During the Submittal process, if there are any questions, please contact Thomas C. Deline, Chairman Architectural Committee at 303-743-0100 or architect@crestmoorparktwo.org.

4.0 Amendments

The Board of Directors of the Association may modify these Design Guidelines from time to time by majority vote.

EXHIBIT A

Architectural Review Plan Submittal Procedures

When preparing to Submit architectural plans for review, please carefully review the Declaration and the Design Guidelines. Follow Section 3.1 of the Design Guidelines to ensure your Submittal is complete. Failure to provide a complete Submittal may result in your plans being rejected or their review being delayed.

The paper copies referred to above in Section 3.1 and the Fees listed below shall be delivered to the Association, c/o Thomas C. Deline, Chair ARC, 25 South Ivy Street, Denver, CO 80224. All Digital Submittals shall be Submitted to Crestmoor Park (2nd Filing) Homes Association, architect@crestmoorparktwo.org.

The Review Architects are HQ Architects, LLC

Alison Hagan, AIA
720-299-2267
info@hqarchitects.com

Anne Quallick, AIA
303-881-7954
info@hqarchitects.com

The complete Submittal shall include a Design Review Fee payable to: Crestmoor Park (2nd filing) Homes Association.

Fees

Major Construction	\$1,600.00 Initial Review \$400.00 each Re-Submittal Review
Minor Construction	\$172.00 / hour
Landscape-Only Projects (if not excepted by Section 1.30, above, or otherwise by the ARC)	\$480.00 Initial Review \$180 each Re-Submittal Review

CRESTMoor PARK (2ND FILING) HOMES ASSOCIATION

**Thomas C. Deline, Chairman
Architectural Review Committee**

**25 South Ivy
Denver, CO 80224**

(303) 743-0100 Phone

(303) 771-0257 Fax

Email: architect@crestmoorparktwo.org

EXHIBIT B
Construction Activity Compliance Letter

CRESTMoor PARK (2ND FILING) HOMES ASSOCIATION

25 South Ivy Street

Denver, CO 80224

_____, 2024

Homeowner Name

Homeowner address

Denver, CO 802__

Re: _____ Street/Avenue (the “Property”) Construction/Remodel (the
“Project”)

Dear _____,

On behalf of the Board of Directors (the “Board”) of Crestmoor Park (2nd Filing) Homes Association (the “Association”) and the Architectural Committee of the Board (the “Committee”), I am writing to set forth certain requirements in connection with your proposed Project. The Board welcomes building and development in the Crestmoor community and believes that it is important that such activities be conducted in a neighborly fashion, consistent with the Association’s Declaration and Design Guidelines described below, and to minimize any impact on other homeowners.

As you know, construction and similar activities within Crestmoor Park (2nd Filing) are regulated by the recorded Amendment to Declaration and Agreement (the “Declaration”) and the Design Guidelines (the “Guidelines”) dated _____, 2024, which are an exhibit to the Bylaws of the Association. You have submitted to the Committee plans (the “Plans”) for your proposed Project, including this letter countersigned below by you as the owner of the Property and by your Architect and your General Contractor. As one condition of the Committee approving the Plans as being consistent with the Declaration and Guidelines, this letter will constitute your agreement, and that of your Architect and General Contractor, to the following requirements:

1. All construction shall take place only consistent with the Plans as approved by the Committee. Any variation from the Plans that affects the exterior appearance or location of the Project must be submitted to and approved by the Committee.
2. All construction activities shall be carried out in compliance with all requirements of the Denver Municipal Code and all other applicable legal requirements including the Declaration, the Guidelines, and this letter.
3. Construction hours shall be limited to the more restrictive of: (i) any Denver Municipal Ordinance regulating such hours; or (ii) 7:00 a.m. to 7:00 p.m. on weekdays and 8:00 a.m. to 5:00 p.m. on Saturdays, Sundays, and holidays.

4. The site must be securely fenced, with a locked gate, at any time the improvements on the Property are not completely weathered in and secure and at any time there are significant construction materials or equipment on the Property.
5. All streets within the subdivision shall be kept free from mud and debris originating from the site or in connection with the construction.
6. The Association requests that you arrange for any dumpster, porta potty, or construction trailers be kept on site. The Association recognizes that the City and County of Denver allows appropriately permitted dumpsters to be placed in the street. Nonetheless, there are safety and aesthetic benefits to the neighborhood if your Plans permit siting any dumpster on your Property.
7. All piles of dirt, topsoil, sand, mulch, and similar materials shall be covered at all times to prevent blowing and water erosion of such materials. Such materials shall not be stored on the street except as permitted by Denver Ordinance and marked by reflective traffic cones or other similar safety device.
8. All debris, overspray, construction materials, trash, litter, and spillage shall be promptly removed from the lots and improvements of all affected neighbors and from the street.
9. Noise from the site, including radio and human vocalization, shall be kept at a level that is not disturbing to neighbors. Additionally, profanity shall not be spoken on the site that can be heard by neighbors.
10. Neighbors on your street within 200 feet of your lot shall be notified in writing at least 48 hours prior to the commencement of any significant usage of the street by heavy equipment, including, but not limited to, removal of excavated materials, delivery of concrete, and delivery of large or oversized building materials.
11. Any damage to any neighbor's property caused by construction activities, such as damage to buildings, irrigation systems, landscaping, flatwork, fences, improvements, and utilities shall be promptly repaired.
12. All street cuts shall be repaired flush and level and to the highest street repair standards of the City and County of Denver.
13. The Association is not responsible for any damage to or theft of vehicles, tools, equipment, or other property of the contractor, subcontractors, material suppliers, or laborers.
14. If any telephone, cable television, electrical, water, or other utility line is cut or damaged, the contractor shall report the accident to the affected neighbors and utility within two hours.

15. No alcoholic beverages or illegal drugs are permitted on the Property.
16. Each of the undersigned has provided emergency contact information below.

Please deliver one copy of this construction activity compliance letter (the "Compliance Letter") signed by you, your architect, and your general contractor, to the attention of the Board of Directors of Crestmoor Park (2nd Filing) Homes Association at the address provided in the letterhead above simultaneously with your submittal of Plans. Until the fully executed Compliance Letter has been received, your Plans will not be approved. Should you have any questions concerning the contents of this Compliance Letter, please feel free to contact Thomas C. Deline at (303) 743-0100.

Thank you for your attention to this matter.

Sincerely,

Thomas C. Deline
Chairman
Architectural Review Committee

The undersigned (i) are all of the owner(s) of Lot(s) ____, Block ____, Crestmoor Park (2d Filing), also known as _____, Denver, CO; (ii) agree(s) to perform the obligations set forth in the preceding Compliance Letter; and (iii) has/have reviewed the Declaration and the Guidelines.

_____ (Signature)	_____ (Signature)
Printed Name:_____	Printed Name:_____
Address:_____	Address_____
E-mail:_____	E-mail:_____
Cell No.:_____	Cell No.:_____

The undersigned, _____, is general contractor for the homeowner(s) named above, (i) is licensed as required by law; (ii) understands the requirements of the Declaration, the Guidelines, and the Compliance Letter (iii) agrees to perform the obligations set forth in the preceding Compliance Letter; and (iv) carries (and will at all relevant times carry) commercial general liability insurance in the amount of at least \$1,000,000.00.

(Print name of Contractor entity)

By: _____
(Signature)

Name: _____
(Print name)

Title: _____

Address: _____

E-mail: _____

Cell No.: _____

The undersigned, _____, is the architect for the homeowner(s) named above, (i) is licensed as required by law; (ii) has reviewed and understands the requirements of the Covenants, the Guidelines, and the Compliance Letter; (iii) agrees to perform the obligations set forth in the preceding Compliance Letter; and (iv) carries (and will at all relevant times carry) general liability insurance in the amount of at least \$1,000,000.00.

(Print name of architect firm)

By: _____
(Signature)

Name: _____
(Print name)

Title: _____

Address: _____

E-mail: _____

Cell No.: _____

EXHIBIT C

Architectural Review Plan Submittal Application

Project Address: _____, Denver, CO 802__

Applicant Name: _____

Date: _____

Title: _____

Phone: _____

Firm: _____

Email: _____

Contact Information

	Name/s	Phone Number	Email
Owner 1			
Owner 2			
Contractor			
After-Hours Contact (during construction)			

Submittal Checklist

	Major Construction		Minor Construction		Landscape-Only	
	Digital	Hardcopy	Digital	Hardcopy	Digital	Hardcopy
Application Survey						
Drawings						
• Demo Site Plan						
• Proposed Site Plan						
• Floor Plans			<i>Submit digital and hardcopy drawings as required to convey design.</i>			
• Elevations						
• Roof Plan						
• Landscape Plan						
• Additional as Req.						
• Renderings						
Materials Board						
Neighbor Notification Sample Packet						
Neighborhood Notification Receipts						
Neighbor comments (if any)						
Design Review Fee			<i>To be paid upon completion of review.</i>			
Executed Compliance Letter						

Neighbor Notification Packet

List names of all neighbors in receipt of the project Neighbor Notification Packet.

Owner Name/s	Address	Date Delivered	Receipt

Design Intent

Style: _____

Design Intent Statement. _____

Certification

(to be certified by lead design professional)

I certify that the drawings comply with the Declaration, Design Guidelines and Denver Zoning requirements, and that the neighbors listed above have received a copy of the Neighbor Notification Packet.

Name: _____

Signature: _____ Date: _____

Print Name: _____