

Crowley Ranch Reserve Owner's Association (CRROA)

Architectural Control Committee (ACC)

Covenants Constraints Summary/ACC Application

Note: The Covenants Constraints Summary/ACC Application is a high-level capture of CRROA BEFORE YOU BUILD considerations that are directly related to approved covenants that specifically govern building activities on all CCR properties. ACC Application specific information is interspersed with a high-level rendering of each covenant stipulation as applicable. FOR A DETAILED LOOK AT EACH COVENANT'S LEGALIZE/FULL RENDERING PLEASE SEE ATTACHED ARTICLES VIII AND IX.

ARTICLE VIII

PROTECTIVE COVENANTS: ARCHITECTURAL CONTROL

- **8.1 PURPOSE**
 - Provide a uniform plan for development of CCR properties
 - Create, conserve, and maintain the natural environment while allowing for single family residence development and for agricultural and recreational pursuits
 - Provide means to safeguard the interests and property values of other CCR owners
- **8.2 REQUIREMENT OF REVIEW BY ACC**
 - Application to build must be submitted to ACC and approved prior to start of any build related activities
 - ACC will base approval of application on the proposed build plan fit with covenants stipulations/constraints
- **8.3 MEMBERSHIP OF ACC**
 - Committee makeup – 3 volunteer association members appointed by the CRR Board of Directors
- **8.4 VARIANCES**
 - Variances from covenant stipulations can be applied for
 - Granting of variances requires the concurrence/approval of both the ACC and the CRR Board of Directors
- **8.5 APPROVAL OR DISAPPROVAL BY ACC**
 - Submitted plans must be approved/disapproved by the ACC within 30 days from submittal
 - All builds must be completed within a 12-month window; extensions can be applied for
- **8.6 INSPECTION OF WORK**
 - Completion of work requires written notice to ACC
 - ACC has 30 days from notice receipt to inspect

- Any noted non-compliance requires written notice from the ACC along with remedial stipulations and timeframe to affect remedy
- **8.7 ADMINISTRATIVE FEES**
 - To defray costs should a plan submittal require outside the normal evaluation considerations, the ACC may require a filing fee not to exceed \$750
- **8.8 LIABILITY**
 - The ACC is not liable for plan or implementation of plan defects or damages caused by environmental sources
- **8.9 APPEALS**
 - Applicant can appeal actions of ACC to CRR Board of Directors within 30 days of a decision
- **8.10 MATERIALS**
 - Construction materials can't impede movement of other owner vehicles or foot traffic in common areas
 - No storage of construction materials exceeding 30 days after construction completed
- **8.11 RESTORATION OF PARCEL, ROADS AND EASEMENTS**
 - Upon completion of construction, owner work to do restoration of disturbed areas and complete within 45 days
 - If not completed, Association can choose to complete restoration at the expense of the owner

ARTICLE IX MINIMUM BUILDING AND USE RESTRICTIONS

- **9.1 BUILDING RESTRICTIONS**
 - All construction must meet the requirements of this declaration

Application Step 1:

Date: _____

Applicant Information

Name: _____

Address: _____

CRR Phase: _____; ***CRR Lot #:*** _____

Estimated Completion Date: _____

○ **9.1 a Setback and height restrictions – CRR Phase determinant**

▪ Phase I

• A6	• Single story only
• A15, A17, A19	• 80' setback from Mary's Court
• A10	• 40' setback from Irwin's Place

▪ Phase III

• C24	• Single story only
• C25	• Single story only • "Santa Fe" style house; flat roof

▪ Phase IV

• D30	• Single story above grade only
• D15, D16, D17	• All improvements kept east of utility easements

▪ All Phases height restrictions

- Maximum height 24' from natural ground or current pad
- ACC may approve basements, walk-outs, lower floors

○ **9.1 b Location of sewage systems encroaching on Common Area – Phase I**

- Need review for approval by ACC and CRR Board of Directors

○ **9.1 c Some parcels have pre-existing building pads, i.e., designated building sites or other constraints as noted below**

▪ Phase 1; A1, A5, A9, A11, A12

- Pads could be approved for enlargement but not change in location

▪ Phase III; have some unstable slopes which require builds on higher flat areas and care taken in building road access

○ **9.1 d Building types and sizes allowed**

▪ Phases I, III, IV;

- One single family dwelling, a garage, a barn and, with approval, a small storage unit
- Each single family dwelling at ≥ 1600 sq ft (main floor) but ≤ 4000 sq ft of total living area exclusive of porches, decks, patios, and garages
- If D32 and D33 are consolidated, only 2 residences allowed on entire combined parcel
- No separate guest quarters allowed

- Phase II
 - Each single family dwelling limited to a maximum of 6000 sq ft of living area; same minimums as in other Phases apply
 - Separate guest quarters allowed; maximum living area allowed is 2400 sq ft

Application Step 2:

Square footage: Main floor:_____ ***Other:***_____

- **9.1 e New construction only**
 - No mobile homes, trailers, old buildings or pre-assembled homes, except pre-assembled log homes
 - Upon application to the association, use of a motor home or RV as temporary living quarters during construction, may be approved
- **9.1 f No use of partially completed structures as living quarters during construction unless substantially enclosed/completed with final sanitation and other utilities present; no tent, shack, camper trailer or other out building placed on site for temp use as living quarters**
- **9.1 g Residential styles may vary with defined exterior materials**
 - Approved exterior materials include; log, rock, brick, wood/wood siding
 - No T-1-11 or panel siding
 - Metal siding; limited types - needs special ACC approval
 - Exterior paint/stain in harmony with environmental surroundings
 - Roofing
 - Allowed; Propanel, copper, wood shake, shingles
 - Not Allowed; Galvanized tin, asbestos shingles, asbestos paper

Application Step 3:

Residential Style:_____

Exterior Material:_____

Exterior Color:_____

Roof Type:_____

Roof Color:_____

- **9.1 h Exterior antennas**
 - Allowed with pre-approval; radio and TV antennas and satellite dishes $\leq 30''$ in diameter; all to be installed $\leq 5'$ above the roof line
- **9.1 i Utility lines, propane tanks, and exterior lighting**
 - Utility lines
 - All installed underground
 - Propane Tanks
 - Screened from view via pre-approved structure or natural environmental means; located on building parcel
 - Exterior lighting
 - Subdued, lower candle power, source screened/shaded from neighbors view, night sky compliant
- **9.1 j Fences**
 - Phases I, III, IV
 - Need approval of ACC; special consideration for each property as to location, design, material, color, height and enclosure size
 - Inside area $\leq 18,000$ sq ft
 - Exception are parcels D31, D32, D33, D34; fencing of irrigated acreage not subject to size constraints
 - Phase II
 - Up to 2 acres allowed to be fenced
 - Electric fences allowed during non-wildlife migration periods
- **9.1k Garages**
 - Enclosed space provided by each owner to contain owners vehicles, recreational vehicles, trailers, lot maintenance machinery
 - Need to match/blend with exterior design of the main dwelling as to material types and colors
 - Primary residence must be erected prior or in parallel with garage construction
 - Can to be attached or unattached as relates to main dwelling

Application Step 4:

Garage Number of Bays: _____ **Square Footage:** _____ **Attached: YES NO**

Exterior Material: _____ **Exterior Color:** _____

Roof Material: _____ **Roof Color:** _____

- **9.1 l Trash Handling**
 - No unsightly accumulation on parcel
 - External trash containers wildlife proof
 - Outside incinerators not allowed
 - Central trash collection exists for member utilization
- **9.1 m Signs**
 - No signs, billboards, posters or other advertising devices allowed
 - Exceptions would be for those that are required by law and one 6"x18" property identification sign
- **9.1 n Roads, walks, paths and trails**
 - Laid out to conform to the topography and aesthetic scheme of the property
- **9.1 o Outhouses and other**
 - No outhouse or privy allowed with exception of temporary chemical toilet allowance during any build activity
 - Parcel sewage system shall be installed and maintained to meet Colorado State Board of Health or other local governmental standards
 - All parcel structures must comply with local and state laws; owner obligation to assure compliance
- **9.1 p Mining and other**
 - No mining, quarrying, excavation, oil and gas drilling, geothermal water or domestic water drilling are allowed
 - Probes using the earth's natural heat may be drilled for heating purposes only
- **9.1 q Footings and foundations**
 - Footings, foundations, and piers must be designed by a licensed engineer; geo-technical and soil stability studies shall be conducted as necessary
 - Securing the above named services is the responsibility of the owner
 - Phases I & II special constraints; no building construction on slopes that exceed 30%
 - Phases III & IV special constraints; no building construction on slopes that exceed 20%

Application Step 5:

Footings, foundation, piers designed by licensed engineer

Name: _____

Address: _____

- **9.1 r Woodstoves and fireplaces**
 - Equipped with anti-pollution devices as required by state and local stipulations

- **9.1 t Parcel building casualty stipulations**
 - In event of structure casualty from fire or other event, can be rebuilt following the previous stipulations in this document or;
 - If not rebuilding, all debris/foundations must be removed within 180 days of the date casualty occurred subject to weather and other circumstance beyond the owner's control

- **9.1 u Rock fall mitigation**
 - Parcels affected; D2-D7
 - Owners shall be responsible for rock fall mitigation
 - Plans to mitigate must be approved by CCR HOA Board; exception would apply to emergency conditions

Application Step 6:

CRROA ACC

Approves this application _____

Disapproves this application _____

Comments:

Signature of Chairperson or committee member _____

Date: _____

Additional special notes:

Homeowner please be aware if your contractors bring their personal animals onto the jobsite, it is the homeowner's responsibility to monitor and manage this. The homeowner will be responsible for any damage or injury the contractor's animal(s) cause to a neighbor (both personal and property) or common areas in Crowley Ranch. Animals are not allowed to wander off leash in any of the common areas in Crowley Ranch or onto your neighbor's property. Please communicate this to your contractors so they are aware the dogs must remain on your property and be under the owner control at all times. Pursuant to Colorado Revised Statute 13-21-124 a dog owner has "strict liability" if their animal injures a person which means the owner is liable even if the dog never bit someone or displayed violent tendencies previously. If contractor's dogs are seen off-leash you will be notified by your neighbors and/or the HOA so you can immediately address this with your contractor. If your contract has an animal that exhibits any violent tendencies, the homeowner is required to notify their contractor that the dog is prohibited to return to the job site. Please send an e-mail to the President of the HOA, if this occurs so it can be on record and document for your personal records.

CROWLEY RANCH RESERVE OWNERS' ASSOCIATION RULES AND REGULATIONS REGARDING RESIDING & CAMPING ON CROWLEY RANCH RESERVE

SECTION I RESIDING ON LOT DURING THE BUILDING PROCESS

1. During the active building process, an owner may reside on their property only when all of the following have been accomplished and verified by the Board of Directors:

- a. Building plans have been submitted and approved by the Architectural Control Committee;
- b. A building permit has been issued by Archuleta County;
- c. A porta-toilet has been placed on the property
- d. Electricity has been placed on the property by the current electric utility company;
- e. A water tap and meter have been placed on the property and water is to be used in the recreational vehicle;
- f. The septic system is built, installed and will be in use throughout the building process, with the recreational vehicle or other approved structure hooked up to this septic system by way of a branch port installed by the owner. If the septic is still under construction, you may reside in your recreation vehicle while the septic is being completed. Recreational vehicles must be equipped with a gray and a black water holding tank and all grey/black water are disposed of and the offsite disposal location is posted on your recreational vehicle;

2. All Archuleta County and San Juan Basin Public Health Department rules, regulations, procedures, land use regulations, sanitation regulations, etc. must be complied with during the temporary housing period. You are allowed to reside on your property temporarily in a recreational vehicle or by camping, without a county permit, for up to 120 days while there is a build in process. After that time, you are required to get a Temporary Use permit, renewable every 6 months, from Archuleta County.

3. Permission to reside on a lot must be received from the Board of Directors. An owner may reside on their property during the active building process in a recreational vehicle (see definition below) for up to one year in length. After a period of one year, permission to continue camping must be received from the Board of Directors.

4. If any Archuleta County department permanently shuts down the owner's building process, the recreational vehicle or other approved structure must be immediately removed from the owner's lot. Following approval from the Archuleta County department to resume building, the recreational vehicle or other approved structure may be returned to the owner's lot after permission is received from the Board of Directors.

Fire Mitigation

Before a homeowner can do any on property burning they must first check for Archuleta County and Pagosa Springs Fire District (PSFD) burn restrictions and they must apply for a burn permit from PSFD. Once they have a burn permit approved and prior to any burning, the lot owner also needs to request permission from the CRR HOA Board of Directors (BOD). The BOD has a checklist which includes: 1) homeowner has PSFD burn permit; 2) homeowner has completed a burn site survey by a member of the CRR fire mitigation team; and 3) local weather and optimum burn conditions have been taken into account. Note: Although the lot owner has a valid permit and no fire restrictions are in place, CRR HOA generally looks to prohibit any burns until snow is on the ground. (minimum of 4 inches and complete ground cover).

Security Gate

Recent incidents regarding CRR security gates and homeowner contractors circumventing the coding in process by manually manipulating the gate to affect entrance and in the process creating a need on the part of CRR to manually put the gate functioning pieces back together and do a re-calibration, will place liability for the cost of returning the gate to proper functionality on the homeowner should it be established that their contractor is a fault.