

RESIDENTIAL IMPROVEMENT GUIDELINES AND RESTRICTIONS OF USE FOR HILLCREST AT HOMESTEAD HOMEOWNERS ASSOCIATION

I. INTRODUCTION

- 1.1 Definitions – The following words when used in these Guidelines shall have the meaning specified hereinafter:
 - A. Association – Shall mean Hillcrest at Homestead Homeowners Association, Inc., a Colorado not-for-profit corporation, its successors and assigns.
 - B. Committee – Shall mean the Design Review Committee, which shall consist of three appointed members of the Hillcrest Board of Directors, each serving as long as he/she is a member of the Board.
 - C. Covenants – Shall mean the Declaration of Covenants and Restrictions of Hillcrest at Homestead Homeowners Association recorded in Arapahoe County, Colorado on February 6, 1986.
 - D. Improvements to Property – Shall include, but not be limited to, any landscaping or change of grade to any property, including tree removal or planting; the construction or installation of a patio, deck, pool, hot tub; the construction, demolition or removal of any building or other structure; and any change to the exterior appearance of a building or other improvement, including doors, windows and light fixtures.
- 1.2 Goal of the Guidelines – Compliance with these Guidelines and the provisions of the Covenants will help preserve the inherent architectural and aesthetic quality of Hillcrest at Homestead. It is important that any Improvements to Property be made in harmony with and not detrimental to the community. By following these Guidelines and obtaining the required approvals for improvements from the Committee, homeowners will be protecting their financial investment and will help ensure that all improvements are compatible with standards established for Hillcrest. If a question arises as to the correct interpretation of any terms, phrases or language contained in these Guidelines, the Committee's interpretation shall be final and binding.
- 1.3 Content of Guidelines – In addition to the introductory material, these Guidelines contain: (a) a listing of specific types of improvements with specific information regulating each of these types of improvements; (b) a summary of procedures for obtaining approval from the Committee; and (c) guidelines for and examples of acceptable exterior doors.
- 1.4 Overview of Guidelines – The Covenants require approval by the Committee prior to any improvement to property. If the requested improvement is not pre-approved in these Guidelines, the Committee will review the request and make a decision.
- 1.5 Effect of the Covenants – Copies of the Covenants are given to new homeowners when they purchase their home. Each homeowner shall review and become familiar with these Covenants. Nothing in these

Guidelines shall supersede or alter the provisions or requirements of the Covenants.

- 1.6 Effect of Governmental and other Regulations – Use of Property and Improvements to Property shall comply with applicable Building Codes and other governmental requirements and regulations. Approval by the Committee will not constitute assurance that improvements comply with applicable governmental requirements or regulations, or that a permit or approvals are not also required from applicable governmental bodies. For information about Arapahoe County requirements, homeowners may call the Arapahoe Building Code Enforcement or Building Permits Departments. Both departments may be reached at 720-874-6600. You may also visit their website at www.co.arapahoe.co.us.
- 1.7 Interference with Utilities - In making Improvements to Property, homeowners are responsible for locating all water, sewer, gas, electrical, cable and other utility lines or easements. Homeowners shall not construct any improvements over such easements without the consent of the utility involved, and homeowners shall be responsible for any damages to any utility lines.

II. SPECIFIC TYPES OF IMPROVEMENTS GUIDELINES

Following is an alphabetical list of a variety of specific types of improvements which Hillcrest homeowners typically consider making, with pertinent information as to each. Unless otherwise specifically stated, drawings or plans and detailed information for proposed improvements shall be submitted to the Committee and written Committee approval obtained prior to starting the improvements. In some cases, where specifically stated, a type of improvement may be prohibited. If you are considering any change or improvement not listed below, Committee approval is required.

- 2.1 Accessory Buildings – Not allowed.
- 2.2 Additions and Expansions – Committee approval is required. Additions or expansions to the home will require submission of detailed architectural plans, specifications and drawings, shall be of the same, or generally recognized as a complementary, architectural style and color as that of the primary house.
- 2.3 Address Plates – For changes to existing plates or the addition of new address plates, etc. committee approval is required.
- 2.4 Advertising – Not allowed, with the exception of one (1) professional sign per living unit of not more than five (5) square feet advertising a living unit for sale or rent.
- 2.5 Air Conditioning Equipment – Committee approval is required. Air conditioning equipment installed in the side yard shall not be immediately visible to the adjacent property owners or visible from the front of the house. It shall be installed so that any noise to adjacent property owners is

minimized. Installation of air conditioning equipment on the roof of the house or in a window of the house is not permitted. (see also Swamp Coolers)

- 2.6 Antenna – Not permitted, with the exception of satellite dishes. Committee approval is required for satellite dishes, which shall not be visible from the front of the house.
- 2.7 Awnings – Committee approval is required. The material shall be cloth or canvas. The color shall be the same, or generally recognized as complementary to, the exterior color of the residence. The awning may be used over the patio only. Cloth or canvas covering shall be removed in winter months. No aluminum awnings are allowed.
- 2.8 Balconies – Committee approval is required. Shall be wood or synthetic wood material. Shall be installed as an integral part of the residence. Shall be located so as not to obstruct or greatly diminish the view of, or to create any unreasonable level of noise for, adjacent property owners. Detailed architectural and engineering drawings, specifications, and plans are required.
- 2.9 Basketball Backboards & Portable Basketball Hoops – Not allowed.
- 2.10 Birdbaths – Committee approval is not required. Birdbaths are not permitted in front or side yards. Birdbaths in rear yards shall not exceed the height of the perimeter or private fence.
- 2.11 Birdhouses and Birdfeeders – Committee approval is not required. The size is limited to one (1) foot by two (2) feet. Birdhouses and birdfeeders are not permitted in front yards or side yards. There is a limit to one birdhouse and one birdfeeder on any lot. Birdhouses and birdfeeders may not be attached to any fence. They may not exceed the height of either the perimeter or private fence.
- 2.12 Boats – Not permitted, except wholly enclosed inside a closed-door garage. See Motor Homes
- 2.13 Campers – Not permitted, except wholly enclosed inside a closed-door garage. See Motor homes.
- 2.14 Carports – Not permitted.
- 2.15 Clothes Lines and Hangers – Permitted if temporary and can be removed.
- 2.16 Decks – Committee approval is required. Shall be wood or synthetic wood. Shall be installed as an integral part of the residence and patio area. Must be located so as not to obstruct or greatly diminish the view of, or create an unreasonable level of noise for, adjacent property owners. Detailed plans, specifications, and drawings are required. Construction of decks over an easement area is not recommended. Should a homeowner wish to build a deck over an easement, it is the responsibility of the homeowner to identify the utility owning the easement, notify that utility and receive approval from that utility to construct over their easement. Any homeowner who takes this risk is financially responsible should the utility company need to use the easement. The homeowner shall submit a letter to the Committee with their improvement request, which states their understanding and acceptance of these terms.

- 2.17 Dog Houses and Runs – Not permitted.
- 2.18 Doors (Exterior) – Committee approval is required for security doors and any above ground level window protection. Committee approval is required for replacement or alteration to front entrance doors. See Exhibit A for acceptable examples.
- 2.19 Drainage – Committee approval is required for any change affecting drainage. There shall be no interference with the established drainage pattern over any property except as approved by the Committee. The Committee may require a report from a drainage engineer as part of any landscaping or Improvement to Property plan prior to approval.
- 2.20 Driveways – Committee approval required for any extension or expansion of any driveway.
- 2.21 Evaporative Coolers – See Swamp Coolers.
- 2.22 Exterior Lighting – See Lighting.
- 2.23 Fences – Committee approval is required for any change or alteration to any fence and/or wall along or abutting property lines, common area, arterial streets, and local streets. Fences may not be painted. Any fence facing the front of the property shall be stained an approved color. If any fence and/or wall located on a homeowner's property is damaged or destroyed by the homeowner, the homeowner shall repair/replace the fence and/or wall at the homeowner's expense.
- 2.24 Firewood Storage – Committee approval is not required. Firewood storage is not permitted in the front yard. It is recommended that firewood be store in the garage or in the side or backyard, adjacent to the house. If visible, it shall be neatly stacked.
- 2.25 Flagpoles – Freestanding flagpoles are not allowed. One wall-mounted pole bracket per unit shall be allowed.
- 2.26 Garbage Containers and Storage Areas – Garbage, trash, and other waste shall be kept in sanitary containers. All containers for the storage or disposal of such materials shall be kept inside the living unit or garage, except on scheduled trash pick-up days. Trash shall not be put out for pickup until the night prior to trash pickup day. Trash containers shall be replaced inside the living unit or garage the night of trash pickup day. Enclosures or screening for trash containers are not permitted.
- 2.27 Garage Doors – All garage doors shall be kept closed when not in use. Any change to garage doors requires Committee approval.
- 2.28 Garage Windows – It is recommended that all garage windows facing the street be covered with suitable window coverings so that the interior of the garage is not visible from the street.
- 2.29 Gardens-Flowers – Committee approval is required for front yard and side yard plantings. Committee approval is not required for back yard flower gardens. All flower gardens, whether in front, side or backyard shall be weeded, watered appropriately cared for, and carefully maintained.
- 2.30 Gardens-Trees – See Landscaping.
- 2.31 Gardens-Vegetable – Not permitted in front yards. Committee approval is not required if planted in the rear or side yard and substantially screened

from view of adjacent homeowners. All vegetable gardens must be weeded, water appropriately, cared for, and carefully maintained.

- 2.32 Gas Lines-Underground – i.e. gas lines for barbeques, etc. Committee approval is required. It is the responsibility of the homeowner to contact any affected utility company.
- 2.33 Greenhouses – Committee approval is required. Detailed architectural drawings, specifications, and plans are required.
- 2.34 Hot Tubs – Committee approval is required. Shall be an integral part of the deck or patio area and of the rear yard landscaping. Shall be installed in such a way that it is not immediately visible to adjacent property owners and that use of it will not create an unreasonable level of noise for adjacent property owners. Top of tub shall not extend above perimeter or private fence level.
- 2.35 Irrigations Systems – Committee approval is required.
- 2.36 Jacuzzis – Committee approval is required. Shall be an integral part of the deck or patio area and of the rear yard landscaping. Shall be installed in such a way that it is not immediately visible to adjacent property owners and that use of it will not create an unreasonable level of noise for adjacent property owners. Top of tub shall not extend above perimeter or private fence level.
- 2.37 Junk Vehicles – See Motor Homes.
- 2.38 Landscaping – Committee approval is required for any change, addition, or alteration to front or side landscaping. Homeowners should discuss landscaping plans with their neighbors since any changes will usually impact their neighbors. All backyards shall be seeded, sodded, or otherwise planted with grass, groundcover, or hardscaped. All front and backyards shall be maintained in a clean and attractive manner, free of dust and weeds. All front porches require plantings in front, unless there is a sidewalk. If trees, shrubs or landscape is to be removed from the front or side yard front, the following requirements shall be met:
 - A. If trees are removed as part of the new landscape plan, at least one 3-inch caliper (tree trunk diameter) shade tree shall be planted.
 - B. If shrubs are removed, they shall be replaced with one minimum 3-gallon size shrub.
 - C. All rock hardscape shall be a maximum of 3-inches in size.
 - D. Bark (small) can be used in rock areas.
- 2.39 Latticework – Committee approval is required.
- 2.40 Lawn Ornaments – Lawn ornaments are not allowed in front yards or side yards where visible from the front of the house. Lawn ornaments in rear yards shall not exceed the height of the perimeter or private fence.
- 2.41 Lights and Lighting – Committee approval is required for any front or side yard lighting. Any changes to exterior attached lights shall be of an approved style. See Exhibit B for an example. In the case of the garage lights, the HOA is responsible for changing the bulbs, but should any component of the fixture fail, homeowners will be required to replace the fixture according to Exhibit B.

- 2.42 Motor Homes – No trailer, motor home, camper, bus, large commercial-type vehicle, vehicle-mounted camper, tent, boat, or truck (except pick-up) shall be parked, placed, erected, or maintained on any Lot or Common Area for any purpose. Any of these vehicles that are stored completely within a garage and are not used for living purposes will not be in violation of these restrictions. Garage doors shall be kept closed at all times.
- 2.43 Painting – Exterior painting shall be performed by the Association.
- 2.44 Patio Covers – Committee approval is required. The material must be cloth or canvas. The color shall be the same, or generally recognized as complementary to, the exterior color of the residence. The awning may be used over the patio only. Cloth or canvas covering shall be removed in winter months. No aluminum awnings are allowed.
- 2.45 Patios-Enclosed – Committee approval is required. Additions or expansions to the home will require submission of detailed architectural plans, specifications and drawings. Shall be of the same, or generally recognized as a complementary, architectural style and color as that of the primary house.
- 2.46 Patios-Open – Committee approval is required. Patios shall be an integral part of the residence.
- 2.47 Paving – Committee approval is required. Approval is required whether the paving is for walks, driveways, porches, patio areas or other purposes and whether the material used is concrete, brick, flagstones, stepping stones, pre-cast patterned or expose aggregate concrete pavers. Asphalt is not allowed.
- 2.48 Play and Sports Equipment – Committee approval is required.
- 2.49 Poles – See Flagpoles, Basketball Backboards, etc.
- 2.50 Roof Replacement – Committee approval is required. Approved shingle is GAF/ELK Prestique 30 year warranty; color: Weathered Wood.
- 2.51 Saunas – Committee approval is required. See Additions and Expansions.
- 2.52 Screen Doors – See Exhibit A for permitted styles.
- 2.53 Seasonal Decorations – Permitted with the following qualifications and conditions:
- A. Christmas decorations shall not be displayed prior to the weekend before Thanksgiving and shall be removed prior to January 15th of the following year.
 - B. No roof figures or audible music shall be allowed.
 - C. Other Holiday decorations shall be removed within one week after the Celebrated Holiday.
- 2.54 Shutters-Exterior – Committee approval is required. All exterior shutters shall be of appropriate architectural style and sized so as to match the adjoining window.
- 2.55 Signs – No sign shall be displayed to the public view except one (1) professional sign per living unit of not more the five (5) square feet advertising a Living Unit for sale or rent.
- 2.56 Skylights – Committee approval is required.

- 2.57 Sports Equipment – Committee approval is required.
- 2.58 Solar Energy Devices – Committee approval is required for all passive and active solar systems. Shall be designed to appear as if it is an integral part of the roof.
- 2.59 Spas – Committee approval is required. Shall be an integral part of the deck or patio area and of the rear yard landscaping. Shall be installed in such a way that it is not immediately visible to adjacent property owners and that use of it will not create an unreasonable level of noise for adjacent property owners. Top of tub shall not extend above perimeter or private fence level.
- 2.60 Sprinkler Systems – Committee approval is required. Shall be integral part of landscape design.
- 2.61 Statues – Statues are not permitted in front yards or side yards where visible from the front of the house. Statues in rear yards shall not exceed the height of the perimeter or private fence.
- 2.62 Sunshades – Not permitted on the exterior of the house.
- 2.63 Swamp (Evaporative) Coolers – Committee approval is required. Owner shall submit design request with location and dimensions of proposed unit, along with the manufacturer's product literature and installation instructions. The unit shall not be visible from the street and may require skirting to compliment surrounding architecture.
- 2.64 Swing Sets – Committee approval required. Not permitted in front or side yards.
- 2.65 Temporary Structures – Not permitted.
- 2.66 Trailers – No trailer, motor home, camper, bus, large commercial-type vehicle, vehicle-mounted camper, tent, boat, or truck (except pick-up) shall be parked, placed, erected, or maintained on any Lot or Common Area for any purpose. Any of these vehicles that are stored completely within a garage and are not used for living purposes will not be in violation of these restrictions. Garage doors shall be kept closed at all times.
- 2.67 Trash Containers and Enclosures – Garbage, trash, and other waste shall be kept in sanitary containers. All containers for the storage or disposal of such materials shall be kept inside the living unit or garage, except on scheduled trash pick-up days. Trash shall not be put out for pickup until the night prior to trash pickup day. Trash containers shall be replaced inside the living unit or garage the night of trash pickup day. Enclosures or screening for trash containers are not permitted.
- 2.68 Tree Houses – Not permitted.
- 2.69 Underground Installation – i.e. gas lines for barbeques, etc. Committee approval is required. It is the responsibility of the homeowner to contact any affected utility company.
- 2.70 Vanes – Not permitted.
- 2.71 Vehicles-Large – No trailer, motor home, camper, bus, large commercial-type vehicle, vehicle-mounted camper, tent, boat, or truck (except pick-up) shall be parked, placed, erected, or maintained on any Lot or Common

Area for any purpose. Any of these vehicles that are stored completely within a garage and are not used for living purposes will not be in violation of these restrictions. Garage doors shall be kept closed at all times.

- 2.72 Vents – Not permitted, with the exception of some solar energy devices. See Solar Energy Devices.
- 2.73 Walls – Committee approval is required for any change or alteration to any fence and/or wall along or abutting property lines, common area, arterial streets, and local streets. Fences may not be painted. Any fence facing the front of the property shall be stained an approved color. If any fence and/or wall located on a homeowner's property is damaged or destroyed by the homeowner, the homeowner shall repair/replace the fence and/or wall at the Homeowner's expense.
- 2.74 Walls-Retaining – Committee approval is required.
- 2.75 Wells – Not permitted.
- 2.76 Wind Vanes and Directionals – Not permitted.
- 2.77 Window Coverings-Interior – Window coverings shall not be of reflective materials (foils).
- 2.78 Wood Storage – Committee approval is not required, provided the wood is to be used as firewood for a wood-burning fireplace. Firewood storage is not permitted in the front yard. It is recommended that firewood be store in the garage or in the side or backyard, adjacent to the house. If visible, it must be neatly stacked.

III. PROCEDURES FOR COMMITTEE APPROVAL

- 3.1 Overview – In all cases requiring Committee approval, including improvements not included in this listing, prior written approval by the Committee is required before an Improvement to Property may be commenced.
- 3.2 Drawings and Plans – Prior to commencement of work on any Improvement to Property, the homeowner shall submit to the Committee all descriptions, plot plans, construction plans and documents, specifications, drawings, and samples of materials and colors of the intended work. In most cases, the documentation to be submitted will not have to be prepared by an architect, landscape architect, or engineer. Simple drawings and descriptions will be sufficient. In the case of major improvements such as room additions or structural changes, detailed plans and specifications prepared by a licensed architect and/or structural engineer may be required. Whether prepared by the homeowner or professionally, the following guidelines shall be used in preparing drawings or plans:
 - A. The drawing or plan shall be done to scale and should depict the property lines of the lot and the outside boundary lines of the home as located on the lot. If a survey is available, it shall be used.

- B. Existing improvements to the home shall be included on the drawing or plan and shall be identified or labeled. Such existing improvements include driveways, walks, decks, patios, trees, bushes, etc.
- C. The proposed improvements shall be shown on the plan and clearly labeled and explained in detail. Either on the plan or an attachment, there shall be a detailed description of the proposed improvements, including materials and colors to be used.
- D. The Design Review Request Form shall be completed.
- 3.3 Submission of Request – Required documentation may be submitted to any member of the Committee.
- 3.4 Review Fee – No fee is charged for review/approval of plans by the Committee.
- 3.5 Action by the Committee – Members of the Committee will meet when Design Review Request forms are received. The Committee may require submission of additional material and the Committee may postpone action until all required materials have been received. The Committee will contact the homeowner by phone or email if additional materials or information are required. The committee will act upon all requests within 14 days after receipt of all requested materials, unless the time is extended by mutual agreement. The Committee will respond in writing. The Committee will keep the original plans and Request Form and will return a copy of all materials to the homeowner.
- 3.6 Completion of Work – After approval, the improvement shall be completed as promptly as possible in accordance with the approved plans and description. In all cases, unless otherwise approved by the Committee the improvement shall be completed within one year from the date of the Committee's approval in order for such approval to be valid.
- 3.7 Insurance – It is the responsibility of the homeowner or contractor to provide any required insurance.
- 3.8 Right to Appeal – A homeowner may appeal to the Board of Directors in the event of adverse action by the Committee.
- 3.9 Questions or Concerns – Any homeowner may contact any Committee member at anytime concerning its decisions or procedures or the status of the homeowner's request.

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