

DESIGN GUIDELINES

Ver. 1.4 07/10/2022

I. OVERVIEW

1.1 INTRODUCTION

All members of our HOA benefit from the planning and design that have been an important part of the development of our community. The purpose of design controls is to assure members that the standards of design quality will be maintained. This, in turn, protects property values and enhances the community's overall environment.

This document is designed to address the process by which members can make changes to their property (land and structures) as set forth in the governing documents for the Association. The authority for maintaining the quality of design in the community is founded in the Declaration of Covenants, Conditions, Restrictions and Easements and the Association By-laws, which are a part of the deed to every property. The Declaration establishes the requirement for a Design Review Committee.

1.2 DEFINITIONS

"Association" shall mean Meadow Farms Homeowners' Association, Inc., a Colorado nonprofit corporation, or any successor to said Association by whatever name, charged with the duties and obligations set forth in this Declaration.

"Covenant" generally means a promise by one person to another to do or refrain from doing something that is legally enforceable.

"Declaration" means the Declaration of Covenants, Conditions, Restrictions and Easements for Meadow Farms Homeowners' Association, Inc., dated February 14, 2018, recorded February 16, 2018 in land records of Weld County, Colorado, together with all exhibits and amendments thereto, including, without limitation, the HOA's By-Laws, and all rules and regulations promulgated thereto.

"Governing Documents" means the Declaration of Covenants, Conditions, Restrictions and Easements for Meadow Farms Homeowners' Association, Inc., dated February 14, 2018, recorded February 16, 2018 in land records of Weld County, Colorado, together with all exhibits and amendments thereto, including, without limitation, the HOA's By-Laws, and all rules and regulations promulgated thereto.

1.3 Maintaining Quality and Architectural Harmony

1.1. The Need for Design Review

The Declarations mandate a DRC be formed to “maintain the quality and architectural harmony of Improvements in the Common Interest Community” (Section 2.14) and then defines those improvements in Section 2.22 to include original implementation of, and subsequent modification to any of the items listed in Table 1.1. The responsibility is very broad and general so the Declaration also stipulates that the DRC must establish and administer Design Guidelines to meet the intent of the Declaration.

A design review process allows the DRC to fulfil its mandate while protecting a homeowner from facing unexpected costs and delays from dealing with changes that the DRC deems necessary after construction is started or completed.

By implementing a lightweight mechanism to inform and get approval from the DRC the homeowner can then proceed with the project knowing that your changes will contribute to maintaining and improving the architectural appeal of the community.

1.2. Scope of Design Controls

Article II of the Declaration defines the mandate of the DRC and the scope of what are considered ‘Improvements’ in sections 2.14 and 2.22 respectively. Table 1.1 lists ‘improvements’ that are explicitly defined in the Declarations..

Improvements in DRC scope of responsibility

- all buildings, structures,
- parking areas,
- fences, walls, decorative landscaping features,
- hedges, plantings, and other landscaping, lighting,
- poles, driveways, roads, ponds, irrigation facilities, swimming pools, recreational equipment,
- signs, changes in any exterior color or shape,
- excavation and all other site work, including, without limitation, grading, road construction, utility improvements, removal of trees or plantings,
- and any new exterior construction or exterior improvement which may not be included in the foregoing.

Modifications Not deemed Improvements (DRC approval not required)

- turf, shrub, or tree repair or replacement of a magnitude which does not change exterior colors or exterior appearances.

Table 1.1. Items requiring DRC approval as defined in the Governing Documents

Article VI (The Design Review Committee), Article VII (Restrictions) and Article VIII (Maintenance) in the Declaration make specific reference to the role the DRC plays in applying oversight to specific modifications you might want to consider. This document will provide the DRC and the Owner with details on how that applies to their project. Table 1.2. Additional Items requiring DRC approval as specified in the Declarations

1.3. Town, County, and State Regulations and Approvals

Many structural changes require town and/or county review and permits. It is the homeowner's responsibility to obtain all county approvals and permits. Authorities with both the Town of Milliken and Weld County should be contacted prior to beginning any work in order to verify what procedures must be followed. In the event of a contradiction between the Association allowing certain modifications but the town or county having more restrictive requirements, the town or county requirement will take precedence.

II. GUIDELINES

2.1. DRC Review Criteria

The Design Review Committee evaluates all submissions on the individual merits of each application. The characteristics of the house type and the individual site are taken into account when evaluating the particular design proposal. What may be an acceptable structural change or design of an exterior in one instance, may not be for another and what may have been considered unacceptable a decade ago may now be deemed quite suitable. The Declaration states very clearly that the concept of 'precedence does not apply when reviewing a submission. The following criteria represent in more specific terms the general standards that will be used in reviewing and evaluating such applications for structural or design change.

- 2.1.1. Validity of Concept. The basic idea must be sound and appropriate to its surroundings.
- 2.1.2. Design Compatibility. The proposed improvement must be compatible with the architectural characteristics of the applicant's house, adjoining houses, and the neighborhood setting. Compatibility is defined as similarity in architectural style, quality of workmanship, similar use of materials, color and construction details.
- 2.1.3. Location and Impact on Neighbors. The proposed alteration should relate favorably to the landscape, the existing structure and the neighborhood. The primary concerns include, but are not limited to, access, view, sunlight, ventilation and drainage. For example, (a) fences may obstruct breezes or access to neighboring property; (b) decks or larger additions may cast unwanted shadows on an adjacent patio or property or infringe on a neighbor's privacy; (c) lighting (flood lights, lamp posts) may cast unreasonable light on to adjacent properties. The size of the proposed alteration should relate well to adjacent structures and its surroundings. For example, a large addition to a small house, or building a very large storage may be inappropriate.
- 2.1.4. Color. Color may be used to soften or intensify visual impact. Parts of the addition that are similar to the existing house such as roofs, siding and trim should be matching in color. Paint colors for shutters, entry doors and garage doors must be one of the approved colors for the community (see later section) or one approved by the DRC. Trim (e.g., eaves, fascia, window framing) and gutters/downspouts must remain the original color or white.
- 2.1.5. Materials. Continuity is established by use of the same or compatible materials as were used in the original house. The options may be limited somewhat by the design and materials of the original house. For instance, if the siding on the original house is predominantly horizontal lap plank siding, this should be reflected in an addition or outbuilding. If the original house also has a brick facade facing the street, any shed or outbuilding should present a brick facade to the street. On the other hand, an addition with siding may not be compatible with a brick house. Any addition, shed or outbuilding for a brick house should reflect the same materials as the original house, mainly brick to match the existing house.
- 2.1.6. Workmanship and Worksite Maintenance. Workmanship is another standard which is applied to all exterior alterations. The quality of work should be equal to or better than that of the community. Poor practices, besides causing the owner problems, can be visually objectionable to others. Poor workmanship can also create safety hazards.

- 2.1.7. Timing. Whether the project involves total home construction, an outbuilding or other type of structural change, the DRC will work with the homeowner, and the homeowners' contractor to establish a reasonable timeframe to start and complete the specified project. The timeframe will make allowance for reasonable delays in project start and project execution. If delays are encountered in the start of, or during, the project that makes it unlikely to complete the project within the approved end date, please contact the DRC to seek a written extension for the project. Time limitations are required to address concerns of:
- 2.1.8. Guidelines changing between after an approval is granted and when the work begins
- 2.1.9. Minimizing the nuisance and safety hazard impact for neighbors and the community.

2.2. Improvement Guidelines.

The table in Section 1 is quite broad and overly general in most cases. This section provides specific guidance on what elements of the improvements the DRC will consider and therefore dictate what information you should include when applying for review of any improvements.

This DRC must routinely review this section, and it must be updated as required based on changing regulations, discovery of omissions or contradictions, or based on input from the membership.

For each 'Improvement' category the DRC encounters we should include a section for it to capture what the DRC expects to review and what will be exempt from review, and in the situations that a review is warranted it should outline what information should be provided with the review.

With the initial draft of this document the DRC intends to capture several of the more likely 'Improvements' that homeowners are likely to first want to tackle.

Construction Site Maintenance

It is expected that the builder should make reasonable effort to maintain the lot during construction. Equipment no longer required for the project should be removed from the lot and effort should be made to contain equipment and material to one area of the lot.

The DRC will be reviewing the proposed structure[s] to ensure compatibility with the surrounding homes and buildings.

Controls should be put in place such as a cleanout section before entering the roadway of gravel, concrete or similar design to limit the amount of mud and dirt tracked back onto the roadway.

Time Restrictions for Construction Operations

Out of respect for residents in the Meadow Farms subdivision the Board of Directors of the Association implemented a policy and notified homeowners on 5/18 that the Association would be restricting hours of operations for exterior construction to:

Monday-Friday: 7:00 AM - 7:30 PM

Saturday-Sunday: 8:00 AM - 5:00 PM

2.2.1. Dwellings (and Outbuildings)

As with all 'Improvements' the Owner must ensure that all local, county, state and federal regulations are satisfied. Copies of permits must be furnished to the DRC immediately (within 14 days of receipt). Outbuildings must be designed to suit the primary dwelling on the property, reflecting similar style, materials, and color choices.

2.2.1.1. Packet Details (what is the DRC going to review?)

The packet must include:

- a site plan including:
 - primary building and any planned outbuilding locations
 - Propane tank size, location, and planned screening
 - driveway and entry locations and material. Please indicate what preventative measures will be used to minimize debris tracked to the roadway during construction.
 - Any major infrastructure components (a/c or heat pump units, whole house generators etc) showing location and screening
- a set of drawings that will detail:
 - Elevation views of all sides of the structure detailing architectural components and overall theme. This section should also indicate material and color for all major elements.
 - elevations - relative to crown of road immediately in front of the house indicating elevation of the main floor finished floor, roof peaks for all included structures. If the elevations on the drawings are relative to the median of the lot, the relative elevation of that median to the crown of the road must also be provided.
 - sketch indicating total area
 - Roof plans indicating slope, material, and color
 - all plans that would affect the existing grade adjacent to easements. Under no circumstances should the new construction result in causing direct runoff onto the equestrian trail easements.

- Temporary storage containers/site trailers/sheds. If temporary storage is required on the building site (during construction) please indicate style and location on the site plan
- Temporary living accommodations. The period of construction between foundation complete and framing complete can represent a potential risk for the theft of building materials that have been delivered onsite. The owner may include with the 'home construction packet' a request to place a trailer, camper, or RV on the lot during this phase of construction. The DRC will forward this portion of the request to the HOA board for approval. The maximum period for having temporary accommodation on the lot is 3 months. The owner must comply with all local ordinances and provide a copy of any permit from the town of Milliken. The request for this allowance may be made separately from the building approval request. When requesting approval for temporary accommodation on the lot during construction the owner must provide:
 - the make, model, year of the vehicle, and a photo.
 - the date the trailer, camper, or RV will be placed on the lot
 - the planned construction milestone that will allow for removal of the trailer, camper, or RV and the projected date.
 - plans for managing gray and black waste water.

The DRC may demand the removal of temporary accommodations at any time if they feel the owner is not acting in good faith with respect to minimizing the time that the trailer, camper, or RV is present on the lot or for not complying with the requirements stated above (wastewater management, providing permits).

2.2.1.2. Approval Timing (lead time and validity).

The approval can be granted 90 days before the planned project start date.

The approval will be valid for 1 year from project start.

Extensions can be granted in advance with justification. The DRC may impose penalties for excessive delays.

2.2.1.3. Style, Color, and Materials.

The following recommendations are included to reflect the collective taste of the community and while each plan (and packet) will be reviewed on its own merit, incorporating the following elements will ensure a home that will be well suited to the community and should help expedite the approval process. The community is looking for an "organized" look with home styles that compliment one another, without being 'repetitive'.

- Siding
 - Exterior materials can include wood siding (Lap, board & batt, or shingle with variations of textures), stucco, stone or brick. The use of rough

barnwood as an accent is acceptable. The use of vinyl siding is prohibited.

- Contrasting materials must be incorporated on the street facing side of the home.
- Contrasting finishes should also be incorporated on any of the other walls. A wall of lap siding with board & batt in the gable or alternatively, a couple rows of lap with a larger band and then board & batt.
- Brick or stone – provide at wainscot/post locations to accent porches and give an anchored look to the home.
- Color choices - white, black, gray, greige(brown-gray tones), off white, navy or darker blues, possibly greens. Bright hues of any color are discouraged. As specified in the Declarations adjacent homes cannot implement the same color scheme.
- Roofing
 - The roof must incorporate multiple materials to break up the asphalt shingle look. Metal roofing can be used to provide a location of interest on the roof. Must have dormers or shed roofs over windows to break up the asphalt shingle look. The use of concrete, tile or clay roofs may be considered if the style fits with the rest of the community.
 - Add dynamics of differing pitches to roof lines. Pitch style dormers should be 2 pitches greater than the surrounding roof. Shed style roof should be 2 pitches less than the surrounding roof.
- Use of corbels/open post & beam for large gables to dress up long soffit spans.
- All homes should have a greeting porch (preferably covered).
- Dwellings must have a 2 or 3 bay attached garage. With a deeper bay you can accommodate 4 cars. Only a single bay on an attached garage can accommodate a recreational vehicle (16' door style).

2.2.2. Outbuildings and Storage Sheds.

All storage sheds must be approved by the DRC and comply with Weld County ordinances. Weld County may require a permit for zoning compliance. Copies of permits and inspection reports must be furnished to the DRC immediately (within 14 days of receipt). Applications must include a site plan identifying the proposed shed location, the proposed materials and colors, and an elevation drawing depicting the length, width and height of the proposed shed.

Smaller, single story, storage sheds of up to 200 square feet can be prefab structures so long as the siding style and color match that of the home. The roof material and color should closely match (not identical) as that of the home as well. Each lot can have up to two 'smaller' storage sheds but the total area must be under 200 sf (i.e. a lot may have two, 10'x10' sheds).

Larger outbuilding structures must be constructed on site (ie. prefab and modular structures are not permitted) and must be built on a concrete slab foundation. The shed should be oriented so that the front entryway of the shed faces the street. The exterior siding must be identical in color and use the same material as the house: brick, or a combination of wood, fiber-cement siding

(or an DRC approved engineered material) and brick. No vinyl or plastic shall be permitted for exterior siding. The material, color and style of roofing and siding must reflect those that are dominant in the house but it is not required that you include 'all elements'. For instance, brick or stone accents may not be necessary. Where necessary or desired, approval of shed construction may be conditioned on the installation of suitable plantings and other landscaping around the shed in order to soften its visual impact as determined by the DRC. As with all improvements the DRC can apply its discretion permitting deviations from the above requirements on a case by case basis.

'Packet Details'. The requirements are identical to that of Dwellings (section 2.2.1).

'Approval Timing' is identical to that of 'Dwellings' (section 2.2.1).

2.2.3. Lot/Yard perimeter fencing.

Please Note that the town of Milliken has extensive regulations regarding fencing. Please familiarize yourself with town and county regulations before submitting a plan.

A 3 rail ranch fence made of white vinyl that is not higher than 48", that does not extend beyond the line extending across the front of the house does not require approval. Any deviation from the above specification may be considered but will require written approval.

2.2.3.1. Packet Details.

The packet must include:

- a lot plan indicating the line of the fence, indicating any gates and openings, dimensioning the lengths of fence runs, and indicating position relative to any easements.
- a detailed description of the fence that also indicates post spacing. Images (sales brochure scan) showing the profile of the fence is very helpful.

2.2.3.2. Approval Timing.

Approvals for perimeter fencing can be requested 90 days before the anticipated start of construction. If there are external factors (ie weather) that delay the start of the project the owner can request an extension of this period.

The approval is good for 90 days from the start of the project. If there are reasonable external factors that delay construction the owner may request an extension. If the project goes beyond 90 days without what the DRC considers reasonable justification, the DRC can impose penalties (fines) at its discretion.

2.2.3.3. Style, Color, and Materials.

- Colors. Perimeter fencing should be white or natural wood color.

- Materials. Wood or vinyl fencing are preferred.
- Height/Opacity. In order to preserve the 'open' feel of the community the DRC recommends that perimeter fences be no more than 48" high and they should be no more than 50% opaque. However, allowance may be made with reasonable justification (ie horse fences).
- Location restrictions. The DRC strongly recommends against perimeter fences that extend beyond the line of the front face of the primary building.

2.2.4. Enclosure/Privacy Screens.

Special allowances are made for privacy screens and enclosures. Any fence or screen enclosing an area will require written approval as enclosure screens/fences are typically purpose built and each will have unique considerations. Privacy screens (freestanding or attached to the home or an outbuilding) also require written approval..

- Approvals - always required
- Style Guide : case by case review

2.2.5. Subdivision perimeter fencing.

Certain subdivision perimeter fencing shall be permitted along the bounds of the Meadow Farms subdivision. Such perimeter fencing shall be of uniform wood 3 rail round rail construction. The HOA shall be responsible for the maintenance, care and replacement of the portion of such perimeter fencing located upon each of their respective Lots.

- 2.2.6. Propane Tanks, Air Conditioners, Generators. reasonable effort should be made to screen large components such as central air conditioners, and generators. Submissions for propane tanks should include a sketch of the site plan showing tank size, location, . The DRC must review propane tank location to validate setbacks from structures and easements. This overlaps with the Town of Milliken ordinances and in all cases the town guidelines will define those requirements. The overlap exists because the town has been inconsistent in applying those ordinances.

For generators over 20kW or A/C or heat pump outdoor units that do not meet the criteria of 2.2.6.1, DRC approval is required and the submission should identify location of the appliance relative to existing structures and or nearby easements and any planned screening.

- 2.2.6.1. Approval Requirements. No approval is required for : Whole House Generators up to 20kW Or A/C /heat pump outdoor units of up to 16 sq. ft. if located within 10' of the

perimeter wall of the house. As long as it is reasonably screened with fencing or greenery.

- 2.2.7. Patios And Decks. Patio and decks are to be located in rear yards. When patio and deck schemes include other exterior changes, such as lights, landscaping, etc., other appropriate sections of these guidelines should be consulted before filing an application.
- 2.2.7.1. Raised Decks. All decks are to be of pressure treated wood or a synthetic product suitable to the DRC. Applications must include a site plan showing size of deck, location as it relates to applicant's house as well as adjacent houses and property lines, description of materials to be used, and details of railings, posts, stairs, steps, etc., as required to clearly describe proposed design. Please include the height of the deck off the ground.
- 2.2.7.2. Ground Level Patios. Rear yard, ground level patios made of decking material, brick, stone or cement under 2500 sq. feet do not require DRC approval. Applications for patios must include a site plan showing size of patio, location, description of materials to be used, and other details (such as stairs, steps, lighting, and all other built-in items).
- 2.2.8. Trellises/Arbors. The use of trellises and/or arbors as part of a fence, deck or patio will be reviewed on a case-by-case basis and should be incorporated into the overall design of the project.
- 2.2.9. Sun Control Devices. No approval is required for permanent awnings or sun control devices that are attached to the home. No approval is required for any trellis, pergola, or non-permanent sun shades under xx sq' ft. Sun control devices that do not meet the criteria above will require approval. The application must include a description of the device (materials and color) and a site plan depicting the location of the device. Residents should use good judgment when utilizing temporary awnings and tents to prevent damage due to wind.
- 2.2.10. Swimming Pools, Ponds and Hot Tubs. Plans for swimming pools, ponds, and hot tubs must be submitted to the DRC. Above ground pools are prohibited. It is the homeowners' responsibility to secure proper building permits/inspections and to ensure that plans conform with local government and Weld County guidelines. A copy of the County approval should be submitted with detailed plans depicting the proposed location of the pool/pond/hot tub and property lines, materials, and an estimated completion date.
- 2.2.11. Recreational And Play Equipment. Homeowners often express interest in permanently installed swing sets, basketball backboards, tot lots, etc. Most equipment of this sort, though commercially available, is less than pleasing in appearance. Creatively designed equipment and play equipment constructed of wood or suitable synthetic rust-free materials is encouraged. The guidelines listed below are provided in an effort to reconcile the need for play equipment with the goal of minimizing its visual impact. Prior to the installation of any equipment, an application to the DRC shall be submitted and approved.
- 2.2.11.1. Location and Size. Equipment will be permitted only in rear yard locations to suitably limit visibility from the front of the house or street. Consideration must be given to lot size, equipment design and size, and amount of visual screening. The equipment must be placed so as to avoid being a nuisance to the neighbors.

- 2.2.11.2. Basketball Backboards and Free Standing (portable) Basketball Hoops. Free standing (portable) basketball hoops shall not be placed or used on public street or cul-de sacs, or on any common area of the HOA. Portable hoops on homeowner property must be located at least 12 feet from the neighboring property line, and hoops cannot be used between 8 p.m. and 8 a.m. No basketball hoop/rim/backboard may be attached to the front or side of any dwelling.
- 2.2.11.3. Materials and Color. Equipment made of natural or synthetic rust-free materials is preferred. Other play equipment colors will be considered, contingent upon location and landscaping.

2.2.12. Exterior Painting. Color changes apply not only to the house siding, but also to the doors, shutters, trim, fascia, roofing, and other appurtenant structures. No person shall paint the exterior of any Structure a color different than the original, without the proposed color having been approved by the DRC. Wooden trim, wooden window frames and garage doors must be painted the original color or white; if not, the homeowner must submit a request for change of color to the DRC. Change of exterior siding colors will be approved by the DRC if in conformance with established neighborhood guidelines or selected from one of the existing neighborhood colors. Any brick addition shall be of the original brick color. Repainting or staining a specific object to match its original color does not require DRC approval.

2.2.13. Major Landscaping. Care should be exercised in the landscaping and in planting and maintenance of trees and shrubs on your lot to prevent drainage problems or obstruction of sight lines required for vehicular traffic. If plantings result in complaints by neighbors, the DRC may consider appropriate measures to resolve the problem. All plantings should be kept and maintained in a neat and orderly condition and dead or diseased plantings or trees should be promptly removed. Natural ground and plant covers like mulch and pine straw are preferred over manmade materials.

- 2.2.13.1. Applications to the DRC. Applications to the DRC, when required, should include a description of the types and sizes of trees and shrubs to be planted and a site plan showing the relationship of plantings to the house and adjacent dwellings.
- An application IS NOT REQUIRED for foundation plantings, or plantings within five feet of the inside of a rear yard fence, if the trees or shrubs planted will not grow to exceed ten feet. In addition, an application is not required for up to four individual trees in the rear yard or any vegetable garden equal to or less than two hundred twenty-five (225) square feet.
 - An application IS REQUIRED for:
 - trees and shrubs adjacent to the dwelling foundation or within five feet of a rear yard fence if the trees or shrubs will exceed ten feet when mature,
 - hedges more than 3 feet in height or 8 feet in length, or other features which in effect become structures, fences or screens and a part of other applications where required.
 - railroad ties, garden timbers or retaining stone walls which form a wall over two (2) feet high or eight (8) feet long. Include a site plan with the location of ties or timber drawn in, and information on landscaping plans and any grading changes.

- rock gardens in the event rocks or collections of rocks exceed 36 inches in any direction. All rocks shall be left their natural color.
- Any gardens or planting beds greater than two hundred twenty-five (225) square feet.
- Trees. Consideration should be given to type of trees to be planted, specifically with regard to size of mature trees and how roots will affect water lines and underground cables, etc.
- Gardens. Vegetable gardens shall be limited to rear yards and any garden in excess of two hundred twenty-five (225) square feet must be screened with other natural plantings not less than two to three feet in height in order to minimize the visual impact.
- Grades and Drainage: all plans that could affect the existing grade adjacent to easements must be submitted for review and approval. Under no circumstances should the new construction result in causing direct runoff onto the equestrian trail easements.

2.2.14. Exterior Lighting. No exterior lighting shall be installed or maintained in such a way as to cause discomfort to adjacent neighbors. All spotlight security lighting is to be directed inside the property boundaries. Applications for exterior lighting changes (whether individual or part of a deck, patio, or other landscaping application) must include wattage, height of fixture above ground, and a complete description of the light fixture (materials, design and number of bulbs on a single fixture) and the proposed location.

2.2.15. New Entry Walkways. No approval is required for surface level entry walkways. They should be constructed from cement, brick, slate or other natural rock that is compatible with Home decor, style and color. If the entryway includes raised features an application is required. Applications must specify dimensions, materials to be used and color.

2.2.16. Solar Panels. Solar Panels situated on the roof of a home are permissible; provided that application must first be made to the DRC. Arrays should be reasonably sized for a typical household. The DRC may, however, deny any such application based on the proposed size of the array and other aesthetic factors. CONSULTATION WITH THE DRC SHOULD BE MADE PRIOR TO THE SIGNING OF ANY CONTRACT OR PURCHASE OF ANY EQUIPMENT, EVEN IF THE ULTIMATE SCHEMATICS AND LAYOUT OF THE PANELS ARE NOT YET KNOWN.

2.3. 'Improvements' Not Requiring DRC Approval

In addition to the items identified in the Declarations that do not require DRC approval, the DRC using best judgement may excuse certain requirements or permit compliance based on alternative requirements (Section 6.3.1 of the Declarations). This section will define such discretionary exemptions.

2.3.1. **LANDSCAPING DECORATIONS AND WINDOW BOXES**. Exterior decorative objects such as window boxes, birdbaths, small figurines, garden statues, etc., may be placed in the front,

side and/or rear yards of a residence, provided that the object is of a neutral color/material, and that the total aggregate number of objects shall not exceed six (6) in number. Bird baths cannot exceed forty-eight (48) inches in height and other decorative figures or small benches shall not exceed thirty-six (36) inches in height and four (4) feet in length. Window boxes are limited to three (3) feet in length. Seasonal and holiday decorations will be covered under other governing documents.

- 2.3.2. FLAGPOLES. Temporary flagpole staffs which do not exceed six feet (6') in length and are attached at an incline to the front wall or pillar of the house or dwelling unit does not require DRC approval (a "House Mounted Flag"). Permanent flagpoles mounted in the ground are permissible; provided that DRC approval as to the proposed design and location is first obtained ("Monument Flag"). A homeowner shall not have more than one monument flag. Approval is required for more than 4 house mounted flags.
- 2.3.3. BARBEQUE GRILLS. Permanent brick or cement barbeque grills should be placed in the rear yard and as far a practical from the adjacent property lines. Any use of a portable grill should be in accordance with County Fire Codes.
- 2.3.4. SATELLITE DISHES. All satellite dishes should be mounted in the rear yard or on the side of the dwelling except when such locations prevent adequate signal reception. Where necessary and/or appropriate, landscaping screening may be required to reduce the visual impact.
- 2.3.5. GUTTERS AND DOWNSPOUTS. Gutters and downspouts must match those existing in color and design and must not adversely affect drainage on adjacent properties.
- 2.3.6. ATTIC VENTILATORS. Attic ventilators or other mechanical devices requiring penetration of the roof should be as small in size as functionally possible and should match the roof or be mill finish. They should be on the backside of the roof to the extent possible and not extend above the ridgeline.
- 2.3.7. MAILBOXES AND POSTS. Homeowners may replace original mailboxes and mailbox posts only with boxes of the same style and color and with posts of the same style and color as originally installed. Other changes require application to the DRC.
- 2.3.8. SEPTIC SYSTEMS and EMERGENCY REPAIRS to dwelling. In the event that a homeowner must effect repairs to the roof of the living space, or to the septic system, and those repairs will be restoring the original 'improvement', no review application needs to be submitted. If the alterations are 'replacing' the existing system even if it is 'the same', then an application will be required.

III. OPERATIONS

3.1 Review Request Process.

3.1.1 Request Forms. A request form for submission of architectural changes is included in Appendix A and will also be available as a form on the HOA website.:

<http://meadowfarms-co.com/drc>

The application (or the online application form) will require basic identification information, project plan specifics such as planned start and end dates, major contractor or builder information and a brief text description of your project. Additionally you will need to submit an information packet to help better describe your project to the DRC. Generally, the following items should be a part of the information packet with every application but the exact content will be determined by the type of 'Improvement':

- a. Drawings/Photographs. A graphic description should be provided, and may be in the form of manufacturer's literature or photographs as well as freehand or mechanical drawings. The amount of detail should be consistent with the complexity of the proposal. Relationships of major architectural features such as existing and proposed roof lines, window sizes and alignment, building heights, roof slopes, exterior elevations for proposed structure, and if appropriate, plans or provisions for landscaping or grading, etc., should be shown as they affect the applicant's house, and in the case of attached structures, as they relate to adjacent houses. In any case, the sketch or photograph should be accompanied by a written description.
- b. Site Plan/Overview. A site plan is most easily prepared by submitting a copy of the property plat. Indicate proposed changes, including dimensions and distances from adjacent property and houses.
- c. Material and Color. Provide a description of the existing materials and colors and the proposed colors and materials. In cases where materials and/or colors are compatible but different from those of the existing structures, manufacturing specifications of the materials and/or samples of color chips should be submitted for clarity.

3.1.2 Review Procedures. All applications should be submitted to the DRC by way of the HOA website, or via email as indicated in section 3.1.

- a. The Chair of the DRC shall ensure that the Board has been copied on the Review Request.
- b. The DRC will review the request for completeness. If the application is complete the review process may begin. If not, the application will be returned to the homeowner with instructions to provide the missing information. The Owner will be provided an acknowledgement of receipt of the application and a response regarding completeness within 5 business days of submission. If the DRC fails to respond in 5 days the Owner may begin the escalation process.
- c. The DRC has thirty (30) days to review the 'complete' application.
- d. When the Chair has determined that the committee has completed its review a vote will be called with a simple majority to approve or reject the request. The vote can be performed at an in person meeting, over video conference, or by email. The recommendation along with any

feedback regarding their decision will be forwarded to the Board before sharing with the Owner. This allows the Board to be in a position to support the position of the DRC if the Owner contests the DRC decision. It does have the side effect of providing the Board with 'final approval'.

- e. The Board does have the discretion to overturn the recommendation of the DRC but the Board should make an attempt to work with the Chair of the DRC to reconcile any disagreements before overturning.
- f. If the DRC fails to respond within 30 days the Owner should resubmit as outlined in the Declaration. If the DRC fails to respond to a resubmitted request within thirty (30) days after submission shall be deemed to have been approved as submitted. It is incumbent upon the homeowner to ensure the DRC received the original request. In any event, the DRC shall endeavor to send a written response to all requests.

3.1.3 Appeal of a DRC Decision. An appeal may be made to the Board of Directors if it appears that the following situations occurred: (a) Proper procedures were not followed during the administration and review process; or (b) The DRC decision was arbitrary and had no rational basis. To initiate the appeals procedure, the applicant must submit a written request for an appeal within ten (10) days of the applicant receiving the DRC decision. The appeal will be referred to the Board of Directors for review.

3.2 Review Committee Organization

The DRC will initially be composed of 5 individuals all of which will be members of the HOA as appointed by the Board of Directors. The operation and organization of the DRC remains as described in ARTICLE VI of the Declaration. The 5 members will be appointed by the Board of Directors and the terms are not time limited but the members serve at the will of the Board of Directors. The Chairman is elected by the members of the DRC.

3.2.1. Conflicts of Interest. If the homeowner or the builder associated with a DRC request is a member of the DRC, the individual must recuse from the committee for the submission.

3.2.2. Temporary Appointments. The Board should maintain a list of alternate DRC members to appoint for temporary assignment if a DRC member should become unavailable for any reason, or in the event of a conflict of interest. The appointment would be limited until the original member was able to return, or for a specific review in the case of a conflict of interest.

- a. In the event that the Chairman is unavailable, the DRC (including the member temporarily appointed by the board) must select a chairman. That chairman will serve until the original Chair can return, or until the end of the term for that chair.
- b. In the event that 2 people needed to recuse (owner and builder) and there were insufficient volunteers to create a 5 person review committee, the DRC would operate with 3 committee members.

3.2.3. Communications with the Applicant. Requests for clarification or more information to the applicant will be made by the DRC Chairman.

3.3 Amendments to the Guidelines.

The DRC will conduct an annual evaluation to determine if the guidelines need to be amended. It is anticipated that any changes would be primarily additive and would not involve substantive changes of the existing guidelines. After update of the Design Guidelines by the DRC the document is submitted to the Board of Directors for final review. Once approved by the Board the Secretary will facilitate the distribution to all homeowners and place the latest review on the web.

With such broad representation from the community (5 DRC members and review by the Board of Directors) any amendments “should” reflect the ideals of the community as a whole. The amended Guidelines will be enforceable immediately upon approval from the Board in accordance with the Declarations. In an abundance of transparency with the community the amendments will be presented at the following “Annual Meeting” of all members and if the majority of members feel the amendments do not represent the ideals of the community a motion can be made to revoke or modify those amendments following the mechanisms detailed in the Bylaws and the Declarations.

3.4 Enforcement Procedures.

The following process will be applied in cases of violations of these Guidelines. As with all covenants, rules, and procedures of the HOA the enforcement of these procedures are detailed by the Policy Document:

POLICY OF THE
MEADOW FARMS HOMEOWNERS' ASSOCIATION, INC.
REGARDING POLICIES AND PROCEDURES FOR COVENANT AND RULE
ENFORCEMENT

This is purely a summary of the ‘Enforcement Policy’ and in all cases that Policy document supersedes this Guideline.

:

3.4.1. Non-Compliance: Any complaint brought to the attention of the DRC or the Board of Directors shall be investigated and documented to include the nature of the violation and when the non-conformance was observed. If the violation is of a repetitive nature (ie. Violations of the ‘hours for construction operations’ would be considered ‘repetitive’ violations) will follow the procedure outlined in section 3.4.2..

- a. Initial ‘Fine Threat Letter’. The HOA Board shall review the complaint and if warranted will issue a ‘Fine Threat Letter’. The violator /owner has 10 days from the date of the letter to come into compliance.
- b. If after 10 days the non-conformance has not been adequately addressed, this will be considered a 2nd violation. For 2nd (and subsequent violations) the Board will issue a letter providing notice of the non-compliance and provide the opportunity for the violator to request a hearing within 10 days.

- c. Failure to request a hearing. The Board can render a final decision without the hearing and assess the fine at that time.
 - d. Hearing. The Board shall convene the hearing after which they must render and provide notice of a final decision within 10 days. If the Board determines that the violation warrants the fine the fine shall be assessed at that time.
- 3.4.2. Repetitious Violations. Violations that are deemed to be repetitive such as failure to observe the documented hours of construction operations when separated by a period of no less than one day (as determined by the Board) shall follow a similar process to the outlined in 3.4.1. However, the Board may determine that each instance of noncompliance may constitute a separate violation, and the Board shall not be required to provide a period of 10 days from each violation for the alleged Violator to come into compliance. A fine threat letter shall be sent for the first violation in the series. After the fine threat letter, the Board may cause violation notices to be sent for each violation in the series stating the amount of the fine to be imposed, and giving notice and an opportunity for a hearing. The Board shall individually consider each violation, but is permitted to combine any and all hearings for Repetitious Violations on one date.

3.5 Conditions and Exceptions.

Please note that failure of the HOA or DRC to enforce any provision, covenant, restriction, or rule and regulation shall in no event be deemed a waiver of the right to do so thereafter. The HOA/DESIGN REVIEW COMMITTEE shall have the right to enter upon and inspect any Lot during reasonable daylight hours for the purpose of ascertaining compliance with these restrictions; provided that, except where an emergency dictates otherwise, prior to entering the property the HOA or DRC, as applicable, shall first attempt to contact the owner in person or by phone to advise them of the pending inspection.

Appendix A. DESIGN REVIEW REQUEST FORM

MEADOW FARMS HOMEOWNERS' ASSOCIATION, INC.

When modifying or adding new features to the exterior of your home it may be necessary to submit your design for approval by the HOA's Design Review Committee. Our goal is to provide homeowners with maximum flexibility while maintaining enough involvement of the HOA so they can help ensure that all proposed changes fit with the aesthetics of our community. Doing so will help us all maintain the maximum value for our homes.

In general, a design review request should be made if your design changes will be visible to your neighbors. Section 4 below lists some examples, and the Design Guidelines provide a more detailed description of when your changes require HOA approval.

The Architectural Committee has 30 days to respond to any requests.

1. Name _____

Address _____

Lot Number _____ Phone Number _____

Email Address: _____

2. Briefly describe the proposed change _____

3. Project Plan:

a. The project will be done by Homeowner _____ Contractor(s) _____

Contractor Name _____

b. Indicate the approximate time needed to complete the project, subsequent to the Boards approval.

Proposed start date: _____ Estimated completion date: _____

c. List of town/county permits that will be required.

4. Supporting Info Packet: Modifications to the exterior of your property requiring approval from the HOA include, but is not limited to, painting or staining wood, new building or exterior remodeling, or moving or installing any utility, yard lights, fences, wall, and antenna, satellite, solar panels or wind turbines, concrete or landscaping. To facilitate the review process please provide as much detail as you can with your application. The type of your project will define what details to include but you can help expedite your approval by including relevant information with your request form including:

- a. Plot plan indicating the location and dimensions of the project.
- b. Sketches or working drawings indicating all necessary dimensions and elevations.
- c. If available, a photograph or drawing of a similar completed project.
- d. Specify paint or stain color (sample color strip)
- e. List of major materials
- f. Services impacted (electric, water, gas, sewer)
- g. List of permits required

NOTE: All submitted materials shall remain the property of the Board. You may wish to make a copy for your personal records.

Please note under the Association governing documents, exterior finish, windows, and doors, and landscaping next to the unit, are the unit owner's responsibility; however, exterior changes may still require prior authorization by the association.

Any work done prior to authorization may be asked to be removed at the unit owner's expense.

Any liability due to architectural changes will be the responsibility of the homeowner.

I hereby acknowledge that I have read and understand the Architectural Control Standards set forth by the Board, as well as the Declaration of Covenants and Restrictions.

Homeowner's Signature _____

Date _____

Appendix C. Revision History

Date	Status	Description of changes	Contributors & Reviewers
July 10, 2022	V1.4	<p>Include restrictions on grading/drainage for new construction and landscaping. Include details to be considered by the DRC for propane tank placement. Update section 3.4 on "Enforcement Procedures" Remove Appendix B - fine schedule</p> <p>Modified section 2.2.6 to remove any requirement for screening around propane tanks. .</p>	2022 DRC and 2022 BoD
June 16, 2021	V1.3	Modified 'Hours of Operation' for construction to start at 7:00 am on weekdays	2021 Board of Directors
June 1, 2021	v1.2	<p>Updated Section 2.2.1 to include "construction operations hours of operation" per email sent to owners on 5/18/2021. Updated enforcement section 3.4 to differentiate between persistent violations and 'event or instance' violations.</p>	2021 Board of Directors
May 5, 2021	V1.1	<p>Added provision for temporary accommodations (Trailer or RV) in the period between foundation complete and framing complete for security purposes. Update section on Sheds and Outbuildings to add flexibility for small prefab sheds. Update enforcement section and fee/fine schedule.</p>	2021 DRC
April 09, 2021	V1.0	DRC Review Complete	2021 DRC
Feb.14, 2021	Draft	Initial release for Board review	Gordon MacKean