

**CLEARVIEW P.U.D. HOMEOWNERS ASSOCIATION**  
**ARCHITECTURAL CONTROL GUIDELINES**  
**Effective: Mar 1, 2009**

**I. SUBMISSION AND REVIEW OF PLANS:**

Pursuant to Article IX of the Declaration of Protective Covenants, Conditions and Restrictions for Clearview P.U.D. Homeowners Association, the Architectural Control Committee has established the following requirements and standards for design, construction and materials in connection with Improvements:

1. Minimum Square Footages. No dwelling shall be erected, altered, or permitted to remain on any Lot unless the finished floor space area thereof, exclusive of basement, open porches, garages, and attached out-buildings, and based on exterior measurements, is not less than:
  - a. 1200 square feet for a one-story dwelling;
  - b. 1400 square feet for more than a one-story dwelling
2. Exterior Materials. Each dwelling shall have an exterior comprised of high quality materials appropriate for the home style and design being built. The brick coverage shall be a minimum of twenty-five percent (25%) of the front elevation with additional requirements for corner lots or plans with substantial side exposure to public pedestrian and vehicular view. Stone or stucco may be substituted for brick in cases where the architectural style would be further enhanced by this alternative. Siding style and material will be approved on a case-by-case basis, but may be Masonite, vinyl siding, stucco or natural wood product. No vertical siding will be allowed. Masonite lap siding shall have no more than eight (8) inches exposure. Any other siding must have the written approval of the Architectural Control Committee. Enhancing architectural features such as grids in windows, gable vents, box soffits, and front porches with decorative railing are encouraged by the Architectural Control Committee and may be required at the discretion of the Committee. **No modular or prefabricated construction of any kind shall be permitted.**
3. Exterior Color. The exterior paint, stain, or other coloring materials to be utilized on any dwelling, outbuilding, fence, wall, or other exterior structure shall be of a muted tone and shall first be approved in writing by the Architectural Control Committee. In the event any homeowner wants to change the color of his or her residence, they may do so only with the prior written approval of the Architectural Control Committee.
4. Roof Pitch and Material. Each dwelling erected within the subdivision shall have a minimum roof pitch of 5:12. Roofing materials will be approved on a case-by-case basis, but

must be, at a minimum, a 30-year warranty laminated composition shingle. No roof vents shall be installed on the street side of any roof.

5. Roof Overhangs. Roof overhangs shall be a minimum of twelve (12) inches. This shall apply to both soffits and eve overhangs.

6. Garage Doors. Garage doors may be of a metal/steel material.

7. Garages. Each dwelling shall have a minimum two (2) car and a maximum three (3) car attached garage. Any dwelling with a three (3) car garage shall have a minimum offset of one (1) foot and a maximum offset of four (4) feet on the third car bay.

8. Similar Plans. If similar house plans are used, the plan must be separated by at least two (2) other lots unless there are significant architectural differences between the plans.

9. Fencing. All fencing plans must be submitted and approved by the Architectural Control Committee and will be considered on a case-by-case basis. As a general standard, in the first filing, fencing shall not exceed six (6) feet in height and shall be constructed of cedar or vinyl with pickets no less than four (4) inches and no greater than six (6) inches in width. No prefabricated fence panels will be allowed. No chain link fencing will be allowed except within an enclosed area invisible to public pedestrian and vehicular view. No dog run shall be nearer than two (2) feet to the Owner's property line. Properties that back up to open space may have special requirements. In the second filing, fencing shall be of either a six (6) foot privacy or four (4) foot 3-rail style. Fencing shall be constructed of white vinyl with a minimum vinyl thickness of 0.15" for posts and 0.10" for rails. Posts shall be a minimum of 5" x 5" and buried a minimum depth of 24" in concrete. No chain link fencing will be allowed except within an enclosed area invisible to public pedestrian and vehicular view. No dog run shall be nearer than two (2) feet to the Owner's property line. Any property side that backs up to open space cannot have privacy fencing. Three-rail fencing is required in these areas. A wire mesh can be installed on the inside of the split-rail to provide more containment.

10. Clotheslines. No clotheslines are to be installed on any Lot unless submitted to Architectural Review Committee or Homeowners Association Board for approval prior to installation.

11. Setback Requirements. All even numbered residential lots shall have a minimum front setback of twenty-five (25) feet and all odd numbered residential lots shall have a minimum front setback of twenty (20) feet.

12. Site Planning. Overall site planning and grading of each Lot shall be provided for the approval of the Architectural Review Committee. A Grading/Drainage plan certified by a qualified surveyor or engineer must be submitted upon completion of any dwelling on any Lot.

13. Landscaping. As required by the Town of Johnstown Ordinance No. 2002-689 for the issuance of a certificate of occupancy, at least one (1) one and one-half (1 1/2) inch caliper tree shall be provided for each lot of seventy (70) foot frontage or less and at least two (2) trees for every lot in excess of seventy (70) foot frontage. For corner lots, at least one (1) tree shall be required for each street. Corner lots have two (2) frontages. If the street frontage is in excess of seventy (70) feet, then the requirement is two (2) trees per street frontage. Back yard trees may count, provided they are planted along the road. The trees shall be located so as not to interfere with sight distance at driveways. The Planning and Zoning Commission shall furnish a list of acceptable trees. Street trees shall be installed in conjunction with the issuance of a building permit and prior to issuance of a certificate of occupancy or a certificate from a local nursery must be provided to the homeowner with a copy to the Building Inspector.

All landscaping plans including a timetable for starting and completion must be submitted and approved by the Architectural Control Committee within ninety (90) days after the dwelling is complete and will be considered on a case-by-case basis. Each lot shall have a maximum irrigated area equal to fifty percent (50%) of the total lot area. Any lot shall have completed landscaping no later than one (1) year after the dwelling is inhabited.

#### **SPECIAL REQUIREMENTS FOR SECOND FILING:**

1. House Elevations. The Town of Johnstown will be working collectively with the Architectural Control Committee. House elevations are subject to Town of Johnstown approval and shall be reviewed by the Town Planner at permit application and prior to the issuance of building permits. Approval or disapproval by the Town Planner shall be considered the only approval required by the Architectural Control Committee for house elevations. Exterior Colors, landscaping, fencing, etc. must be submitted directly to the Architectural Control Committee, not to the Town.
2. Fencing. All fencing plans must be submitted and approved by the Architectural Control Committee and will be considered on a case-by-case basis. As a general standard, fencing shall be of either a six (6) foot privacy or four (4) foot 3-rail style. Fencing shall be constructed of white vinyl with a minimum vinyl thickness of 0.15" for posts and 0.10" for rails. Posts shall be a minimum of 5" x 5" and buried a minimum depth of 24" in concrete. No chain link fencing will be allowed except within an enclosed area invisible to public pedestrian and vehicular view. No dog run shall be nearer than two (2) feet to the Owner's property line. Properties that back up to open space may have special requirements.

## **CLEARVIEW PUD** **Landscape Plan Submittal Requirements**

### **Intent**

Landscape improvements become the final critical element in the overall streetscape, architectural integrity and aesthetics of the development. A properly conceived and well-designed landscape program will intimately be the single most important value-enhancing element for Clearview.

All landscape improvements that are to be constructed, whether the original landscaping when the home is constructed or subsequent landscape improvements, are subject to review by the ACC.

### **Plan Submittal**

Once a landscape plan is prepared, two (2) copies of the plan shall be submitted to the Homeowner Association's (HOA) Management Company. All landscape plans including a timetable for starting and completion must be submitted and approved by the Architectural Control Committee (ACC) within ninety (90) days after the dwelling is complete and will be considered on a case-by-case basis. Each lot shall have a maximum irrigated area equal to or less than fifty (50%) percent of the total lot area. Any lot shall have completed landscaping no later than one (1) year after the dwelling is inhabited.

The landscape plan shall contain the following information:

1. Lot number, block number, filing number, address, owner, and name of person preparing the plan as well as the date and scale of the plan.
2. All existing and proposed conditions including: house, driveways, sidewalks, patios, decks, walks, natural features, drainageways and swales, berms, fencing (type, location, color, height, and location of gates), trees, shrubs, perennials and groundcovers with botanical or common names and sizes as well as all planting bed locations with the type of mulch in the beds (ie: wood, rock, etc.). All landscape features shall also be shown and detailed on the plan, including walls, fences, gardens, hot tubs, walks, patios, decks, gazebos, water features, boulders, structures, play equipment, basketball hoops, lighting, etc. The square footage of the lot as well as the square footage of the proposed irrigated turf areas must also be shown on the plan.
3. Within two (2) weeks following submittal, the Architectural Control Committee (ACC) shall provide written comments to the Owner. Should the plans be approved as submitted, the Owner shall apply for the appropriate building and/or irrigation permit(s) from the Town of Johnstown, and when approved, begin construction. In the event that revisions are needed or that the plan is denied, the Owner shall revise the plan and resubmit it to the Management Company. Construction may not begin until written approval is granted by the ACC.

## Landscape Design Standards

1. Final Grade. The builder is responsible for maintaining the proper finished lot grade and the Owner/landscape contractor shall provide for the final fine grading which will occur at the time of landscaping. This final fine grade shall include the final shaping of berms, retaining wall areas, drainage patterns and the landscape requirements of the plan.
2. Drainage. The final drainage for each lot shall take water from the lot out to the street or along the back and/or rear property lines out to the open space areas. If drainage occurs down the side of the lot or near property line, grading must be coordinated with the adjacent property owner to prevent drainage across adjacent properties. Coordination of landscape beds and turf areas must occur between properties in order to provide for design continuity between properties and mitigate rapid runoff and wash out of turf or mulch areas.
3. Berms. Landscaped berms can significantly add to the overall quality and appearance of a landscape design. These berms should be smooth, gently rolling land forms which appear to blend naturally with the final grading. Slopes and berms should not exceed three (3) to one (1) with the top of the berm flatter than the sides.
4. Minimum Tree/Shrub Placement and Sizes. As required by the Town of Johnstown Ordinance No. 2002-689 for issuance of a Certificate of Occupancy, at least one (1), one and one-half (1 ½) inch caliper tree shall be provided for each lot of seventy (70) foot of frontage or less and at least two (2) trees for every lot in excess of seventy (70) foot of frontage. For corner lots, at least one (1) tree shall be required for each street. Corner lots have two (2) frontages. If the street frontage is in excess of seventy (70) feet, then the requirement is two (2) trees for each frontage in excess of seventy (70) feet. Back yard trees may count, provided they are planted along the road. The trees shall be located so as not to interfere with sight distance at driveways. The Planning and Zoning Commission shall furnish a list of acceptable trees. Street trees shall be installed in conjunction with the issuance of a building permit and prior to issuance of a certificate of occupancy or a certificate from a local nursery must be provided to the homeowner with a copy to the Building Inspector.

These street trees shall be installed by the builder or homeowner in accordance with the Town of Johnstown approved "Clearview P.U.D. Homeowners Association Final Landscape and Street Lighting Plan" on file with the HOA's management company and the Town of Johnstown. The size and species of all street trees are shown on the Final Landscape Plan and no modifications or deviations from the plan shall be allowed. The homeowner's submitted landscape plan shall show the correct species and location of the required street trees per the approved Final Landscape and Street Lighting Plan.

5. Retaining Walls. Retaining walls shall be as low as possible and integrated into the entire landscape plan. The use of terracing is required in order to maintain a maximum height of four (4) feet whenever possible. Walls must be made of the same materials of the building structure or of stone to complement the structure. Flagstone, moss rock, rhyolite and brick are encouraged.
6. Screening. Garages, parking areas, utility boxes, pet enclosures, play equipment, hot tubs and other such items shall be screened from adjoining residences as much as possible.

The rear area of the residence should provide for outdoor use areas and have adequate screening to protect the privacy and view of the Owner as well as surrounding neighbors.

7. Maintenance. All landscaping and yards shall be maintained in a neat and attractive condition. Minimum maintenance requirements include watering, mowing, edging, pruning, removal and replacement of dead or dying plant material, elimination of weeds and removal of trash.

The Association is responsible for the maintenance in the open space parcels throughout the project. Adjacent lot owners may perform maintenance functions on a more frequent schedule if desired; however, the Association assumes no liability for any grounds maintenance other than what is stated here.

#### **ENFORCEMENT:**

Failure to conform to these guidelines or obtain necessary approval from the ACC will be a violation of the Declaration of Covenants, Conditions and Restrictions for (CLEARVIEW P.U.D. HOMEOWNERS ASSOCIATION). The Association shall have the right to exercise any remedy provided for in the Declaration, other Association documents and Colorado law.

#### **CERTIFICATION**

The undersigned, being the duly elected and acting Secretary of the CLEARVIEW P.U.D. HOMEOWNERS ASSOCIATION (the "Association") certifies that the foregoing Architectural Guidelines were approved by the vote of at least a majority of the Association's Directors at a meeting of the Association's Board of Directors held on Feb 4, 2009.

Dated this Feb 4, 2009.

CLEARVIEW P.U.D. HOMEOWNERS  
ASSOCIATION

By:

  
Secretary