

The Meadows at Coal Creek Architectural Guidelines

I. ARCHITECTURAL REVIEW PROCEDURES

The review and approval procedures which follow provide the framework by which the Architectural Control Committee (ACC) will review, process, and approve construction improvements within The Meadows at Coal Creek. Plans and specifications shall be submitted to the ACC in accordance with the following review and submittal procedures.

A. Approval Required

Except for Architectural Control Committee exemptions and “staff level” approvals as described below any construction or reconstruction, or alteration of any part of the exterior of any building or other improvement in The Meadows at Coal Creek is prohibited until a builder or homeowner first obtains approval thereof from the Architectural Control Committee. All improvements shall be constructed only in accordance with approved plans.

Every violation of the Design Guidelines, including without limitation, any construction, reconstruction, refinishing or alteration of any improvement or landscaping in The Meadows at Coal Creek not in conformance with plans that have received approval from the Architectural Control Committee, are declared to be and constitute a nuisance. Every public or private remedy allowed by law or in equity against a homeowner or developer-builder shall be applicable against every said violation.

B. Exemptions

The following types of changes, additions or alterations do not require the approval of the ACC. It is recommended that one check with the ACC staff representative(s) to confirm that the proposed changes are, indeed, exemptions rather than “minor applications” which require staff level review and approval.

Although exempt from review of the ACC, all work must proceed in accordance with all federal state and local codes, ordinances and regulations having jurisdiction at the site.

1. Addition of vegetation to a property in accordance with a previously approved landscape plan.
2. Modifications to the interior of a structure when those modifications do not materially affect the appearance of the outside appearance of the structure.
3. Repainting and/or re-staining in original colors.
4. Repairs to a Structure in accordance with previously approved plans and specifications.
5. Seasonal decorations if removed within 15 days following the holiday.
6. Removal of dead and diseased vegetation.

Only those items listed above are exempt from the residential Design Review Process. All other types of residential construction. Development, landscaping, site modification, etc. must comply with the Procedures and Guidelines contained herein.

C. Staff Level Approval

Certain Architectural Control Applications are considered to be minor applications and can be reviewed on the staff level rather than having to go through the full Architectural Review process. The determination of whether or not an application is "minor" must be made in writing. Such applications include but are not limited to minor structural changes to the exterior of a building (i.e., color changes to exterior paint or stain on a structure(s)), temporary signage, and minor landscaping projects which are not part of an already approved landscape plan. The ACC staff may at any time refer any application to the ACC for approval if they so desire. Minor applications must be in conformance with these Design Guidelines.

D. Preliminary Design Review

1. Submittal Contents

The purpose of Preliminary Design Review is to review the project design in significant detail, prior to the commencement of working drawings. The contents of the submittal information shall include but not be limited to two (2) copies each of the following.

a. Site Plan: Scale: Minimum 1"=10'. Shall show north arrow, property lines, grade elevations, building envelopes, patios, walks, services, site amenities, site appurtenances (such as mechanical equipment, trash enclosures, etc.), adjacent roadways, setbacks and uses.

b. Exterior Building Elevations: Scale: Minimum 1/8"=1'. Include views of all typical building surfaces showing fenestration, materials, or any other visible features. Elevations should indicate both existing and proposed grade lines. The top of the foundation cannot be more than 24 inches (24") above the street curb, except on lots with garden level or walkout basements, or by special review.

c. Building Section(s): Scale: 1/4"=1'. Section must show total roof height as measured from the front yard finished grade line.

d. Color/Sample Board: Indication of all exterior materials and colors.

e. The ACC may require the submittal of additional plans, drawings, specifications, samples, or other material if deemed necessary to determine whether a project will comply with The Meadows at Coal Creek Design Guidelines.

f. Completed ACC Reporting Form for Preliminary Design Review. This form can be obtained from the ACC staff representative(s).

g. All variations of a home design shall be by separate review of the ACC.

2. Review Time Table

The Applicant should submit the required Preliminary Design Review information to the ACC at least ten (10) calendar days prior to expected approval. If, in the opinion of the ACC, the Submittal complies with the Design Guidelines, written approval shall be granted. If the Submittal is found not to be in compliance with the Design Guidelines, the ACC shall provide the applicant with a written description of the aspects in which the Submittal does not comply. The applicant must then present required revisions to the ACC and follow the same review procedures.

E. Construction Document Review

1. Submittal Contents

The purpose of the Construction Review Document's review is to ensure that construction documents conform to the Preliminary Plan approval. Any changes to the Preliminary Design or new information should be brought to the ACC's attention in a cover letter. Submittal for this review shall include, but not be limited to, the following:

- a. Construction Documents shall consist of one complete set of drawings and specifications, suitable for construction purposes, which shall be identical to the documents to be submitted to the City of Louisville for a building permit.
- b. Cover letter noting any deviations from the Preliminary approval.
- c. Such other information and materials as are deemed necessary in the judgment of the ACC to ensure compliance with the Preliminary Plan approval.

2. Review Time Table

The Construction Document Review submittal shall be made at least seven (7) days prior to filing for the building permit. Construction Document Review approval must be obtained in writing from the ACC prior to filing for a building permit by the City of Louisville as defined in the P.U.D. and prior to any construction. If, in the opinion of the ACC, no modifications are required, approval will only be granted after such changes have been incorporated into the construction documents.

F. Construction Period and Project Completion Review

An ongoing review of the construction of the Project will be undertaken by the ACC staff representative(s) with the purpose of monitoring exterior appearance of the Project and ensuring its conformity to the design and construction documents already approved by the ACC. Any deviations which are significant, in the opinion of the ACC will be brought to the Applicant's attention along with the measures that the ACC requires to mitigate or eliminate the deviation. The applicant must start construction on the home approved by the ACC on or before 180 days after the lot is cleared, and be completed within 365 days after the starting date.

II. DESIGN GUIDELINES

The Architectural Control Committee places an emphasis on the design of The Meadows at Coal Creek as a total, integrated community within each Planning Area and development phase, design expressions in terms of massing, scale, and color should relate to adjacent improvements, and to the total Meadows at Coal Creek community. Orientation of homes should acknowledge basic site conditions, adjoining building uses, and overall circulation patterns. These Guidelines, while stressing overall integration, are also intended to provide flexibility for builders and homeowners in design. and materials.

A. Site Planning Guidelines

The Planning Areas and Building Projects within The Meadows at Coal Creek. are important elements of a total community . As such, it is critical that each project interact with the others in order to produce a cohesive environment. To accomplish this goal, all builders and homeowners will be required to comply with the following criteria:

1. Site Design

a. Site planning shall respect the relationship to existing landforms. Natural topography shall be maintained wherever possible and any development shall be designed to conform to and complement existing topography to the maximum extent possible.

b. When siting homes, the following guidelines should be considered: 1) avoid siting of buildings in natural drainage channels; 2) site buildings to take advantage of potential solar gain; and 3) utilize the natural vegetation on a site wherever possible to soften the impact of buildings.

c. When planning a site, distant and close-in view corridors should be preserved wherever possible. Also, the view corridors looking into and out of a site to mountains should be maintained where appropriate, and landscaping should be designed to maintain same.

d. Setbacks

Front = twenty feet (20') except twelve feet (12') will be allowed for side loaded garage with appropriate landscape buffer and massing.

Side = seven and one half feet (7.5') except five feet (5') may be allowed by special review.

Rear = twenty five feet (25').

Height Limit = 30 feet (30') from front yard finished grade line.

2. Streets/Local Roads/Driveways

a. Driveways within Planning Areas and driveways accessing privately-owned sites shall be designed with careful consideration of existing slopes and proposed grades.

b. Paving materials for driveways, paths, steps, patios, and other areas should have a dull, non-reflective, hard surface that blends with the natural surroundings. The use of interesting paving patterns, circular drives, and adequate off-street parking, as well as pre-cast pavers, is encouraged.

3. Parking;

a. No construction parking will be allowed in front of completed homes.

b. No overnight parking of construction vehicles allowed in The Meadows at Coal Creek except construction trailer(s) approved by The Meadows at Coal Creek ACC.

4. Exterior Storage Areas

Exterior storage areas shall be screened and located as inconspicuously as possible. Screening elements shall be attractively designed and shall be compatible with the materials and integral with the forms of the residence(s). There shall be no storage of boats, trailers, RV's or other non-operable vehicles allowed on any site.

5. Dog Runs

Dog runs or pet enclosures shall be installed only after ACC approval is obtained. Materials for such enclosures should be compatible with the surrounding development in The Meadows at Coal Creek. Dog runs should be located within yards in such a way that they are not eyesores to neighbors, or to a community open space. There shall be no dog runs located closer to the street than the front entrance of the home.

6. Construction Site

a. During construction of any kind, site must be kept neat and orderly with materials secured to avoid blowing onto adjacent sites.

b. There shall be no construction parking in front of completed homes or in fire lanes.

- c. No overnight construction parking, except in trailers by review.
- d. All trash and debris shall be cleaned daily and stored in an enclosed area (i.e., fenced) until weekly removal.
- e. There shall be no construction activity before 7 A.M. or after 7 P.M. on weekdays, or before 8 A.M. or after 4 P.M. on Saturdays, and no construction activity on Sundays.
- f. Any dogs on construction site must be on a leash or within the body of a vehicle and shall not be a nuisance.
- g. Any mud or debris from a site that is carried onto the street must be removed within 24 hours.
- h. No concrete trucks will be allowed to "clean out" off the site on which they were called.
- i. A portable toilet must be provided.

B. Architectural Design Guidelines

The following Architectural Design Guidelines apply to all residential development projects.

1. Minimum Building Sizes

The following are minimum finished floor areas for The Meadows at Coal Creek: Ranch = 2,000 square feet

- 1. 1/2 Story or more = 2,400 square feet

2. Roof Design

a. Roofs are very important to the overall integration and compatibility of different developments within The Meadows at Coal Creek. Their design must be given careful consideration as they will be highly visible from streets, other buildings, and most neighboring sites. Preferable roof designs are multiple gables and hip roofs with opposing planes and dormers of traditional style. Shed roofs and flat roofs shall be allowed provided the overall design of the building is acceptable to the ACC, by special review.

- b. The use of major rooftop elements such as dormers, chimneys, or skylights

should enhance the roof form and be an integral part of it. Special attention should be given to the design and placement of mechanical systems (i.e. vents, etc.) on roofs of residences. Exposed metal flashing vents and flues shall be

painted to match the color of roofing materials or trim.

c. The minimum roof pitch allowed on a major roof form is 5:12. The pitch of lesser elements such as porches, dormers, etc. may be lower if consistent with the architectural design. Domes, mansard roofs, and A-frame buildings are not allowed.

3. Exterior Walls

In designing floor plans and exterior elevations, care should be taken to create exterior wall surfaces of varying planes. It is desirable to avoid long uninterrupted walls. Covered entryways, bay windows, angled walls and nooks, wall projections, covered porches, and cantilevers are encouraged. Round walls will be allowed by special review.

4. Material Recommendations

Certain building materials are more desirable for use in The Meadows at Coal Creek, and they have been identified below. Where appropriate, the natural color and texture of the materials should be expressed.

a. Roofs - Within a residential development, it is desirable that roofs be built using consistent roofing materials to achieve overall design continuity. Allowable roofing materials for The Meadows at Coal Creek include cedar shakes, wood or slate shingles, concrete tiles, and heavy asphalt or fiberglass "wood look" shingles. Brightly colored tiles, asphalt and fiberglass 3-tab and T-lock shingles, or gravel roofs shall not be allowed.

b. Exterior Finishes - Allowable exterior wall materials are redwood siding, stucco board with battens (not less than 6" wide), cedar siding, stucco, masonite lapped siding, brick, and stone. Horizontal and vertical patterns are the only acceptable siding patterns. Incorporating more than one material on exterior walls may be desired, but special care should be taken so that materials do not detract from the building's overall design and form. Horizontal siding must have no more than a maximum seven (7) inch exposure with five (5) inches preferred. Board and batten, or any other plywood siding will not be allowed except in soffits. Each home exterior elevation must have a minimum brick or stone masonry covering of fifty (50) percent on the front, and fifty (50) percent on the sides that are exposed on corner lots. In the remaining areas, the brick masonry minimum shall be fifty (50) percent on the front. Masonry veneer shall be consistent on all elevations. Stucco may be substituted for masonry if used as the primary wall material by review only. Brick detailing is encouraged on the front. Exception to the brick or stone masonry will be made only for homes of unusual design with special finishes on a review basis by the ACC. Excess masonry coverage may be

credited towards other elevations.

Siding materials must be continued down to within 6" of finished grade on any elevation, thereby eliminating large areas of unfinished foundation walls.

It is recommended to not have the same color brick or rock as the adjoining houses to avoid the "look alike" appearance.

c. Colors - Allowable brick or stone colors shall be earth tones and shall conform to the color chart provided by the ACC. Primary colors or bright colors are not recommended when using stucco board and battens or wood siding and trim. Colors must be complementary and not of high contrast, except in Tudor models. Painted brick will be allowed with approved colors.

5. Inappropriate Materials

Materials chosen must be appropriate for the scale of a building, compatible with its location within The Meadows at Coal Creek and expressive of the character and images of the development. The use of the following materials will cause problems in achieving the desired design quality and are not allowed.

- a. Metal as a building skin or as a roofing material.
- b. Multi-colored masonry.
- c. Painted concrete.
- d. Mirrored glass or very dark glass, with the exception of solar glass.
- e. Exposed cinder block.
- f. Plywood siding, with the exception of soffits.
- g. Board and batten, man-made or synthetic stone or rock.
- h. Non-anodized or galvanized metal windows, screen doors, sliding doors, or gutters and down spouts.

6. Surface Mounted Equipment

The location and finish treatment of items mounted on exterior surfaces of the building(s) should be carefully planned and detailed. Such items would include skylights, solar panels, vents, mechanical equipment, access ladders, electric and gas meters, etc. In no case should they give the appearance of being simply mounted on the exterior surface of the building(s) with no relationship to the surrounding elements. The location of these items shall be indicated on all drawings submitted during the

Preliminary Design Review and the Construction Document Review.

7. Mechanical Equipment

No mechanical equipment shall be installed on the roof: except attic fans may be allowed provided they do not protrude more than 12 inches above the roof surface.

8. Antennas

No type of antennas and similar structures (i.e., satellite dish antennas, T.V. and ham radio antennas, etc.) shall be permitted, except in enclosed attic spaces.

9. Chimneys

Chimneys are usually very strong roof elements. Careful choice of proportion and material should give them a substantial and stable appearance. The use of prefab fireplaces and flues may be economically sound, however they need not have the stovepipe appearance. Enclosing the flue in a masonry or wood chimney with substantial proportions will solve the problem. The use of fireproof enclosures is prudent. No more than two (2) feet of exposed chimney pipe will be allowed. Square-topped chimney caps and chimney fences are encouraged. All vent pipes, chimney pipes, etc., on the roof must be painted to match.

10. Exterior Lighting

To avoid light spilling in neighboring windows, exterior lighting should be subdued and should not be a nuisance to adjacent lots. Recessed and screened lighting is preferable.

C. Landscape Design Guidelines

1. Design Intent

a. The design intent of The Meadows at Coal Creek. landscape guidelines is to unify a variety of buildings and architectural styles within a strong landscape matrix, and to the greatest extent possible, utilize natural land forms and plant materials which are native to The Meadows at Coal Creek and the surrounding region.

b. To screen parking areas from view to the greatest extent possible while maintaining visual access and orientation to the facilities served.

c. To be sensitive to the varying site characteristics within The Meadows at Coal

Creek. in terms of landscape design.

d. To avoid blocking mountain view corridors.

2. Landscape Design Elements and Requirements

a. Landscape Design Theme

The predominant landscape design theme in The Meadows at Coal Creek shall be that of natural and informal groupings of introduced plant materials. Introduced plant materials will supplement the already existing plant community. In terms of planting guidelines, a simple plant palette is suggested. Large masses of similar plant materials are preferable to multiple varieties planted together in small groupings. It is suggested that evergreen masses act as contrasts to deciduous masses. Coniferous trees rather than deciduous trees should be the more dominant type of tree planted in The Meadows at Coal Creek.

Also desirable in certain appropriate locations will be a more formal, maintained, and manicured landscape look. Such locations in The Meadows at Coal Creek include but are not limited to: 1) road intersections; 2) entry points into neighborhood; and 3) residential courtyards and gardens. In such locations, geometric planting, evenly spaced rows of trees, formal looking lawns, and other formal landscape patterns would be considered as appropriate landscape treatments.

The landscape plan for each site must include one (1) tree in the front yard and one fruit tree in the back yard. Formal bluegrass lawns are encouraged, broken up by deciduous and evergreen planting areas. No stone or gravel may be used as a ground cover except in planting beds not to exceed one hundred (100) square feet per bed. Bark mulch may be used as ground cover in planting beds only.

b. Fences

All fencing built within The Meadows at Coal Creek shall be consistent with the fence types described in the P.U.D. and adopted by the ACC for The Meadows at Coal Creek. Wherever possible, the open-rail fence prototype is preferable to the six (6) foot high privacy fence prototype because it provides a transparent look while creating a sense of enclosure at the same time. If utilized, the six (6) foot high privacy fence should be built in conjunction with a landscaping scheme which softens the solid appearance of the fence and must step down from the six (6) foot height. Masonry wall fencing will be allowed by review. The first owner to install a fence must put the "friendly" (smooth) side of the fence to the outside. All other fences such as lot line fences between residences, privacy fencing, patio enclosures, trash receptacle screens, etc., shall be of a type, color, finish, etc., comparable with the fence prototypes as determined by the ACC. Chain link

fencing materials will not be permitted for

fencing of yards.

No solid fences shall be allowed within 20 feet of the street except when used as a courtyard screening fence and integrated into the front elevation. Also, an open rail fence shall be permitted in planting areas not more than thirty (30) feet in length.

c. Grading/Drainage

Natural drainage patterns should be respected wherever possible. The use of berms is suggested only if continuous expanses of landforms are created which look natural as opposed to looking man-made. Finish grading should be designed to: 1) avoid ponding on site, 2) allow 10% slope away from homes for at least 10 feet. 3) to avoid excessive run-off at a point on adjacent sites, 4) maintain channels between lots.

d. Ornamentation

The utilization of non-living objects as ornaments in the landscape is not allowed. Such ornamentation includes: driftwood, animal skulls, wagon wheels, sculpture (flamingoes, deer, cherubs, etc.). Individual expression is permissible by review so long as it does not detract from the goal of promoting a pleasing and harmonious landscape character.

e. Irrigation

All landscaping shall be provided with a method of irrigation suitable to ensure the continued survival of planted materials. Drip irrigation, a water conserving method is a recommended irrigation technique for use in The Meadows at Coal Creek. Automatic irrigation on a time clock for sod areas is recommended to allow watering during periods of minimum evaporation.

f. Maintenance

All landscaping shall be maintained in a neat and attractive condition. Minimum maintenance requirements include watering, mowing, edging, pruning, removal and replacement of dead or dying plants, removal and/or killing of weeds and undesirable grasses, and removal of trash.

g. Landscape Improvements

If a certificate of occupancy (C.O.) is obtained for a new residence between March 1 and September 1 there is a 120 day

period from the receipt within which the landscaping must be installed. If a C.O. is obtained for a new residence after September 1 but before December 1, there is a 240 day period from the time of its receipt within which the landscaping must be installed, and 180 days is allowed between December 1 and March 1. All landscaping plans and timetables are subject to ACC approval prior to installation.

3. Plant Material List

Following is a listing of suggested plant materials for use in the Meadows at Coal Creek. They are compatible with the soil, are low in water consumption, and are native plant materials to The Meadows at Coal Creek and to the surrounding region, or are ornamentals which can be easily introduced.

Four (4) categories of planting types have been established with alternatives provided within each category. Both common and botanical names are given in each category. The plant types are: 1) Trees (evergreen and deciduous); 2) Shrubs (evergreen and deciduous); 3) Vines; and 4) Groundcovers.

4.15 Committee Power to Grant Variances. The Architectural Control Committee may Authorize variances from compliance with any of the provisions of this Amended and Restated Declaration, including but not limited to restrictions upon height, size, floor area, starting dates, completion dates, landscaping, setbacks, minimum building sizes, or placement of structures or similar restrictions when circumstances such as topography, natural obstructions, hardship, aesthetic or environmental consideration may require. Such variances must be evidenced in writing and shall become effective when signed by at least a majority of the members of the Architectural Control Committee. If any such variance is granted, no violation of the provisions of this Amended and Restated Declaration shall be deemed to have occurred with respect to the matter for which the variance was granted; provided, however, that the granting of a variance shall not operate to waive any of the provisions of this Amended and Restated Declaration for any purpose except as to the particular property and particular provision hereof covered by the variance, nor shall the granting of a variance affect in any way the Owner's obligation to comply with all governmental laws and regulations affecting the property concerned, including, but not limited to, zoning ordinances and setback lines or requirements imposed by any governmental authority having jurisdiction.

The Meadows at Coal Creek - ACC Fence Guidelines - 8/3/98

Introduction and Purpose of Guideline:

In the past there has been some confusion regarding the allowable fence types which may be installed within The Meadows at Coal Creek. The confusion has been caused by various interpretations being applied to what has been thought to be requirements imposed by the City of Louisville and/or The Architectural Control Guidelines. Causing some further confusion has been the action of some individuals who have not obtained approval of either the ACC or the City when installing fences. It is the intent of this guideline to document the current level of understanding which exists concerning fences within The Meadows at Coal Creek. This document is subdivided into two sections. The first, Section I, deals with the initial installation of fences. Section II discusses maintenance and improvements to fences which had previously been installed.

Section I - Initial Installation of Fences

ALL FENCES INSTALLED IN THE MEADOWS AT COAL CREEK REQUIRE ACC APPROVAL AS WELL AS CITY OF LOUISVILLE BUILDING PERMITS. It is recommended the Cable Location Service be contacted before installing or digging fence post holes. The phone number is 1-800-922-1987. Allow 3 days for the service to be performed.

Fencing Requirements Controlled by the Planned Urban Development (PUD)

Certain fences within The Meadows are controlled by the PUD agreement. These fences include the fences which are located on the property of individual lot owners and which abut the following open space lots.

Outlot A, B, C, M - HOA Owned

Outlot D, E, F, G, H, I, K, L and Tract A - City of Louisville Owned

(Note: Outlot J is the Orchard Way entrance island which is also City owned but has no fence.)

Fencing Requirements Controlled by Architectural Guidelines:

The Architectural Control Guidelines set forth the requirements for the fences within The Meadows other than those which are controlled by the PUD as identified above. The Architectural Control Guidelines states the following pertaining to fences:

All fencing built within The Meadows at Coal Creek shall be consistent with the fence types described in the PUD and adopted by the ACC for The Meadows at Coal Creek. Wherever possible, the open-rail fence prototype is preferable to the six (6) foot high privacy fence prototype because it provides a transparent look while creating a sense of enclosure at the same time. If utilized; the six (6) foot high privacy fence should be built in conjunction with a landscaping scheme which softens the solid appearance of the fence and must step down from the (6) foot height. Masonry wall fencing will be allowed by review. The first owner to install a fence must put the "friendly" (smooth) side of the fence to the outside. All other fences such as lot line fences between residences, privacy

fencing, patio enclosures, trash receptacle screens, etc., shall be of a type, color, finish, etc., compatible with the fence prototype as determined by the ACC. Chain-Link fencing materials will not be permitted for fencing of yards.

No solid fences shall be allowed within 20 feet of the street when used as a courtyard screening and integrated into the front elevation. Also, an open rail fence shall be permitted in planting areas not more than thirty (30) feet in length.

Sometime in 1997, the City of Louisville Planning Department identified that some of the fences previously installed in the Meadows but which were not in the PUD controlled areas were not in conformance with requirements. Some of these had been installed with City building permits and it is thought that some may have been installed without City building permits. It is certain some of the fences installed prior to 1998 did not have prior ACC review or approval. In an attempt to clarify all fence requirements for The Meadows at Coal Creek meetings have been held with members of the Louisville Planning Department The results of these meeting are published in this **ACC Fence Guideline**.

ACC Approved Fence Configurations

Privacy Fence - The definition adopted by the ACC for a privacy fence is any fence between 4 feet and 6 feet in height and which has less than 80% of the fence area as being open (can see through the open area). (This definition is consistent with the City of Louisville fence definition.)

1. No privacy fence shall be permitted that is greater in height than 6 feet.
2. All Privacy Fences greater in height than 4 feet but not greater than the 6 foot limit, shall conform to the 6' Privacy Fence -shown in the Fence Configuration. The construction shall be the same as the configuration shown with the 72" dimension being changed to meet the chosen fence height.
3. Currently a couple of privacy fence configurations exists within The Meadows. The "dog ear" fences were installed prior to the clarification of requirements and will no longer be allowed to be built. When "dog ear" fences need to be replaced due to age or extensive repair, the replacement fences shall be required to conform to the fence guidelines set forth in this document. Incidental repairs to "dog ear" fences will be considered for approval by the ACC based on the amount of the area in need of repair .
4. Installation of a Privacy Fence shall not be closer to the street than the front of the home. The front of the home is defined as being the side of the house adjacent to the location of the face. It does not mean the closest location of the house to the street. As a further clarification, if one side of the home is 25' from the street and the other side is 30' from the street, the fence shall not be closer to the street than the respective distances of 25' and 30'.

California Fence

Permitted only as defined below:

1. Must be installed along Outlots B, C, D, M, Tract A, and the common property lines between Outlot L (park Area) where it adjoins lots 11 and 12 .
2. May be used for dog runs but not perimeter fences, except for Tract A (power line area).
(See Dog Run Fences as to location setback requirements.)

Open Rail Fence Prototype

This type of fence is briefly identified in the text of the Architectural Control Guidelines but no drawing depicts such a fence. Further it is not described in the PUD. Recognizing

the Guidelines were patterned after the Coal Creek Ranch Guidelines a review of this later document indicates a dimensional lumber (2x4) type of fence. Recognizing the guidelines permit some application of split rail facing (planting areas) and that split rail fences have been approved for dog run applications, the ACC adopts as a standard the use of the split rail fence as the "Open Rail Fence Prototype"(See Split Rail Fence for added provisions). The adoption of this as a standard recognizes the input of fence installers who indicate this to be a more satisfactory installation. In addition. it is recognized that dimensional lumber has a greater tendency to twist and warp than the split rail type face. This twisting and warping detracts from the appearance of the dimensional lumber type of face thus reinforcing the rationale for adding the split rail fence as the standard. Split Rail Fence - This is a preferred fence over the Privacy type fence since it provides for an open appearance within the development.

1. This type of fence may only be considered for installation in areas other than those controlled by the PUD.

2. Installation of this type of fence shall not be closer to the street than the foot of the home. The front of the home is defined as being the side of the house adjacent to the location of the fence. It does not mean the closest location of the house to the street. As a further clarification. if one side of the home is 25' from the street and the other side is 30' from the street, the fence shall not be closer to the street than the respective distances of 25' and 30'.

4' Picket Fence - This is a preferred fence over the Privacy type fence since it provides for an open appearance within the development.

1. The fence depicted on this drawing is the only fence configuration permitted along the easterly bike path (outlot "L").
2. Picket fences identical to this may be installed along individual property lines.
3. Picket fences similar in appearance to this fence standard may be submitted for consideration by the Architectural Control Committee for installation in areas other than those controlled by the PUD.
4. Installation of this type of fence shall not be closer to the street than the front of the home. The front of the home is defined as being the side of the house adjacent to the location of the fence. It does not mean the closest location of the house to the street. As a further clarification, if one side of the home is 25' from the street and the other side is 30' from the street, the fence shall not be closer to the street than the respective distances of 25' and 30'.

Dog Run Fences - Split Rail and California Style Fence Enclosures

1. In addition to the California Style fence, Split Rail fencing may be employed for dog runs. A fine wire mesh (chicken wire) installed on the inside of the rails may be employed as a means of containing the dog(s). This wire mesh is not highly visible at a reasonable distance. Large wire mesh or chain link type mesh shall not be allowed.
2. Dog run enclosures shall not be permitted within three feet of a property line of any adjoining lot property line of lots 1 through 102 of the development. (Note: This setback restriction for dog runs does not affect dogs being kept in areas enclosed by perimeter fence configurations identified in this document. The setback for dog runs is intended to protect neighboring lawn areas from urine burns which could be a problem when the open style fence configuration is installed.

ALL FENCES SHALL BE INSTALLED WITH THE FRIENDLY SIDE FACING THE NEIGHBOR. WHEN A FENCE IS INSTALLED BY OWNERS OF ADJOINING PROPERTIES, THE ACC REQUEST SHALL SPECIFY THE LOT WHICH WILL HAVE THE FRIENDLY SIDE OF THE FENCE FACING IT. SUCH REQUEST SHALL BE SIGNED BY EACH PROPERTY OWNER

Section II - Fence Maintenance and Improvements

Maintenance and Improvements to all fences is the responsibility of the property owner on whose property they are installed. This includes those fences which are controlled by the PUD. Such maintenance is limited to the wooden portion of fences. Brick pillars and the brick sign standards are maintained by HOA. **(Refer to Resolution Regarding Maintenance of Fences In or Adjoining Outlots and West Cherry Street Right of Way dated 9 April 1996.)**

Picket Fence as an Upgrade to Some Installed California Style Fences

The picket fence installed per the PUD along the eastern bike path (Outlot "L.") may be considered for approval by the Louisville Planning Department (approval required prior to installation) for installation as an upgrade in place of the California type fence in limited areas. This potential upgrade is limited to Outlot "M" and to the common property line of Outlot "L" where it adjoins lots 11 and 12 respectively.

The consideration of this upgrade would be based on the limited area where the upgrade would be applied. Such a request for consideration would have to be initiated by the individual home owner and be made to the Louisville Planning Department. This limited upgrade of the PUD controlled fence would be acceptable to the ACC if approved by the Louisville Planning Department. This ACC pre-approval for this upgrade application is based on the limited number of individual lot owners involved and due to the connection to the existing fence along the bike path fence, which is also the PUD approved Picket Fence.

Consideration was given to permitting the application of this upgrade to include the fences along the other HOA owned outlots (B and C) as well as Tract A and Outlot "D". This was not approved due to the number of lots involved, the likelihood of varying times for replacement by property owners, and the resultant patchwork appearance which could result. The proximity of Outlots B and C to this same type of fence resulted in rejection of these locations for this application. As of the date this guideline (August 3, 1998) the Louisville Planning Department shared this opinion.

Gates in Fences Adjoining HOA and City Owned Outlots

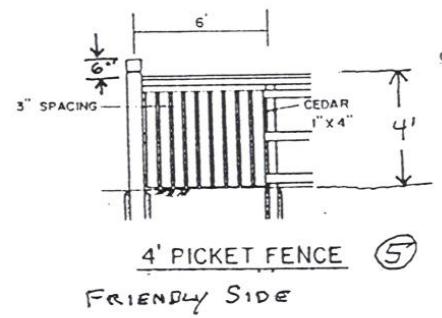
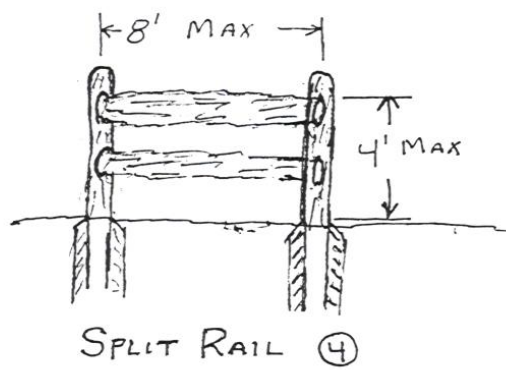
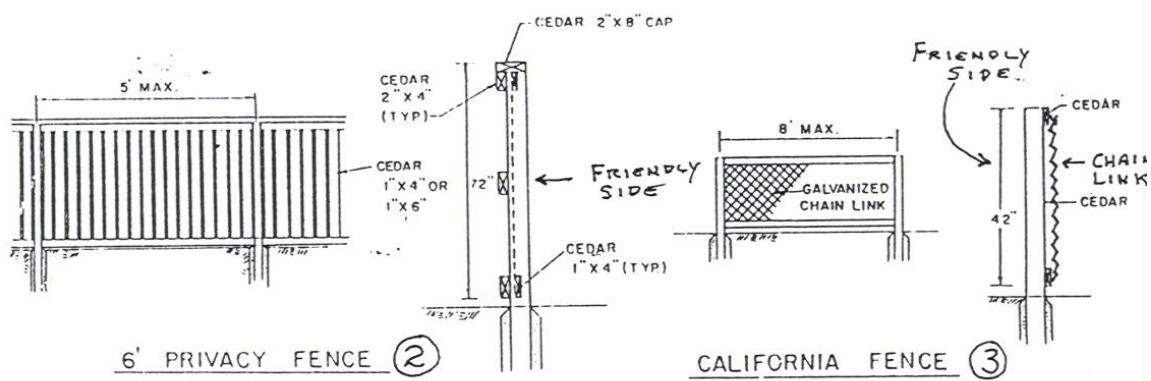
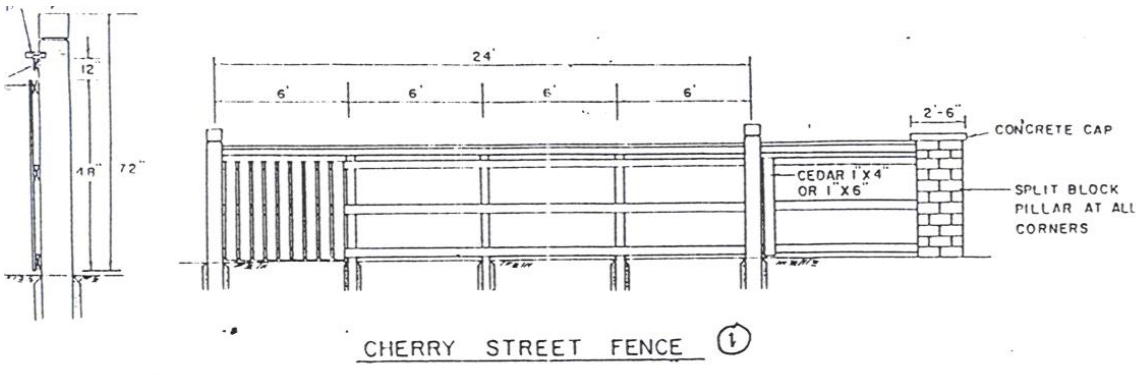
Based on an inquiry made to the Planning Department of The City of Louisville it is possible to obtain authorization from the City to install gates in fences which would open on City owned lots. Likewise, it is possible to obtain authorization from the HOA to install gates in fences which open on HOA owned lots.

Requirements for approval include the following:

1. Gates must swing in toward the owners lot and not toward the HOA or City owned lot

2. The gate is to be constructed of the same material and be the same in appearance as the installed fence.
3. No safety problem should be created by the gate or gate location.
4. The opening created by the open gate shall not exceed 4 feet in width.
5. A latching mechanism shall be installed on the lot owner side of the gate to secure the gate in the closed position.

Guideline adopted this date: 8-3-98
Ray J. Schlott for the ACC Board



FENCE CONFIGURATIONS
THE MEADOWS AT COAL CREEK

ITEMS 1, 2, 3 & 5 ARE AS RECORDED IN P.U.D.
ITEM 4 PREFERRED OPEN FENCE

POLICY REGARDING ANTENNA AND SATELLITE DISH INSTALLATION

Adopted 5/28/01

The following resolution has been adopted by The Meadows at Coal Creek Homeowners Association (the "Association") pursuant to Colorado law, at a regular meeting of the Board of Directors.

RECITALS

- (a) The Association is charged with certain responsibilities regarding the care, maintenance, and service of certain portions of the Outlots and Common Areas of the Association.
- (b) The Association is empowered to exercise all of the powers and privileges and to perform all of the duties and obligations of the Association as set forth in the Declaration of Covenants, Conditions and Restrictions of the Meadows at Coal Creek Homeowners Association, Inc. (the "Governing Documents").
- (c) The Association is ". . . to operate and manage the common interest community known as "Meadows at Coal Creek"... and such rules and regulations as the Board of Directors may from time to time adopt, for the purposes of enhancing and preserving the value of the Lots and Common Area in the Meadows at Coal Creek Community for the benefit of the Members.

I. Definitions

- A. Antenna -- any device used for the receipt of video programming services, including direct broadcast satellite (DBS), television broadcast and multipoint distribution service (MDS). A reception antenna that has limited transmission capability, designed for the viewer to select or use video programming is a reception antenna, provided it meets Federal Communication Commission (FCC) standards for radio frequency emission. A mast, cabling, supports, guy wires, conduits, wiring, fasteners or other accessories necessary for the proper installation, maintenance, and use of a reception antenna shall be considered part of the antenna.
- B. Mast -- structure to which an antenna is attached to raise the antenna to a height necessary to receive signals.
- C. Transmission-only antenna -- any antenna used solely to transmit radio, television, cellular, or other signals.
- D. Owner-- any unit Owner in the Association. For the purpose of this rule only, "Owner" includes a tenant who has the written permission of the Owner to install an antenna.

E. Telecommunications signals -- signals received by DBS, television broadcast, and DBS antennas.

II. Notification

A. Any Owner desiring to install an antenna must complete the attached Notification of Intent to Install antenna form and submit it to the Architectural Control Committee prior to installation of the antenna. If the installation complies with all of the following restrictions, installation may begin immediately following the submission of the completed Notification Form. If the planned installation will not comply with any of the following restrictions, the Owner and the Architectural Control Committee shall establish a mutually convenient time to meet to discuss installation methods prior to installation, The Owner may call any Committee member to schedule a meeting.

B. The regulations contained in this Resolution do not relieve any Owner from obtaining approval for other exterior modifications, alterations and additions for painting, landscaping or fence installation as may be required by the association's governing documents.

C. ANY ANTENNA INSTALLATION WITHOUT PROPER NOTIFICATION, OR NOT IN COMPLIANCE WITH THIS RESOLUTION, MAY RESULT IN A FINE AGAINST THE OWNER OF FOLLOWING NOTICE AND OPPORTUNITY FOR HEARING AND SUCH FURTHER ACTION, LEAGAL OR OTHERWISE, AS PERMITTED BY DECLARATION OR STATUTE.

III. Antenna Size and Type

A. Antennas designed to receive direct broadcast satellite service which are one meter or less in diameter may be installed. Antennas designed to receive satellite signals which are larger than one meter are prohibited.

B. Antennas designed to receive multipoint distribution service one meter or less in diameter (or measured diagonally) may be installed. MDS antennas larger than one meter are prohibited.

C. Antennas designed to receive television broadcast signals, regardless of size, may be installed.

D. Transmission-only antennas are prohibited unless approved by the Architectural Review Committee.

IV. Antenna Location

A. An antenna must be installed solely on the Owner's individually-owned property as designated on the recorded deed or map.

B. No antenna shall encroach upon common areas or another Owner's property.

C. If an acceptable quality signal can be received by placing the antenna wholly inside the residence, then outdoor installation is prohibited.

D. If an acceptable quality signal cannot be received from an indoor location, the antenna shall be installed in a location that is least visible from the street(s) and adjacent residences, provided such location does not preclude reception of an acceptable signal.

E. An antenna may not be installed in a location to obstruct a driver's view of an intersection or street.

V. Antenna Installation Method

A. Installation of an antenna shall be subject to the following:

1. An antenna shall be no larger nor installed no higher than is necessary for reception of an acceptable quality signal.

2. All installations shall be completed so as not to materially damage the common area or the lot of another Owner or void any warranties of the Association or other Owners, or in any way impair the integrity of buildings on common areas or individual lots.

3. Installation shall be in accordance with the manufacturer's installation specifications. The installer shall have a copy of such specifications on site at all times during the installation.

4. All antennas must be secured so that they do not jeopardize the safety of any person at or near the antennas, including damage from wind velocity based upon a unique location.

5. Unless applicable codes, safety ordinances, laws and regulations require a greater separation, no antenna shall be placed within two feet of electrical power lines (aboveground or buried) and in no event shall antennas be placed within an area that can be reached by the play in electrical power lines. The purpose of this requirement is to prevent injury or damage resulting from contact with power lines.

6. All installations must comply with all applicable building, electrical and related codes, and take aesthetic considerations into account.

7. Antennas must be permanently and properly grounded in order to prevent electrical and fire damage.

8. Wiring or cabling shall be installed so as to be minimally visible and blend into the material to which it is attached. If the antenna is installed on the side of a structure, the penetration of the wire or cable from the exterior to the interior of the unit shall be made

as close as possible to the location the antenna is attached to the structure and through existing penetrations for wire and cable, if available. No wiring or cabling shall be installed on common area.

9. If the antenna is to be attached to a structure, such as the siding, it shall be painted so as to blend into the background to which it is attached, provided painting does not prevent reception of an acceptable quality signal.

10. An antenna installed on the ground shall be screened from view from any street or adjacent lot by appropriate but inexpensive landscaping or other inexpensive screening method as directed by the Architectural Control Committee.

VI. Maintenance and Repair of Antenna

A. The Owner of the property on which the antenna is installed shall be responsible for the maintenance of any antenna. Maintenance and repair shall include, but not be limited to:

1. Reattachment or removal of antenna, within seventy-two (72) hours of dislodgment, for any reason, from its original point of installation.
2. Repairing or replacement, if for any reason the exterior surface of the antenna becomes worn, disfigured or deteriorated.
3. Repair or replacement, if for any reason the antenna no longer retains its original condition.
4. Repair or replacement to prevent the antenna from becoming a safety hazard.

B. Should the Owner fail to properly maintain the antenna in accordance with this Policy, the Association may, after notification of the Owner, fine the unit Owner up to \$250.00 following notice and opportunity for hearing and take such further action, legal or otherwise as permitted by Declaration or statute.

1. Except in an emergency situation, the Architectural Control Committee shall notify the Owner, in writing, that the antenna requires maintenance, repair or replacement, and that such maintenance, repair or replacement must be completed within thirty (30) days of such notification.

2. The Owner may request a meeting with the Architectural Control Committee to be held within thirty (30) days of such notification, to review the reasons for the required maintenance, repair or replacement. Within thirty (30) days of such meeting, the Architectural Review Committee shall notify the Owner, in writing, of its final decision.

3. If any required work is not completed within thirty (30) days of notification of final decision if reviewed, the Association may remove and/or repair the antenna at the expense of the Owner, such expense being added to the Owner's annual or monthly assessment.

VII. Responsibility

A. The Owner of the antenna shall be responsible for any damage to any and all real or personal property, or for any injury resulting from the installation of the antenna and/or its use, including but not limited to.

1. Damage to any real or personal property caused by, related to, or arising from the installation due to dislodgment, use, maintenance of any antenna.

2. Injury to any person resulting from the installation of the antenna or its use.

VIII. Miscellaneous

A. If any of these provisions are ruled invalid, the remaining provisions shall remain in full force and effect.

B. The Board of Directors may amend this Policy from time to time as it deems necessary.

C. To the extent that this Policy conflicts with any prior existing rule, restriction or architectural guideline, this Policy is controlling.

D. All prior existing rules, restrictions or architectural guidelines not in conflict with this Policy shall remain in full force and effect.

NOW THEREFORE, BE IT RESOLVED that the Board of Directors of the Association adopts this POLICY REGARDING ANTENNA AND SATELLITE DISH INSTALLATION regarding procedures for notification, proper installation, and maintenance of antennas and satellite dishes.

THE MEADOWS AT COAL CREEK HOMEOWNERS ASSOCIATION

By: Phil Y. Barton, President

ATTEST: By: Ron Cummings, Marian Carr

