

**THE AMENDED AND RESTATED  
RESIDENTIAL  
ARCHITECTURAL STANDARDS  
FOR  
BATTLEMENT MESA**

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**RESIDENTIAL ARCHITECTURAL DESIGN &  
MINIMUM CONSTRUCTION  
FOR  
ALL BATTLEMENT MESA VILLAGES<sup>1</sup>**

**1.00 INTRODUCTION:**

The quality of the architectural development within Battlement Mesa is very important in maintaining the quality of the overall community. This quality refers to both the design and the construction of any project within Battlement Mesa and includes all landscaping. Battlement Mesa's residential design character is the unifying design element and is a high quality standard of construction and control element for the residential development of the community.

In order to establish a high standard of quality for residential design and construction throughout Battlement Mesa, the "Residential Architectural Design & Minimum Construction Standards" have been adopted for all of the Battlement Mesa Villages. These Architectural Standards are not intended to prevent variations in the methods of construction, but rather to establish minimum quality of construction and appearance. A builder or owner may submit plans that include design and/or construction methods other than those specifically covered in these Architectural Standards to the Architectural Review Committee for review and consideration.

These Architectural Standards have been adopted for all new residential construction and landscaping and are to be followed for any residential remodel or renovation projects or construction. These Architectural Standards set forth the minimum acceptable requirements.

For the purposes of the Architectural Standards the term "Manufactured Home" shall mean both HUD-code and UBC-code manufactured homes and shall include mobile home, modular homes, and other off-site manufactured homes.

**1.01 ARCHITECTURAL REVIEW POLICY AND PROCEDURES FOR APPROVED PLANS**

1. Architectural Committee meets two (2) times a month the first and third Wednesday.

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<sup>1</sup> Does not include the common property Villages of Mesa Ridge, Canyon View, Fairway Villas and the Rental Communities of Saddleback Village, Saddleback RV Park and Willow Park/Willow Ridge Apartments

2. Architectural Committee Application Submittal Form must be submitted one week before a scheduled meeting.
3. Applicant may appear at the meeting but it is not required.
4. The Architectural Committee must have a quorum of committee members. There are five (5) members of the committee – three (3) must be present. There are two alternates; they may replace any of the five (5) members to complete a quorum.
5. The application and/or plans that are submitted are reviewed and approved according to the Architectural Standards.
6. A design or drawn plans must accompany the submittal form.
7. If a completion date is not given on the application, the committee will give a completion date to finish project.

## **1.02 REQUIREMENTS FOR BUILDER'S COMPLETION DEPOSIT**

Owner/Builder is required to make a deposit to the Battlement Mesa Service Association before ARC approves Architectural and Landscape Plans. The deposit less any penalties will be returned when the ARC receives Certificate of Occupancy and after confirming that all improvements conform to the approved plans. The ARC has 30 days to issue a refund.

## **2.00 RESIDENTIAL ARCHITECTURE**

The development of every residential project is controlled by the *Battlement Mesa Planned Unit Development District Regulations* (hereinafter call "*District Regulations*"), the *Amended and Restated Declaration of Covenant, Conditions and Restrictions for Battlement Mesa* (hereinafter called "*Covenants*"), and *Residential Architectural Design & Minimum Construction Standards* (hereinafter call "Architectural Standards") and the recorded *Final Plat* with amendments thereto for each Village and Section thereof (hereinafter called the "*Final Plat*"). It is essential that these documents be reviewed prior to developing a conceptual design for any project. If there is a conflict in the requirement of two or more documents the most restrictive shall apply.

Every construction project in Battlement Mesa shall comply with all applicable codes, regulations, ordinances, law and Architectural Standards and shall be required to have a current building permit issued by the Garfield County Department of Building and Sanitation unless that agency determines that a building permit is not required. The Garfield County building department will determine which codes, regulations, ordinances or laws will pertain to each individual project. Applicable codes may include, but are not limited to, the Uniform Building Code, Uniform Mechanical Code, Uniform Plumbing Code, National Electrical Code and Colorado Energy Conservation Standards.

Architectural Committee approval does not constitute approval of the local building department, drainage design or structural soundness nor does it constitute assurance that the plans comply with all applicable codes, regulations, ordinances and laws.

The Architectural Committee is not responsible for nor will it participate in the owner's, builder's or developer's obligation to process the drawings and specifications with agencies or governmental entities or obtain permits, approvals, licenses or other clearances required to pursue the project. All projects including landscaping are subject to review and approval by the Architectural Committee. This approval must be obtained before the construction or landscaping is started. Failure to obtain architectural approval can result in the requirement to remove or change any non-compliant item at the owner's or contractor's expense.

## **2.01 CONSTRUCTION STANDARDS**

In addition to compliance with all applicable codes, regulations, ordinances and laws, the following regulations shall apply:

1. Every Construction site shall have an operable temporary toilet facility placed on the site.
2. Every construction site shall have a removable dumpster capable of containing all of the generated construction waste. The dumpster is to be placed on the site. No scrap materials shall be allowed to be placed or thrown on the ground. Any materials blown onto the adjoining properties shall be picked up daily and disposed of in a proper manner.
3. Any utility excavation or trench more than eighteen inches (18") deep as measured from the adjoining surface, shall not be left open overnight unless completely surrounded by a temporary fence no less that 40 inches (40") high. Orange plastic snow fencing is desirable.
4. No foundation excavation shall be left open for more than 45 days. If the contractor has scheduling problems then the hole should not be dug until compliance with this regulation can be met. The excavation around the foundation must be backfilled within this 45 day period.
5. An open foundation may not be left without a covering deck for more than 14 days. If the contractor has scheduling problems then a suitable temporary fence must be installed around the foundation. Orange plastic snow fencing is desirable. In no event may the foundation be left open for more than 30 days with or without temporary fencing.
6. All construction sites must be rough graded with all excess dirt removed within thirty (30) days after the foundation is backfilled.

If any of these time limits are exceeded, the Architectural Committee will submit the facts to the Battlement Mesa Service Association Board of Directors for their review and action. Such action shall include but not be limited to correcting the problem at the property owner's expense.

## 2.02 CONTRACTOR REQUIREMENTS

1. Prior to construction, a site plan must be submitted to and approved by the ARC and follow Architectural Standard 2.01. This plan shall include a detailed construction plan which addresses the following:
  - a) Management practices to protect existing vegetation, implement revegetation and erosion control. Erosion control measures shall be installed as necessary to control erosion or run-off on subdivision access roads, golf course parcels, common areas or adjacent lots. All erosion or sediment caused by construction activity shall be cleaned immediately and/or removed from adjoining areas. Note Architectural Standard 3.04.
  - b) Limits of excavation and designated areas for stockpiling material
  - c) Location of temporary access drives and parking area.
  - d) Location of temporary structures, chemical toilets, dumpster, material lay down and staging areas and construction signage. Subdivision access roads, golf course parcels or adjacent lots shall at no time be used for material laydown or staging areas.
  - e) Location of cleaning stations for equipment, etc. and cleaning procedures to be followed.
  - f) Approximate time schedule for construction from permitting, mobilization, utility hook-ups, landscaping and anticipated occupancy.
2. Property owner permission shall be obtained in writing prior to the use of any adjacent property for access. Those properties must be revegetated and irrigated to ensure that new growth is established prior to the release of the builder's completion deposit.
3. It is the responsibility of the contractors and builders to keep the streets in a clean condition when there is dirt and mud on the streets resulting from run-off or vehicles leaving their site. To ensure home builders and contractors maintain clean streets near their sites; the Association may contract with a street sweeping service. If contractors or builders have not properly maintained the street, the Association may sweep the affected area and charge the contractor or builder for their portion of the cost of the service. The charge will be deducted from the Builder's Bond Completion Deposit with notice to both the general contractor and the property owner.

4. All supplies shall be kept stacked.
5. No alcoholic beverages or illegal drugs will be permitted on job sites.
6. No unrestricted dogs shall be allowed on the construction site at any time. Covenant Rules shall be followed.
7. No concrete suppliers or contractors shall clean their equipment other than at locations contained wholly within the lot boundaries of the site.
8. All builders are required to use dumpsters for collecting scraps or trash materials. Dumpsters must be emptied when the debris accumulates to a visible height above the sides.
9. If building site conditions preclude the use of dumpsters, ARC may approve alternate measures for debris control.
10. If dumpster is not required, containers for debris and light building scrap should be provided and usage enforced.
11. On-site building materials should be limited to those required for remaining construction at that site. As examples:
  - a) Concrete forms, rebar, ect. should not be maintained on-site after completion of the foundation.
  - b) Surplus stone, sand and mortar mix should not be retained on-site after completion of the masonry work.
  - c) At no time should a building site be used as a storage site for vehicles or equipment not being used for current construction activities.
12. Any vehicle, materials or supplies left on the street at the end of the work day must be clearly marked with fluorescent orange traffic cones or other similar devices.
13. General contractor may, during initial construction, place a sign. Only one sign may be installed on site. The ARC and these Guidelines shall not allow any sign that is not in compliance with Section 4.19 of the Architectural Standards. No such sign shall be erected prior to the Preliminary Review meeting with the ARC. All such signs are to be removed no later than thirty (30) days after the ARC's final on-site review.
14. Non compliance of these procedures may cause forfeiture of the Builders Completion deposit.



It is the ultimate responsibility of the property owner to see that the construction job site is maintained in a clean and orderly manner. In no instance shall excavation dirt and rocks, construction materials, vehicles or other items be stored on any other property without the written permission of the property owner(s).

### **2.03 BUILDER'S COMPLETION DEPOSIT**

A Builder's completion deposit is payable to the Battlement Mesa Service Association. The minimum amount of this deposit is \$3,500.00. Structures with floor area encompassing more than 1200 square feet of total enclosed space of Site Built Homes will be assessed at a rate of \$3,500.00 plus \$1.00 per square foot for each square foot over 1200. This deposit will be held by the Association to guarantee that work will be completed according to the terms of the Battlement Mesa Architectural Standards and will help remedy any violations of said Standards. This deposit, less any penalties, will be returned to owner after the ARC receives a Certificate of Occupancy and after confirming that all improvements and landscaping conform to the approved plans.

Any builder or owner who has appeared before the Battlement Mesa Service Association Board of Directors and has been fined for failure to complete building and site improvements within the eighteen (18) month allowed building time or failure to obtain a Certificate of Occupancy within the same eighteen (18) month time period or for any other violation of governing documents will have to provide a refundable cash deposit not to exceed ten thousand dollars (US \$10,000.), as recommended by the Architectural Committee and approved by the Board of Directors. This deposit shall be submitted with the architectural design application. These monies will be held in a non-interest bearing escrow account until such time as notification is provided to the Architectural Committee that the construction of the residence is complete and the Certificate of Occupancy has been issued and landscaping has been completed.

At any time during the construction or after completion of construction that the Architectural Committee finds the home builder, general contractor or any sub-contractor has failed to follow the construction guidelines or has caused damage to adjoining properties then the Architectural Committee, at its sole discretion and after due notification to correct the problem, will correct the deficiency and use the deposit monies to pay for the cost of such corrections. Any monies remaining in the escrow account will be refunded to the depositor upon satisfactory completion of the project (home and landscape) and obtaining a Certificate of Occupancy.

General contractors, simultaneously building two or more homes, will be required to make a total cash deposit of seven thousand dollars (US \$7,000.). The contractor with multiple projects shall maintain a minimum balance of seven thousand dollars (US \$7,000.) in their escrow account.

It is strongly recommended that the services of an architect and landscape designer be used in the site planning, the home design and the landscape design.

### 3.00 SITE PLANNING

#### 3.01 GENERAL

Site planning shall take into account the relationship of the Site-Built or Manufactured Home to the Lot dimensions, building line setbacks, easement, the comprehensive drainage plan, the ability to establish and maintain adequate site drainage, and the relation to adjacent homes. Where possible, an attempt should be made when siting Site-Built and Manufactured Homes to vary the home positioning on the Lot in order to offer a variety of building forms and elevations along a street-scape.

It is recognized that view corridors between adjoining lots will be impacted upon construction and landscaping of homes. When planning a site, distant and close-in view corridors out of the lot should be preserved wherever possible, View corridors looking out of the Lot to surrounding vistas should be maintained thru appropriate landscaping design. Staking at the corners of the property shall be in place prior to staking placement of house on lot.

#### 3.02 BUILDING LINE SETBACKS AND EASEMENTS

Within the respective Villages the following building line setbacks are applicable to each lot, unless more restrictive setbacks are otherwise noted on the recorded Final Plat:

1. Tamarisk Villages an Saddleback Village
  - Front Building Setback = 17 feet from front property line.
  - Side Building Setback = 6 feet from side property lines.
  - Rear Building Setback = 6 feet from rear property line.
  
2. Monument Creek Village
  - Front Building Setback = 25 feet from front property line.
  - Side Building Setback = 6 feet from side property lines.
  - Rear Building Setback = 15 feet from rear property line.
  
3. Stone Ridge Village
  - Front Building Setback = 25 feet from front property line.
  - Side Building Setback = 10 feet from side property lines.
  - Rear Building Setback = 15 feet from rear property line.
  
4. Willow Creek Village
  - Front Building Setback = 25 feet from front property line.
  - Side Building Setback = 7 feet from side property lines.
  - Rear Building Setback = 15 feet from rear property line.

5. Battlement Creek Village, Section 1
  - Front Building Setback = 25 feet from front property line.
  - Side Building Setback = 10 feet from side property lines.
  - Rear Building Setback = 25 feet from rear property line.
  
6. Battlement Creek Village, Section 2
 

Within Battlement Creek Village, Section Two (The Reserve), it should be specifically noted that each respective Lot has been preplanned with respect to building line setbacks, designed building finished floor elevations, maximum building structure elevations and preferred home-style design. It is essential for you to refer to Appendix A of these Architectural Standards for specific Lot tabulation and depiction of the above criteria, as the Lot specific building line setbacks used within Appendix A of these recorded Architectural Standards are more restrictive than those depicted on the original Final Plat.

The Final Plat also indicates utility easements that exist on the Lot. The resultant area that is most restrictive from all of these constraints shall determine that portion of the Lot which is available for construction of Site-Built Homes, Manufactured Homes, garages, and other covered or enclosed structures to the exterior wall dimensions of the building footprint or the respective building improvements.

There must be a clear space of 30 feet (30') from the garage door to the edge of the concrete for adequate vehicle backing and circulation space. In addition, there must be a clear space of five feet (5') between the edge of the concrete and adjacent property line. This setback standard applies only to side or rear entrance garages. This does not apply to straight entrances from the street.

Driveways, walkways, uncovered patios or porches, foundation footer, building eavelines, and cantilevered building projections not exceeding 18 inches (18") in total depth are not considered encroachments upon building setbacks or easement lines.

Any encroachments into or on any easement are at the Lot owner's risk. If work is required on the utility in the easement, repair or replacement of any property encroaching on the easement will be at the Lot owner's expense.

### **3.03 COMPREHENSIVE GRADING AND DRAINAGE**

During the platting and original construction of subdivision improvements, a Comprehensive Grading and Drainage Plan was prepared which preplanned and integrated the overall drainage flows from streets, homes, Lots and common areas, and indicates the direction and routing of collected flows to discharge points. It is recognized as a component of the Comprehensive Grading and Drainage Plan that in some cases individual Lot drainage may be collected and routed across an adjoining Lot through easements for this purpose. The

building construction grading of individual Lots must preserve the integrity of the Comprehensive Grading and Drainage Plan.

*Note! There shall be no grade alteration within utility and drainage easements which either reduces or increases the effective burial depth of the underground utility systems without the prior written consent of the respective utility companies.*

### **3.04 SITE GRADING AND DRAINAGE**

With the size of the building footprints, building setbacks, and site drainage requirements, it is recognized that natural landforms and grades will not be preserved in construction of Site-Built and Manufactured Homes within Battlement Mesa. Each Lot will be altered during the building construction to best accommodate the Site-Built and Manufactured Home plans. Where there are large Lot sizes and relatively small size building footprints there is an opportunity to preserve a significant portion of each Lot in natural land-forms and grades. This is to be encouraged.

Each Lot shall be graded to provide positive drainage away from the structure in all directions on irrigated lawn, non-irrigated groundcover and concrete flatwork. It is recommended that drainage in lawn and groundcover areas be sloped a minimum of 2% (two feet of fall in 100 feet of run), and that concrete drives and patios be sloped a minimum of 1%. The grading of any site shall be such that erosion of the site during and after construction is prevented, including the runoff of silt, debris or sedimentation onto adjacent streets, gutter, sidewalks, right-of-ways, and storm drain systems or adjacent properties.

Site grading slopes on irrigated lawn, non-irrigated groundcover and native areas shall not exceed a 3:1 slope (one foot rise or fall in a three foot horizontal run). Any site grading transitions which may require a greater than 3:1 slope shall be mitigated by construction of retaining wall structures not exceeding a four foot (4') stepped height.

Structural retaining walls shall be based upon structural engineered plans and constructed of cast-in-place concrete with a texture, finish and color as specifically approved by the Architectural Committee, and may include stucco, brick or stone accents. Any wall that will be more than four feet (4') in height above the surrounding grade level shall be considered a structural wall and will require engineered footings and wall construction.

Non-structural landscape walls may be constructed of dry-stack or mortar-set stone. The use of treated timber is generally discouraged and is not permitted in Battlement Creek Village, Sections 1 and 2.

Drainage onto common open space areas or the golf course is not allowed except to existing drainage easements or natural channel in accordance with the Comprehensive Drainage Plan.

### **3.05 CURB CUTS, DRIVEWAYS AND WALKWAYS**

All curb cuts and driveway entrances require a Garfield County permit and shall be constructed in accordance with their specifications. Only one curb cut is allowed unless a variance is approved for a second curb cut to facilitate a circular driveway. Within Monument Creek Village a six inch (6") vertical-face curb is provided with an existing curb cut to serve each Lot. When an existing curb cut is not to be utilized it is to be removed and replaced with a new six inch (6") vertical curb.

Driveways must be constructed of concrete and are limited in width. Within the respective Villages the following driveway widths are applicable:

1. Saddle Back Village, Tamarisk Villages, Monument Creek Village, Stone Ridge Village, and Willow Creek Village  
Maximum of Twenty Feet (20')
2. Battlement Creek Village, Section 1 and 2  
Maximum of Twenty-Four Feet (24')

The width and configuration of driveways for three-car garages are subject to review by the Architectural Committee.

Driveways and walkways may cross utility easements provided prior approval has been obtained from the utility company(s).

### **3.06 FENCES AND WALLS**

There are three classifications of fences and walls. These classifications are perimeter, decorative and special use fences and walls.

1. Perimeter fencing is defined as any fence or wall intended to outline or define a Lot or property. It may be used for decoration or screening. Perimeter fences must be constructed of new wood or earth-tone or white plastic materials designed for such use. Ornamental aluminum fencing or ornamental steel fencing may also be used. Walls may be constructed of stucco or brick. Cinder block must be covered on both sides with stucco. Black plastic net, black or dark forest green-coated wire fencing may be used as an animal barrier when very neatly applies to the inside of a perimeter fence. The black plastic net, black or dark forest green-coated wire fencing material may not exceed the height of the fence. Naturally weather resistant woods such as redwood and cedar are preferred and may be left untreated. The maximum height of any fence shall be six feet (6') above the immediate ground level. The acceptable styled for wood or plastic fences are; post and rail, split rail, decorative panel, picket or basket weave. With picket fences there are many acceptable designs including alternate board, board on board, board next to board, etc.. A wood or plastic fence

may be accented with stone, brick or stucco columns. The use of wire, chain-link, or used wood fencing is strictly prohibited in all Villages when used as perimeter fencing. Perimeter fences that are board on board or board next to board style shall have the finished side facing toward the lot perimeter on the street side of the lot or green belt side of lot. All perimeter fences require architectural approval.

The placement of perimeter fences is governed by several factors:

- a. A fence may not be placed on a property line unless a written agreement with the adjoining property owner is obtained. A copy of this agreement must be furnished to the Architectural Committee.
- b. Perimeter fencing may not be placed further forward on the Lot than the adjacent front corner of the home or garage. One corner Lots the fencing may not be placed further toward the side street than the adjacent corner of the home or garage. In the Tamarisk Villages this corner Lot restriction does not apply
- c. The placement of private fences within Battlement Creek Village, Section 2, shall be restricted to the *Net Buildable Area* of each respective Lot (established as described in Section 3.02 Building Line Setbacks and Easements) i.e. shall be no further to the front than the front corner of the house or garage, no further to the side than the Side Setback lines and no further to the rear than the Rear Setback line.
- d. Any perimeter fence bordering the Battlement Mesa Golf Course shall be constructed of either two or three rail cedar split rail fencing. Such fencing shall not be more than forty-two inches (42"0 in height from the adjacent grade. Such fencing may be accented with stone, brick or stucco columns. Black plastic net, black or dark forest green-coated wire fencing may be used as an animal barrier when very neatly applied to the inside (home side) of a perimeter fence. The black plastic net, black or dark forest green-coated wire fencing material may not exceed the height of the fence.
- e. In Battlement Creek Village, Section 2, two rail cedar split rail fencing may be placed on or near the property line. All perimeter fencing rules apply to this amended fence policy.
- f. The common Golf Course Fencing installed by the Developer may not be lined with black plastic net, black or dark forest green-coated wire fencing material without the Developer's written consent.

Certain Lots which border the golf course within Battlement Creek Village, Section 2, may have rear or side lot Common Golf Course Fencing installed by the Developer on the Golf Course property, and such fencing shall be maintain by the Golf Course. All

such Common Golf Course Fencing shall be of uniform design approved by the Architectural Review Committee and shall not exceed forty-two inches (42”) in height from the adjacent grade. It shall be specifically noted that this Common Golf Course Fencing is to assist golfer identification of golf course play areas, is designed as a free standing structure, and shall not be altered in any manner by the adjacent Lot owner.

2. Decorative fencing is defined as any fence or wall intended to enclose or define a small area such as play yard, a patio, a courtyard, a hot tub or a swimming pool. Decorative fencing also includes fences used as decorative landscape features. The maximum height of decorative fences is limited to six feet (6’). Materials of construction may include wood, plastic, wrought iron, brick, stucco or other decorative materials. The Architectural Committee must approve the design and placement of any decorative fence. In certain situations a decorative fence may also be used for plant protection or pet enclosures. Any decorative fence that is intended for use in the front of the home and on the street side of the home on corner lots may not be higher than forty-two inches (42”) above the adjacent ground level and black plastic net or black or dark forest green-coated wire fencing material may not be used to line these front or side yard fences. The fences may not be placed further forward than the front or side property line. The use of chain-link fencing is strictly prohibited in all Villages for use as decorative fencing.
3. Special use fences are defined as any fence specifically intended to enclose a pet or pets within the member Lot or other barriers not described above. Pet enclosures should be high enough, dense enough and strong enough to ensure that the pet is contained within the enclosed area. Unless a perimeter fence is used for pet enclosure purposes, the enclosure must be located in the rear yard of the Lot. A small sized pet enclosure constructed of chain-link fencing, no larger than ten feet 10’ by twelve feet (12’) by six feet (6’) high, may be placed in the rear yard provided it is totally screened from view by other fencing or dense shrubbery planting. All special use fences require Architectural Committee approval.

### **3.07 MAILBOXES**

The U.S. Postal Service provides two types of delivery service in the Battlement Mesa Community. One type of service is curb side delivery and the other is grouped street side Neighborhood Box Units (NBUs). The choice of the type of delivery is at the discretion of the U.S. Postal Service.

Saddle Back Village, Tamarisk Villages and Stone Ridge Village have Neighborhood Box Units and individual lot delivery mail boxes are prohibited.

Monument Creek Village, Willow Creek Village and Battlement Creek Village, Sections 1 and 2 have curb side delivery. In order to provide mailbox locations that are convenient for both the mail carrier and the residents, generally a “double mailbox” post is to be located at the curb line between adjacent Lots. However, in some cases, in order to maintain unobstructed sidewalks, mailbox locations may be required to be across the street from the Lot being served. Standard metal mailboxes painted black are recommended, but decorative and personalized mailboxes are permitted provided they meet the criteria of the U.S. Postal Service.

The proposed pattern, location and standards for mailboxes are subject to the jurisdiction of the U.S. Postal Service. Decorative and personalized mailboxes also require Architectural Committee approval.

### **3.08 OUTDOOR SWIMMING POOLS AND SPAS**

Outdoor swimming pools, spas and related mechanical equipment can only be installed per applicable code(s) and must be located in rear yards within the established maximum Net Buildable Area as described in Section 3.02 Building Line Setbacks and Easements of these Architectural Standards. Every yard containing a swimming pool shall be fully enclosed by a fence, and all fence gates shall be self-closing and lockable. Every spa shall be fully enclosed by a fence or have a lockable cover.

All mechanical equipment serving a swimming pool and/or spa shall be enclosed wither by a solid wood fence or by landscaping in a manner as to totally screen the view of the equipment from adjacent properties.

### **3.09 IRRIGATION SYSTEMS**

To minimize the risk of damage to buildings and foundations, the introduction of irrigation water next to a building is not recommended. Thoughtful design and location of sprinkler heads is advised. Automatic sprinkler systems are encouraged.

All residential irrigation systems shall have a back flow assembly to protect the domestic (potable) water system from back-siphon contamination in compliance with the regulations of the Consolidated Metropolitan District and the Uniform Plumbing Code.

### **3.10 LANDSCAPING**

The predominant landscape design theme in Battlement Mesa shall be natural and informal groupings of introduced plant materials integrated into balanced design components of lawn and groundcover. A typical residential yard landscape should include design components of irrigated lawn, shrubbery, deciduous and/or coniferous trees, and low maintenance groundcover in an attractive balanced design. When planting trees or other shrubs that need support, metal fence posts may be used for a maximum of twelve (12) months. They then



must be removed. If further support is required, wire attached to stakes at ground level may be used for an additional twelve (12) months.

The preservation of existing native vegetation shrubbery is encouraged wherever it can feasibly be integrated into the landscape plan. In the landscaping of Site-Built and Manufactures Homes, it is urged that plant materials, irrigation systems and maintenance practices be utilized which conserve water.

*Note! Any native vegetation areas which are disturbed during building construction shall be properly re-vegetated with indigenous species of grasses and shrubs. This includes watering until the plants are firmly established.*

The front, side and rear yard area of any improved Lot is required to be landscaped. The complete landscaping of the improved Lot shall be completed within the time limits described in Section **8.00 Project Start and Completion** of these Architectural Standards. A minimum of 40% of the net front yard area (from curblineline to front of home and garage, excepting that area covered by driveways and hard surface walkways and courtyards) is to be irrigated turf grass lawn. On corner lots, a minimum of 40% of the exposed side yard area (from curblineline to exposed side of home or garage) is also required to be irrigated turf grass lawn. *Definition of "Turf Grass" means continuous plant coverage consisting of hybridized grasses that, when regularly mowed, form a dense growth of leaf blades and roots.*

*"Xeriscape" means the application of the principles of landscape planning and design.*

*The Seven Fundamental Principles of Xeriscape are:*

- 1. Plan and Design*
- 2. Create Practical Turf Areas*
- 3. Select Low Water Plants*
- 4. Use Soil Amendments*
- 5. Use Mulches*
- 6. Irrigate Efficiently*
- 7. Maintain the Landscape Properly*

All landscaping plans, and any subsequent additional tree or shrub planting, must be submitted to and approved by the Architectural Committee prior to planting. Flowers, foundation plantings and shrubbery which will not exceed four feet (4') in height at maturity may be planted by the homeowner without prior approval of the Architectural Committee.

During the landscape construction process, critical components of the approved Site Grading Plan and the Comprehensive Drainage Plan shall be preserved to ensure positive drainage away from structures and off the site. Settle trenches shall be repaired to prevent ponding or undesired diversion of drainage.

To preserve unrestricted pedestrian and vehicular sight lines at intersections, no tree, shrub plantings or landscaping items shall be placed on corner Lots so as to obstruct sight lines and elevations between two feet (2') and six feet (6') above the top of curb elevation within a triangular area formed by the intersection of the street curb lines and an imaginary line connecting them at a point fifty-five feet (55') from the intersection of such curb line extension. Furthermore, no tree, shrub, plantings, or landscaping items may be placed within the street right-of-way or front utility easements which may obstruct sight lines of vehicle ingress and egress at driveways.

Landscaping or other improvements within an established utility easement may be subject to damage by the utility company(s) and utility company(s) will not be liable for such damage. Plantings that may interfere with existing underground utility installations should not be used.

It is recommended that the professional services of a landscape architect, local nurseryman or Colorado State University extension office be utilized in the selection of appropriate planting materials including grasses, trees and shrubs. Many inappropriate plants are lost due to voracious appetite of our local wildlife population.

## **4.00 BUILDING DESIGN AND CONSTRUCTION**

### **4.01 HOUSE SIZE**

The housing products within Battlement Mesa shall generally fit into one of four categories. These categories vary from single or double wide manufactured homes to custom designed site-built homes. Each of the Villages within Battlement Mesa has been designed with specific types and sizes of homes. The Lots are sized accordingly. The minimum finished floor area, as measured by using the exterior wall dimensions of the building, varies for each Village as follows:

1. Saddleback Village.

The floor area of the Manufactured Home on any Lot, excluding garage, open or enclosed porches and breezeways shall not be less than **720** square feet.

2. Tamarisk Villages.

The floor area of the Manufactured Home on any Lot, excluding garage, open or enclosed porches and breezeways shall not be less than **960** square feet.

3. Monument Creek Village.

The floor area of the Site-Built Home on any Lot, excluding garage, open or enclosed porches and breezeways shall not be less than **1,200** square feet.

4. Stone Ridge Village and Willow Creek Village.

The floor area of the Site-Built Home on any Lot, excluding open or enclosed porches, and detached living-use outbuildings, shall not be less than **1,800** combined square feet on the main, upper and lower stories. There must be a minimum of **1,400** square feet on the primary floor level of multi-story homes.

5. Battlement Creek Village, Section 1.

The floor area of the Site-Built Home on any Lot, excluding basement, garage, and open or enclosed porches, shall not be less than **2,000** square feet for a single-story home and shall not be less than **2,400** square feet for multi-story homes. Multi-storied homes shall have a minimum of **2,000** square feet on the street level primary floor.

6. Battlement Creek Village, Section 2.

The floor area of the Site-built Home on any Lot, excluding basement, garage, and open or enclosed porches, shall not be less than **2,200** square feet for single-story homes and shall not be less than **2,600** square feet for multi-story homes. Multi-stories homes shall have a minimum of **2,000** square feet on the primary floor level.

The maximum overall height of any Site-Built Home in Battlement Mesa shall not exceed thirty-five feet (35') as measured vertically from the lowest exposed exterior wall elevation at the finish grade up to the highest roof ridge line elevation of the structure. In addition, the highest roof ridge line elevation of the structure shall not exceed twenty-nine (29') as measured vertically above the back-of-curb elevations at the front center of the Lot. There are a few Lots in the community that slope up steeply from the curb where a variance from this provision may be granted by the Architectural Committee. Applications for this variance must be submitted in writing to the Architectural Committee.

The design parameters of residential buildings may be directly or indirectly controlled by certain provisions of the Covenants, the Final Plat and/or by the District Regulations. It is important to review and refer to these documents and the Architectural Standards throughout preparation of construction documents for any project so that the project will conform to any applicable restrictive provisions. If there is a conflict in the requirements of two or more documents the most restrictive shall apply.

## **4.02 GARAGE SIZE**

Each of the Villages within Battlement Mesa has been designed with specific types and sizes of garages. In general, the Architectural Standards require that no detached garages are allowed except in Tamarisk Villages and Saddleback Village. All properties shall have an

enclosed garage and open carports are not permitted. Manufactured homes within an existing approved rental property management program are exempt from the garage requirement. The minimum and maximum size of the enclosed garage varies for each Village as follows:

- a. Tamarisk Villages and Saddleback Village.  
The minimum garage size shall be not less than twelve feet (12') wide (1-1/2 car capacity). The maximum size shall be not more than twenty-four feet (24') wide.
- b. Monument Creek Village.  
The minimum garage size shall be not less than twelve feet (12') wide (1-1/2 car capacity). The maximum size shall be not more than three (3) car capacity. A two car garage is recommended.
- c. Stone Ridge Village and Willow Creek Village.  
The minimum garage size shall be not less than twenty feet (20') wide and not more than a three car capacity.
- d. Battlement Creek Village, Section 1 and 2.  
The minimum garage size shall be not less than twenty-two feet (22') wide and not more than a three car capacity.

#### **4.03 EXTERIOR DESIGN**

The exterior design is the most important consideration in the approval process of Site-Built Homes in Battlement Mesa and should reflect a quality in design and selection of materials. Although there is no specific exterior theme for Site-Built Homes in Battlement Mesa, the acceptability of the design will be based on its use of proportion, massing, fenestration, site orientation, color selection, detailing and compatibility to and respect for surrounding homes. Plans selected from home design publications may be acceptable but designs from this source must be adapted to the specific site. It is for these reasons that retention of a design professional is strongly recommended. Western, Southwestern, Contemporary, and Traditional themes may be acceptable designs provided they fully meet the specific criteria of these regulations and Architectural Standards. It is recognized that there may be a limited number of Manufactured Home Plans offered by the builder, and may also be a limited selection of exterior materials and colors available from the Builders Manufacturer.

Saltbox houses, A-frame houses, Log houses, Dome houses, Glass wall houses, Spaceship looking radical designs, etc. are examples of home designs that are prohibited in Battlement Mesa.

*The Architectural Committee has sole authority to interpret what may be an acceptable home design.*

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 and roof lines. Covered entryways, bay windows, angled walls and nooks, wall projections, covered porches and cantilevers are encouraged. Whenever possible, homes should step down on all sides to minimize walls that are two stories or greater in height. Graduated wall heights are important in maintaining proper massing.

Windows are a key design element and should be placed in a manner that will complement the overall design, both in the interior and on the exterior. All windows shall have standard or energy efficient non-reflective glazing. Mirrored glazing and reflective films are prohibited.

Chimneys are usually very strong design elements and typical of the type of home described above. 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 should not have the stovepipe appearance. Enclosing the flue in a masonry or wood chimney with substantial proportions is required. The use of fire-proof enclosures is prudent. No more than two feet (2') of exposed chimney pipe will be allowed. Square topped chimney caps, chimney fences and other decorative masonry chimney details are encouraged. Chimneys which exceed the highest roof ridge line elevation by greater than four feet (4') shall not be permitted. Vent pipes are to be painted the same color as the roof material.

When the construction project involves two or more buildings that are adjacent to or on the same street with each other, repetition of the same exterior design or colors is not permitted. The use of the same designer floor plan and same exterior elevation option may be permitted when the houses will be separated by four dissimilar intervening homes and the color scheme for each house is different. The use of the same designer floor plan with a substantially different exterior elevation option may be permitted on adjoining Lots when the exterior materials and color schemes for each house are substantially different. In saddleback Village and Tamarisk Villages this requirement may be waived as long as the exterior color selections are varied to achieve a similar result.

#### **4.04 ROOF DESIGN**

The standard roof pitches for Site-Built Homes can vary from a 5:12 pitch (5 feet rise in 12 feet of run) up to a 7:12 pitch. A minimum roof pitch of 4:12 may be approved by the Architectural Review Committee in certain design applications to mitigate the overall height of multi-story homes. Butterfly, folded plate, curved panel and metal roofs are not permitted. Flat roofs are discouraged but may be considered for certain design configurations. Manufactured Homes may have a 3:12 roof pitch. Maximum roof pitch for a Manufactured Home is 5:12.

Roof structures of Site-Built Homes, garages, covered porches and/or covered patios must be designed in accordance with snow load conditions established by the Garfield County Building Department. The current minimum is a 40 psf live load condition.

The roofing materials for Site-Built Homes, garages, porches and sheds are to be fiberglass or asphalt composition shingles, slate or manufactured tile roofing systems. In Battlement Creek Village, Sections 1 and 2 asphalt composition shingles must be 30 year warranty architectural shingles (not standard 3-tab). Built-up roofing, ballasted single-ply roofing, cedar shake and metal roofing systems are not permitted as the primary roofing materials. The roofing systems for the Site-Built Home and garage and any shed shall be of the same materials and colors. The color of the roofing materials shall be either earth tone or another subdued color. Prominent, bright or garish colors will not be acceptable.

Heating units and refrigerated air conditioning units are not permitted to be mounted on the roof. Evaporative cooling equipment must be placed in a functional down-draft location on the roof that is visually screened from the fronting street. Certain gable orientations may prevent total screening; however, placement design should consider screening as much as possible. Any roof mounted equipment is to be painted a color that matches the roof or is complementary to the home colors.

#### **4.05 FOUNDATIONS**

1. Soil Test: A subsoil investigation, performed by a soil testing laboratory under the supervision of a Registered Professional Engineer, is required for each respective Lot to determine soil bearing conditions and applicable foundation design. Soil tests in the nearby area may be used in the Tamarisk Villages and Monument Creek Village. Due to varying soil conditions encountered in Monument Creek Village, it is strongly recommended that either a soil test be performed on each individual Lot, or that an open hole inspection of the foundation excavation be conducted by a qualified soils technician to ascertain the soil bearing conditions.
2. Design: The design of the foundation for each residential project shall be based on the soil test report and shall be prepared by a Registered Professional Engineer registered in the State of Colorado as per the Garfield County Building Department. A stamped (by the Registered Professional Engineer) copy of the foundation design must be submitted with the application for architectural approval.
3. Materials: All foundations shall be constructed of cast-in-place concrete or pre-cast concrete masonry units.

#### **4.06 FRAMING**

For Manufactured Homes, all framing shall be constructed in accordance with Garfield County requirements, Manufactured Home Construction & Safety Standards, Uniform Building Code and the Colorado Energy Conservation Standards as may be applicable to the respective structures. For Site-Built Homes, all framing shall be constructed in accordance with Garfield County requirements, the Uniform Building Code and Colorado Energy Conservation Standards.

#### **4.07 EXTERIOR WALL MATERIALS**

The primary exterior wall materials on all Site-Built Homes in Battlement Mesa shall consist of no more than two materials from the following selections:

1. Stucco as the primary material only.
2. Stucco combined with brick, stone or natural wood accent.
3. Brick as the primary material only.
4. Brick combined with stucco or natural wood accent.
5. Natural wood lap siding or hardboard lap siding not exceeding nine inches (9") in exposed board width with brick or stone accent.
6. Natural wood cedar shingles are permitted as a decorative accent material only

In Battlement Creek Village, Section 2 only 1. through 4. materials may be used.

In Monument Creek Village and in the Tamarisk Village and Saddleback Village certain additional exterior wall materials may be used. These materials are:

- a. Sheet hardboard or sheet wood siding.
- b. Lap vinyl siding.
- c. Lap metal siding.

Metal sheet siding and log siding are prohibited in all villages.

Sheet siding is to be of sufficient thickness or appropriately backed to span the wall framing without undulations. Sheet siding must be textured and patterned and applied in a manner to minimize the sheet appearance.

Where different materials are adjacent to each other an appropriate molding or trim board to separate the materials is to be applied. The use of vinyl or metal soffit and fascia systems are permitted in all villages.

The primary exterior wall colors are to be either subdued or earth-tone color selections. Prominent, bright or garish color selections are not permitted. The intent of this standard is to maintain a quiet dignity within the communities. Exterior fascia, moldings, soffit and trim board colors must complement the primary siding color. In addition to the exterior wall materials standards in effect for each of the Battlement Mesa Villages these color standards are to be applied for all Site-Built Homes and Permanent Foundation-Set Manufactured Homes.

#### **4.08 INSULATION, EXTERIOR DOORS AND WINDOWS**

Insulation packages, exterior doors and windows shall be constructed in accordance with the energy efficiency requirements of the Garfield County Building Department, the Manufactured Home Construction & Safety Standards and the Colorado Energy Conservation Standards.

#### **4.09 FIREPLACES AND NATURAL GAS APPLIANCES**

Fireplaces, wood burning stoves and natural gas appliances shall be installed in strict compliance with applicable codes, the manufacturer's required procedures and to meet applicable pollution standards, including the use of spark-arrester flue caps as may be required by the Uniform Fire Code. The use of energy efficient gas fireplace appliances is encouraged. It is anticipated that the Garfield County Building Department will adopt additional restrictions regarding installation of wood burning stoves, including the requirement that all wood stoves be either Colorado Phase III certified Wood Burning Devices or Phase II EPA certified Wood Burning Devices. Please contact the County Building Department for specific requirements.

Manufactured Homes have the following restrictions and regulations. Open hearth solid fuel fireplaces and solid fuel wood burning stoves are not permitted. Natural gas log appliances are permitted and shall be installed in strict compliance with applicable codes and the manufacturer's required procedures. Non-masonry fireplaces and chimneys are to be enclosed by building materials that are similar to the Manufactured Home. Exposed metal chimneys (except chimney caps) are not permitted.

#### **4.10 SOLAR ENERGY**

When passive and active solar energy systems are included they must be integrated into the architecture of the residence area. Solar collection panels should blend into overall architectural massing roof form designs. When solar collectors for hot water heating are placed on the roof of a building, they must be mounted at the same pitch as the roof, even



though the slope of the roof may not be “optimal” for solar collection. The small increase in panel size that may be required to achieve the overall collection performance is preferable to the visual conflicts of different angles, slopes and protrusions on the roof. Solar panels shall not protrude more than one foot (1’) above the roof surface or ridge line.

#### **4.11 PLUMBING**

1. Domestic Water: The domestic water service, water meter and remote electronic read system shall conform to the regulations of the Consolidated Metropolitan District and the Uniform Plumbing Code.
2. Sewer: The sewer service shall conform to the regulations of the Consolidated Metropolitan District and the Uniform Plumbing Code.
3. Natural Gas: The natural gas service shall conform to the Uniform Plumbing Code and the regulations established by the Public Service Company of Colorado.

#### **4.12 HEATING AND COOLING**

All heating and cooling equipment shall comply with the Uniform Mechanical Code and shall be situated on the home or Lot in compliance with the Architectural Standards.

#### **4.13 ELECTRICAL**

All electrical work shall comply with the National Electrical Code.

#### **4.14 TELEPHONE**

During construction each Site-Built Home and Manufactured Home shall be prewired for telephone service. Such prewiring shall be in compliance with the requirements of Qwest Communications as the local supplier of the telephone dial tone.

#### **4.15 CABLE TELEVISION**

During construction each Site-Built Home and Manufactured Home shall be prewired for cable television service. Such prewiring shall be in compliance with the requirements of the local supplier of cable television service.

#### **4.16 ANTENNAE AND SATELLITE DISHES**

The installation and location of any antenna, mast or television satellite dishes is governed by a Battlement Mesa Service Association Resolution. The Architectural Committee will review any proposed installation and such installation must receive Architectural Committee approval before proceeding with the installation.

#### **4.17 OUTBUILDINGS**

Detached living use and architectural structures including gazebos, arbors, spa cover, etc. may be permitted, but are restricted to being constructed within the New Buildable Area of the Lot. (See section 3.02 of these Architectural Standards). Open carports are prohibited in all villages.

Outbuilding storage or non-living use structures (*i.e.* storage sheds, tool sheds, garden equipment sheds, etc.) are strictly prohibited in the Villages of Battlement Creek Village, Sections 1 and 2, Willow Creek Village and Stone Ridge Village.

In Monument Creek Village, Tamarisk Villages and Saddleback Village, outbuilding structures, including attached or detached equipment storage sheds, shall not exceed eight feet (8') in overall height, and must be sided, painted and shingled to match the Site-Built Home or the Manufactured Home. Outbuildings and similar structures are limited to one (1) per lot.

#### **4.18 PATIO COVERS, DECK COVERS, BREEZEWAYS AND AWNINGS**

Open or closed patio covers, deck covers and open or closed breezeways shall have independent foundations and be supported such that additional stress is not placed on the Site-Built or Manufactured Home or garage structure. Roofing design may be flat or moderately pitched, but may not exceed the roof pitch of the home or garage. The roofing material must match the roofing material of the home.

Permitted building materials include materials matching the home or natural cedar or redwood. The cedar or redwood may be either painted to match the home or treated with a natural or colored transparent stain. Corrugated fiberglass and metal panel systems are not permitted for use except as noted below.

Pergolas may be constructed of wood or suitable plastic materials. The color of the pergola must match the home siding color, the trim color or be natural wood color. When using plastic materials it may not be possible to exactly match such colors but the color selection must be as close as possible.

In Monument Creek Village, Tamarisk Villages and Saddleback Village acceptable roofing materials include neutral-colored corrugated fiberglass panels or enamel-coated metal panels. Corrugated fiberglass and enamel-coated metal panel systems shall have an appropriate trim board to disguise the edge of panel view.

Fixed or operable fabric awnings are discouraged, but if desired must be of a non-reflective material and in a complementary color selection to match the home body or trim color. Architectural approval must be obtained prior to awning installation.

#### **4.19 SIGNS**

The regulations, classifications, guidelines and specifications that govern all signs erected within the P.U.D. are covered in regulations adopted by the Battlement Mesa Service Association. The Architectural Committee will review any proposed sign installation and such installation must receive Architectural Committee approval before proceeding with construction and installation.

#### **4.20 GATES IN SERVICE ASSOCIATION FENCES**

No gate may be installed within a Battlement Mesa Service Association fence without Architectural Committee approval. Please refer to the Guidelines and Specifications concerning the installation of gates within BATTLEMENT MESA SERVICE ASSOCIATION fences. Copies of this code are available at the Battlement Mesa Company offices.

#### **4.21 PLAYGROUND EQUIPMENT, PLAYHOUSES AND SPORTS EQUIPMENT**

Architectural Review Committee approval is required if playground or sports equipment is more than seven (7) feet in height, and/or has a footprint of more than 100 square feet.

Approval for a playhouse is required. Playhouses may not be over six (6) feet in height and/or have a footprint of more than thirty-six (36) square feet. Only one playhouse per lot is permitted regardless of size. Playhouses are prohibited in the Villages of Battlement Creek Village Section I and II, Willow Creek Village and Stone Ridge Village.

##### Playground Equipment and Playhouses

The placement of playground equipment and playhouses shall be restricted to the building envelope of the lot (as described in Section 3.02 Building Line Setbacks and Easements) and shall be no further to the front of the lot than the front corner of the house or garage. Consideration should be given to adjacent properties, so as not to create an undue disturbance and to minimize the possibility of property damage. The placement of equipment should not adversely affect the close-in view corridors of adjacent properties.

Playground equipment or playhouses may not be attached to a deck, garage or the primary living structure.

##### Basketball Backboards, Sports Goals and Portable Basketball Goals

Permanently installed, commercially manufactured backboards of standard design and color may be mounted on the garage without Committee approval.

All freestanding, non-portable, basketball backboards and sport goals (soccer and lacrosse goals, volleyball and tetherball stanchions, etc.) must be submitted for Architectural Review Committee for approval.

The placement of such goals shall be restricted to the building envelope of the lot (as described in Section 3.02 Building Line Setbacks and Easements) and shall be no further to the front of the lot than the front corner of the house or garage.

Consideration should be given to adjacent properties, so as not to create an undue disturbance and to minimize the possibility of property damage.

A maximum of one (1) basketball backboard or sports goal per lot is allowed.

Portable Basketball Goals do not require approval under the following considerations:

- a. The location must be on the side of the driveway at least half (1/2) of the length of the driveway away from the street. This location constitutes proper placement for the unit and the goal must not be moved closer to the street.
- b. The location should not impede or obstruct the use of the garage or driveway and the unit must be weighted to ensure that the goal is balanced, standing upright and resistant to tipping by high winds.

The Architectural Review Committee defines Portable Basketball Goals as equipment that is commercially manufactured, with a large base for counter-balance, and/or wheels for mobility, and engineered for portability and storage.

Playground equipment, sport goals and playhouses are considered personal property, and therefore, are subject to be removed with other personal belongings when a property changes ownership or residents.

## **5.00 SUBMITTAL PROCESS**

### **5.01 NEW HOME SUBMITTALS**

New Site-Built Home and Manufactured Home architectural submittals shall include the following drawings and information:

1. Site Plan – including; dimensions of Lot, setbacks, easements, position of home, etc.
2. Grading Plan – existing and proposed elevations of Lot and structure, site drainage conditions, retaining walls steep side slopes, elevation of adjacent homes, etc.
3. Engineered and stamped Foundation Plan.
4. Building Floor plans and Exterior Elevation drawings.
5. Roofing Plan with location of gutter downspout discharges.
6. Exterior material color selection and samples of stucco, brick or stone materials.

*NOTE! Paint colors should reference Sherwin-Williams color chip numbers. The use of other paint or stain products should be submitted with the copy of the manufacturers color board or a one foot (1') square sample of the selected color.\**

7. Engineered structural retaining wall plans, if any.
8. Landscape and Planting Plans.\*
  
9. A \$3,500.00 Cash Deposit along with the Lot owners signature on the application.

\* The color selections and the landscaping plans may be submitted at a later date but must be approved before installation or application.

Any construction project or landscaping that is started without architectural approval may be required to be removed or changed by directive from the Architectural Committee. This removal or change will be at the Lot owners' expense.

***It is strongly emphasized that custom home and designer plans should be submitted as preliminary concept drawings for architectural consideration by the Architectural Committee as soon as they have been developed by the Owner. This will minimize the potential of a home plan that may not be in accordance with the Architectural Standards, the Covenants, the Amended Final Plat or other controlling documents.***

## **5.02 RENOVATION PROJECT SUBMITTALS**

An owner who is making a small exterior building renovation or remodel project, exterior repainting or additional landscape plantings or removals (as examples) need only make the respective submittals pertinent to the said project as taken from the Section 5.01 submittal listing above.

## **5.03 VARIANCE APPLICATION**

An owner or contractor may make application in writing for a variance from any specific provision or standard of these Architectural Standards for consideration by the Architectural Committee. A variance application must reference the specific provision for which the variance is requested, must include all respective submittals pertinent to the project from the Section 5.01 listing above, and must also include a narrative statement demonstrating either a hardship or other reason for requesting the variance. After receipt of the variance request the Architectural Committee will post a notice on the involved property describing the request and requesting any input concerning the matter. This notice will be posted for a minimum of ten (10) days. *Also, a letter to notify all property owners within 150 feet of the proposed variance will be mailed.* It will be at the sole discretion of the Architectural Committee to deny, modify or approve any Variance Application regardless of inputs received about the requested variance. Self-imposed, self-controlled or financial hardship

considerations of the Owner are not considered sufficient causes for architectural approval of the Variance Application.

#### **5.04 INFORMATION SUBMITTAL**

The Architectural Committee may request additional information as it deems necessary to complete its review. An Owner's submittal will not be deemed complete until all information relevant to the Architectural Committee's review has been received.

#### **5.05 APPLICATION APPROVAL**

The Architectural Committee will approve or disapprove the submittal within thirty (30) days of the date the complete submittal is received.

#### **6.00 PROJECT IDENTIFICATION**

On new residential construction sites a "builder's sign" shall be placed in the front yard of the project Lot prior to the first inspection by the Garfield County Building Department. The sign shall include the Lot and Block numbers, street address, builders name, builder's telephone number, a set of the architectural drawings, the building permit, and any other information that may be required by the County.

#### **7.00 INSPECTIONS & FIELD REVIEWS**

All residential construction projects that are required to have a building permit issued by the Garfield County Building Department will be inspected by that agency, under procedures established by the County. The general purpose of the inspections is to attempt to determine compliance with all applicable codes, regulations, ordinances and/or laws. However, the inspections do not guarantee compliance and do not relieve the owner, builder or developer from the responsibility of being in full compliance.

The Architectural Committee may conduct field reviews of projects to check for compliance with the plans and specifications and reserves the right to require the correction of any work that, in the opinion of the Architectural Committee, is not in compliance with regulatory requirements, the plans and specifications or good construction practices. Such corrections may be in addition to any corrections required by Garfield County and/or FHA/VA inspectors. The field reviews by the Architectural Committee do not guarantee compliance and do not relieve the owner, builder or developer from the responsibility of being in full compliance.

## **8.00 PROJECT START & COMPLETION**

No site work or building construction may proceed on any Lot (including preliminary site clearing, grubbing, grade alteration, storing of material, foundation excavation, extension of underground utilities, etc.) until the Project has received a Project Approval Notification from the Architectural Committee and has been issued a Building Permit by the Garfield County Building Department.

All general building, site improvements, landscaping and revegetation to specifically include the front, side, and rear yard areas for any Project shall be completed and shall have passed a Final Compliance Inspection no later than eighteen (18) months after Project approval by the Architectural Committee. It is the responsibility of the owner or builder to furnish the Architectural Committee a copy of the Certificate of Occupancy within one (1) week of issuance of the Certificate of Occupancy.

## **9.00 JOB SITE CLEANLINESS**

It is the responsibility of the Lot owner to assure the construction site and adjacent streets and properties are maintained free of construction debris and dirt. Job cleanliness requirements are spelled out in a memorandum entitled "Contractor Requirements" (Appendix 10) provided to contractors and/or owners at the time new home plans or landscape plans are approved. It is the Owner's responsibility to assure that their contractor has these requirements and agrees to comply.

## **10.00 DEFENSIBLE SPACE PLAN**

1. The size of the defensible space area is usually expressed as a distance extending outward from the sides of the house. This distance varies by the type of wild land vegetation growing near the house and steepness of the terrain. If your property is surrounded by wild land grasses, such as cheat grass, and is located on flat land, your recommended defensible space distance would extend out 30 feet from the sides of the house. If your house sits on a 25 percent slope and the adjacent wild land vegetation is dense tall brush, your recommended defensible space distance would be 150 feet. If the recommended distance goes beyond your property boundaries, contact the adjacent property owner and work cooperatively on creating a defensible space.
2. Is there any dead vegetation within the recommended defensible space area? Dead vegetation includes dead trees and shrubs, dead branches lying on the ground or still attached to living plants, dried grass, flowers and weeds, dropped leaves and needles, and firewood stacks. In most instances, dead vegetation should be removed from the recommended defensible space area. Dries grasses/weeds cut to the height of 6" or less.
3. Is there a continuous dense cover of shrubs or trees present within the recommended defensible space area? Sometimes wild land plants can occur as an uninterrupted

layer of vegetation as opposed to being patchy or widely spaced individual plants. The more continuous and dense the vegetation, the greater the wildfire threat. If this situation is present within your recommended defensible space area, you should “break-it-up” by providing for a separation between plants or small groups of plants.

4. Is there an area at least 70 feet wide surrounding your house that is “lean, clean and green”? The area immediately adjacent to your house is particularly important in terms of an effective defensible space. It is also the area that is usually landscaped. Within an area extending AT LEAST 70 feet from the house, the vegetation should be kept:
  - Lean – small amounts of flammable vegetation.
  - Clean – no accumulation of dead vegetation or other flammable debris.
  - Green – plants are healthy and green during the fire season.
5. Other considerations in making your home defensible:
  - a. Remove dead branches overhanging your roof.
  - b. Remove any branches within 15 feet of your chimney.
  - c. Clean all dead leaves and needles from your roof and gutters.
  - d. Install a roof that is non-combustible.
  - e. Cover your chimney outlet and stovepipe with a nonflammable screen of ½ inch or smaller mesh.
  - f. Stack woodpiles at least 30 feet from all structures and clear away flammable vegetation within 10 feet of woodpiles.
  - g. Clear fuel a distance that is 1½ times the height of the fuel.
6. When you make a defensible space plan you must submit your plan to the Architectural Review Committee for approval.

## 11.00 ATTACHMENTS

- 1) Appendix A-1 Battlement Creek Village, Sec. Two - Building Design Elevations.
- 2) Appendix A-2 Battlement Creek Village, Sec. Two – Building Line Setbacks.
- 3) Appendix 2 Fencing Standard – Picket and Split Rail Fence.
- 4) Appendix 3 Fences.
- 5) Appendix 4 Typical Panel Fence Sections.
- 6) Appendix 5 Builder’s Sign Standard.
- 7) Appendix 6 Mailbox Standard.
- 8) Appendix 7 Battlement Mesa Construction Procedures and General Information.
- 9) Appendix 8 New Home Application Form.
- 10) Appendix 9 Short Form Application.
- 11) Appendix 10 Contractor Requirements



IN WITNESS WHEREOF, these revised Architectural Standards are approved and adopted this 1<sup>st</sup> day of November, 2007 as executed by the undersigned.

BATTLEMENT MESA SERVICE ASSOCIATION  
A Colorado Nonprofit Corporation

By: \_\_\_\_\_  
President

By: \_\_\_\_\_  
Secretary

By: \_\_\_\_\_  
Chairman – Architectural Committee

APPENDIX A-1  
 BATTLEMENT CREEK VILLAGE, SECTION TWO  
 BUILDING DESIGN ELEVATIONS

<u>Lot</u>	<u>Block</u>	<u>Design Floor Elevation</u>	<u>Maximum Structure Elevation</u>	<u>Preferable Type Home Plan</u>
1	1	5247.4 EL	5272.4 EL	Ranch
2	1	5244.6 EL	5268.6 EL	Garden Walk-Out
3	1	5243.1 EL	5267.1 EL	Garden Walk-Out
4	1	5240.4 EL	5264.4 EL	Ranch / Garden
5	1	5238.8 EL	5261.8 EL	Ranch
6	1	5237.1 EL	5260.1 EL	Ranch
1	2	5237.7 EL	5260.7 EL	Garden Walk-Out
2	2	5245.2 EL	5267.2 EL	Ranch
3	2	5243.8 EL	5266.8 EL	Ranch / Garden
1	3	5246.6 EL	5269.6 EL	Ranch / Split
2	3	5248.3 EL	5271.3 EL	Ranch / Split
3	3	5248.5 EL	5271.5 EL	Ranch / Split
4	3	5262.4 EL	5285.4 EL	Ranch / Split
5	3	5261.4 EL	5284.4 EL	Ranch / Split
6	3	5258.1 EL	5281.1 EL	Ranch / Garden
1	4	5259.8 EL	5283.8 EL	Ranch
2	4	5262.7 EL	5286.7 EL	Ranch
3	4	5264.9 EL	5288.9 EL	Ranch / Split
4	4	5269.1 EL	5292.1 EL	Ranch / Split
5	4	5268.9 EL	5291.9 EL	Ranch / Garden
1	5	5260.6 EL	5283.6 EL	Full Walk-Out
2	5	5261.8 EL	5284.8 EL	Full Walk-Out
3	5	5263.1 EL	5286.1 EL	Full Walk-Out
4	5	5265.5 EL	5288.5 EL	Full Walk-Out
5	5	5271.0 EL	5294.0 EL	Full Walk-Out
6	5	5280.0 EL	5303.0 EL	Full Walk-Out
7	5	5290.0 EL	5313.0 EL	Full Walk-Out
8	5	5292.1 EL	5315.1 EL	Full Walk-Out

APPENDIX A-1 cont.  
 BATTLEMENT CREEK VILLAGE, SECTION TWO  
 BUILDING DESIGN ELEVATIONS

<u>Lot</u>	<u>Block</u>	<u>Design Floor Elevation</u>	<u>Maximum Structure Elevation</u>	<u>Preferable Type Home Plan</u>
1	6	5300.0 EL	5325.0 EL	Split Level
2	6	5301.7 EL	5326.7 EL	Split Level
3	6	5300.6 EL	5325.6 EL	Split Level
4	6	5303.0 EL	5328.0 EL	Split Level
1	7	5282.2 EL	5307.2 EL	Split / Walk-Out
2	7	5295.4 EL	5320.4 EL	Ranch/Garden W-O
3	7	5296.7 EL	5321.7 EL	Ranch/Garden W-O
4	7	5295.0 EL	5320.0 EL	Ranch
5	7	5293.0 EL	5318.0 EL	Ranch
6	7	5289.5 EL	5214.5 EL	Ranch
7	7	5283.6 EL	5308.6 EL	Ranch
8	7	5276.6 EL	5301.6 EL	Ranch
9	7	5271.2 EL	5296.2 EL	Ranch
10	7	5269.7 EL	5294.7 EL	Ranch
11	7	5268.1 EL	5293.1 EL	Ranch / Split Level
12	7	5266.8 EL	5291.8 EL	Ranch / Split Level
13	7	5267.7 EL	5292.7 EL	Ranch / Split Level
14	7	5268.8 EL	5293.8 EL	Ranch / Split Level
15	7	5270.8 EL	5295.8 EL	Ranch / Split Level
1	8	5287.0 EL	5313.0 EL	Ranch
2	8	5281.1 EL	5307.1 EL	Ranch
3	8	5270.7 EL	5295.7 EL	Ranch / Split Level
4	8	5267.8 EL	5292.8 EL	Ranch / Split Level
5	8	5264.0 EL	5289.0 EL	Ranch / Split Level
6	8	5261.0 EL	5286.0 EL	Ranch / Split Level

Please refer to the Amended Final Plat for reference benchmark elevations.

APPENDIX A-2  
 BATTLEMENT CREEK VILLAGE, SECTION TWO  
 BUILDING LINE SETBACKS

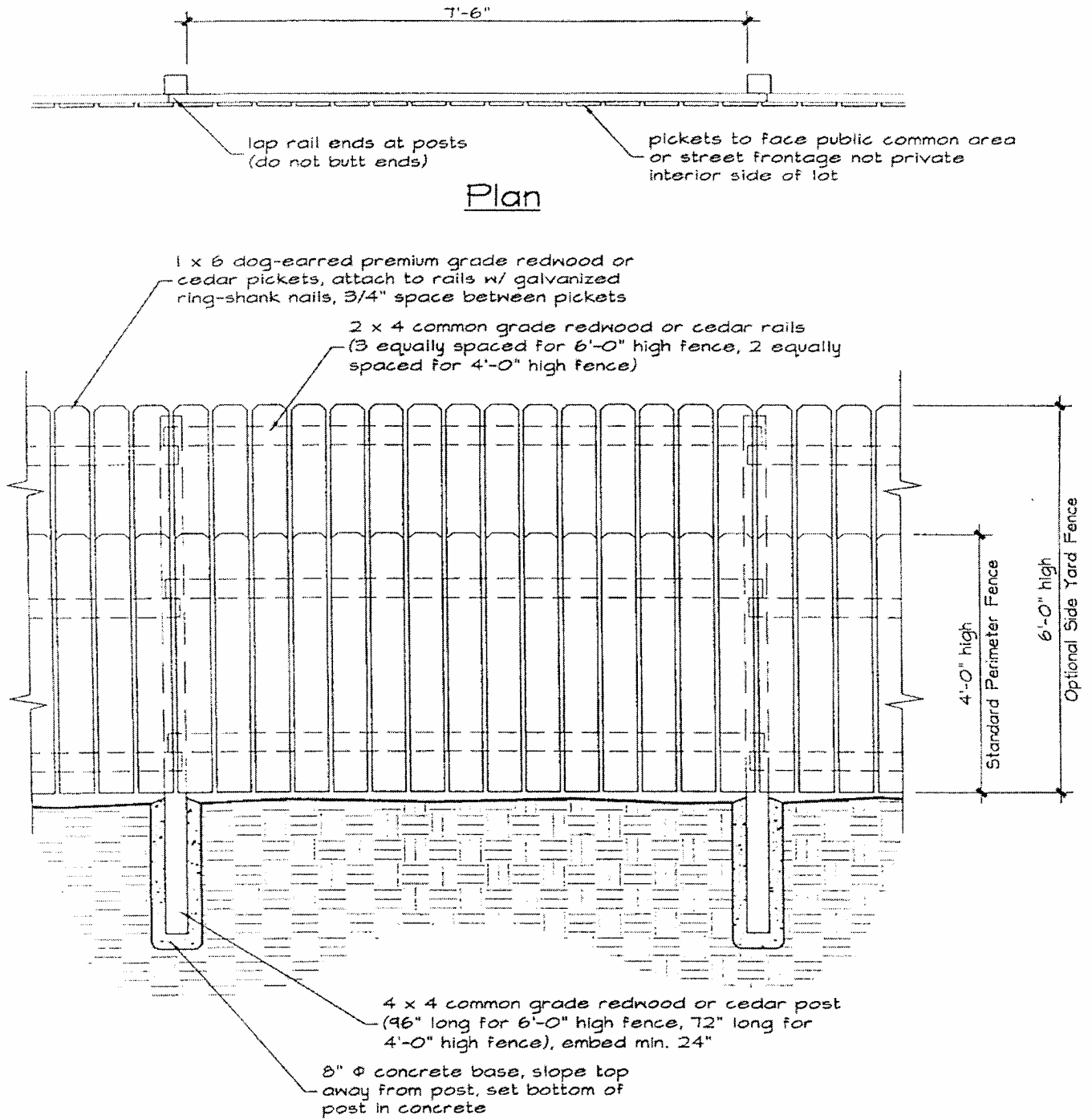
<u>Lot/Block</u>	<u>Front Setback</u>	<u>Right Side Setback</u>	<u>Right-Rear Setback</u>	<u>Left-Side Setback</u>	<u>Left-Rear Setback</u>	<u>Rear Setback</u>
01/01	30'	15'	n/a	15'	n/a	40'
02/01	30'	15'	n/a	15'	n/a	40'
03/01	30'	15'	n/a	15'	n/a	50'
04/01	30'	15'	n/a	15'	n/a	50'
05/01	30'	15'	70'	15'	50'	n/a
06/01	30'	15'	30'	15'	70'	n/a
01/02	30'	30'	n/a	15'	n/a	30'
02/02	30'	15'	n/a	30'	n/a	40'
03/02	30'	15'	30'	15'	40'	n/a
01/03	30'	15'	40'	15'	30'	n/a
02/03	30'	15'	n/a	15'	n/a	40'
03/03	30'	30'	n/a	15'	n/a	40'
04/03	30'	15'	n/a	30'	n/a	40'
05/03	30'	15'	n/a	15'	n/a	40'
06/03	30'	15'	30'	15'	40'	n/a
01/04	30'	15'	40'	15'	30'	30'
02/04	30'	15'	n/a	15'	n/a	40'
03/04	30'	30'	n/a	15'	n/a	40'
04/04	30'	15'	n/a	30'	n/a	50'
05/04	30'	50'	n/a	15'	n/a	30'
01/05	30'	15'	50'	30'	30'	n/a
02/05	30'	15'	n/a	15'	n/a	50'
03/05	30'	15'	n/a	15'	n/a	50'
04/05	30'	15'	50'	15'	50'	n/a
05/05	30'	15'	n/a	15'	n/a	40'
06/05	30'	15'	n/a	15'	n/a	40'
07/05	30'	15'	n/a	15'	n/a	60'
08/05	30'	50'	n/a	15'	n/a	40'

APPENDIX A-2 cont.  
 BATTLEMENT CREEK VILLAGE, SECTION TWO  
 BUILDING LINE SETBACKS

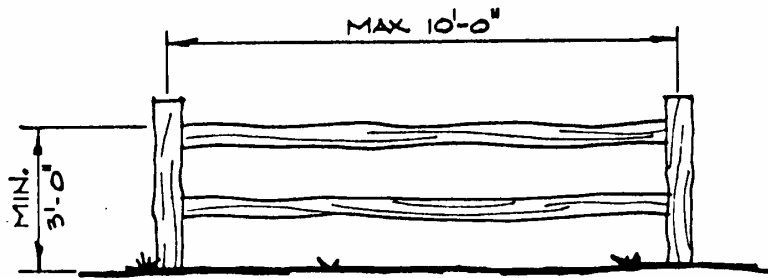
<u>Lot/Block</u>	<u>Front Setback</u>	<u>Right-Side Setback</u>	<u>Right-Rear Setback</u>	<u>Left-Side Setback</u>	<u>Left-Rear Setback</u>	<u>Rear Setback</u>
01/06	30'	15'	n/a	40'	30'	30'
02/06	30'	15'	n/a	15'	n/a	30'
03/06	30'	15'	n/a	15'	n/a	30'
04/06	30'	20'	n/a	15'	n/a	30'
01/07	30'	n/a	20'	n/a	20'	n/a
02/07	30'	20'	n/a	15'	n/a	40'
03/07	30'	15'	n/a	15'	n/a	60'
04/07	30'	10'	n/a	10'	n/a	60'
05/07	30'	10'	n/a	10'	n/a	60'
06/07	30'	10'	n/a	10'	n/a	60'
07/07	30'	10'	n/a	10'	n/a	60'
08/07	30'	15'	n/a	15'	n/a	60'
09/07	30'	15'	n/a	30'	n/a	60'
10/07	30'	15'	n/a	15'	n/a	50'
11/07	30'	15'	n/a	15'	n/a	60'
12/07	30'	15'	n/a	15'	n/a	60'
13/07	30'	15'	n/a	15'	n/a	60'
14/07	30'	15'	n/a	15'	n/a	60'
15/07	30'	15'	n/a	15'	n/a	50'
01/08	30'	15'	n/a	30'	n/a	50'
02/08	30'	15'	n/a	15'	n/a	70'
03/08	30'	15'	n/a	30'	n/a	50'
04/08	30'	15'	n/a	15'	n/a	50'
05/08	30'	15'	40'	15'	40'	n/a
06/08	30'	50'	n/a	15'	n/a	40'

All building Line Setback dimensions are measured from the respective Property Line. ***It is essential for you to strictly adhere to these Lot-specific Building Line Setbacks listed within this Appendix A-2 of these recorded Architectural Standards as they are more restrictive than those depicted on the original Final Plat.***

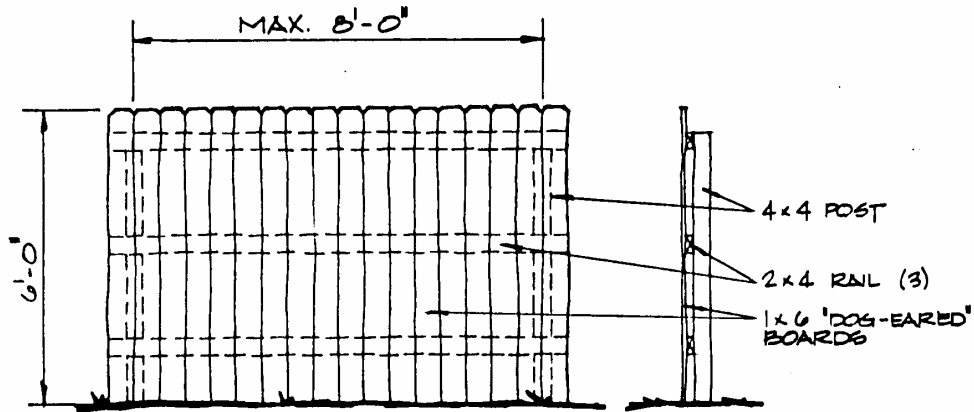
APPENDIX 2



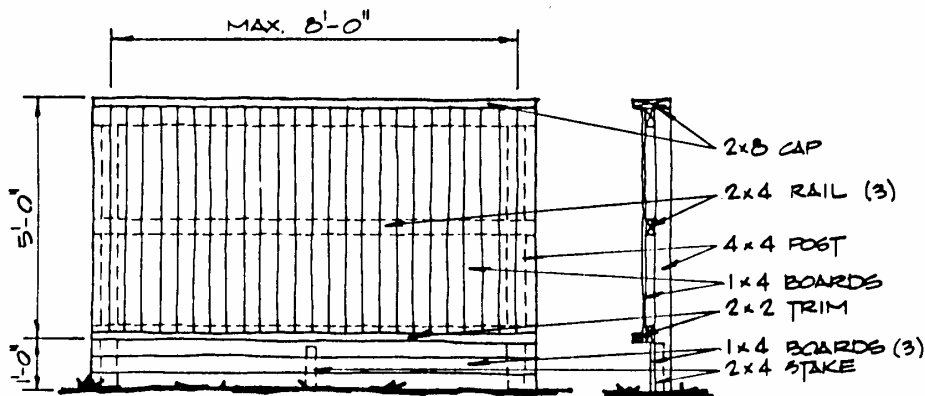
Elevation  
**Fencing Standard**



**SPLIT-RAIL**



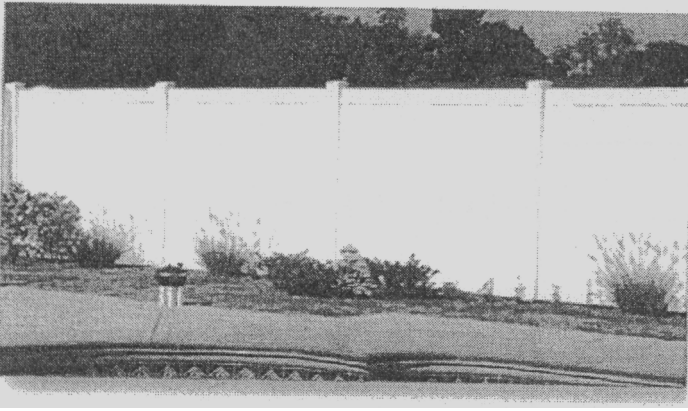
**COMMON**



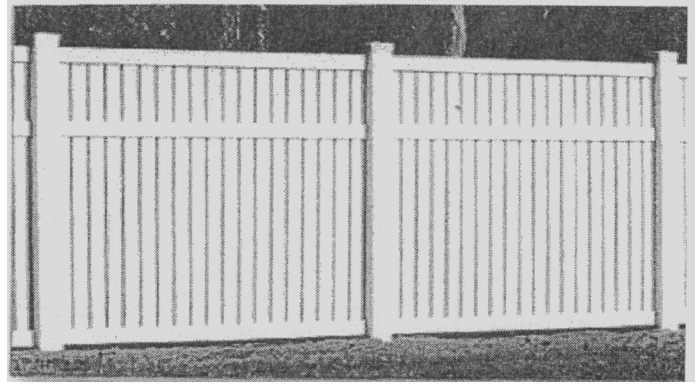
**STREET SIDE**

# FENCES

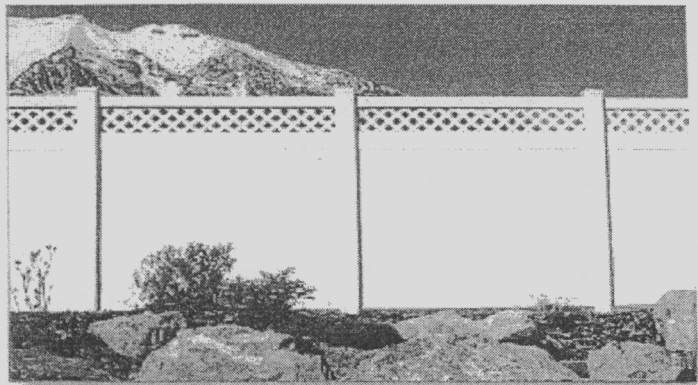
## TYPICAL PANEL FENCE SECTIONS



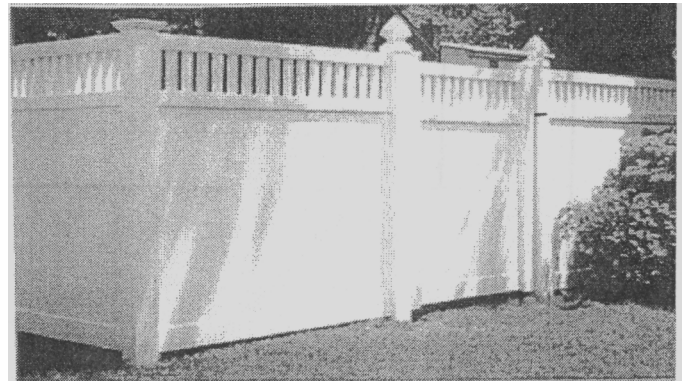
**Solid Tongue & Groove**



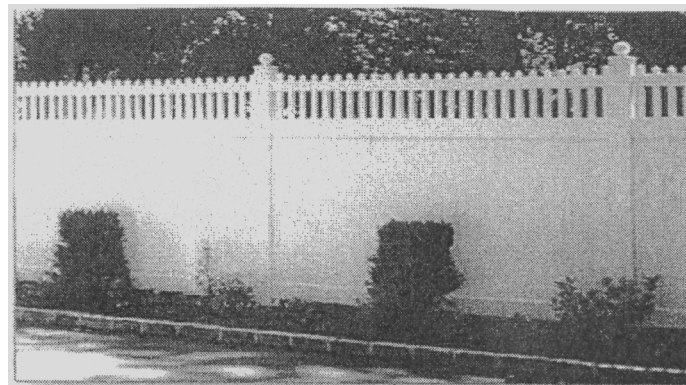
**Standard Semi-Privacy**



**Solid Tongue & Groove with Lattice Top**



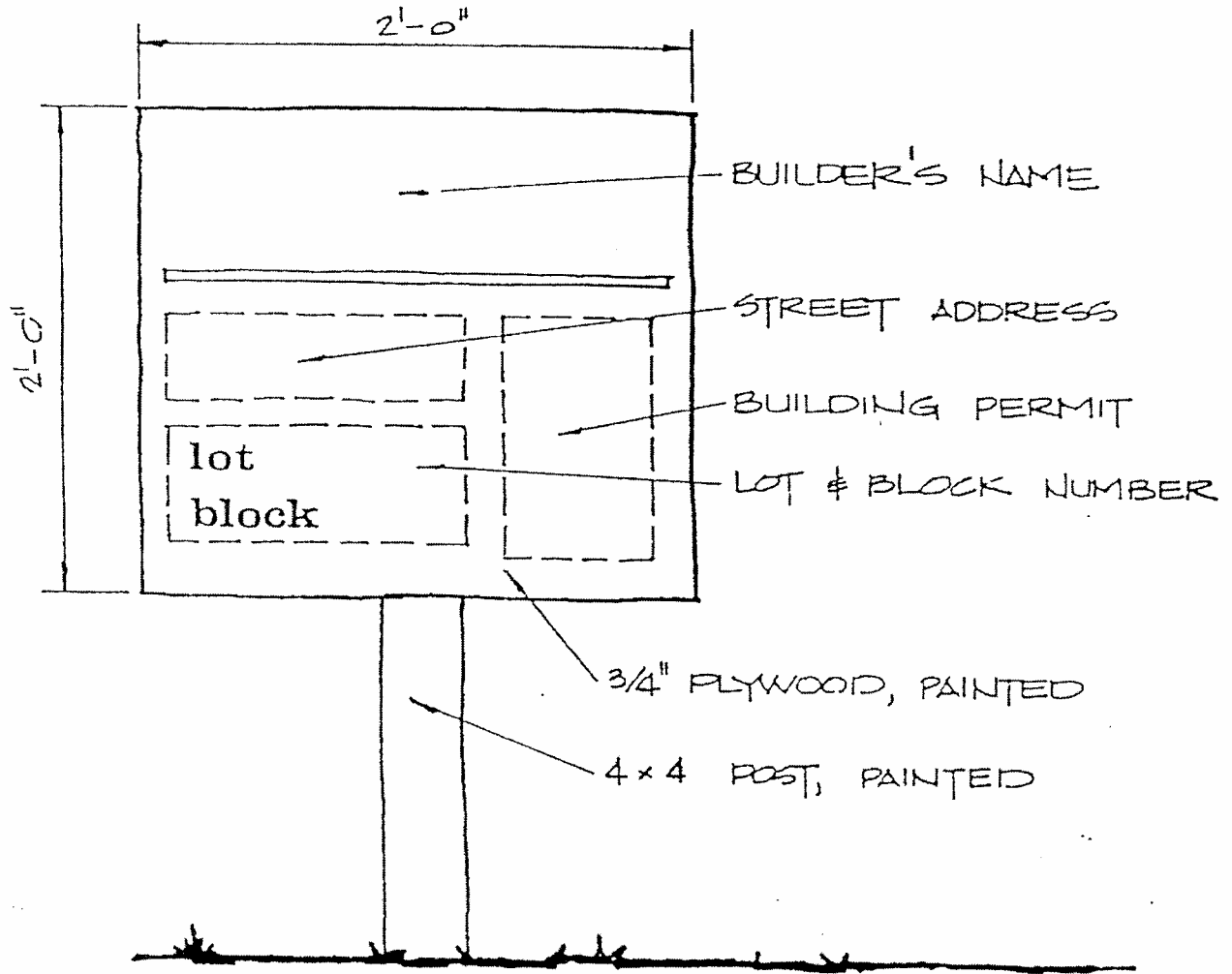
**Solid Tongue & Groove with Closed Spindle Top**



**Solid Tongue & Groove with Open Spindle Top**

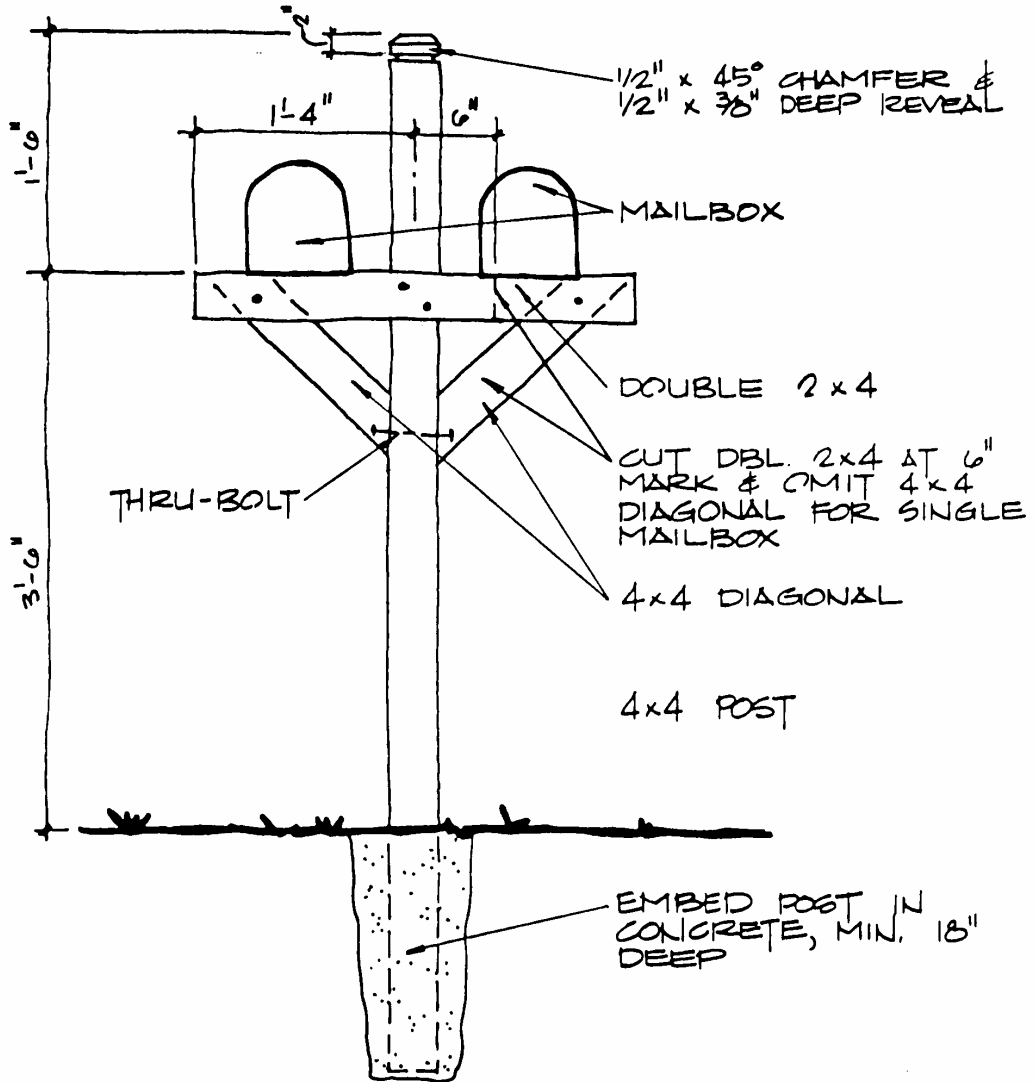


APPENDIX 5



# SIGN

APPENDIX 6



# MAILBOXES

APPENDIX 7

**Battlement Mesa Architectural Review Committee**

PO Box 6006  
Colorado 81635

**BATTLEMENT MESA CONSTRUCTION  
PROCEDURES AND GENERAL INFORMATION**

All owners, contractors and subcontractors must strictly abide by and adhere to the Master Declaration of Covenants, Conditions and Restrictions for Battlement Mesa and the Construction Regulations contained in the Battlement Mesa Architectural Standards.

**ARC INSPECTIONS & REQUIREMENTS**

Construction Procedure Meeting – Prior to commencing construction, contractors are required to meet with the Battlement Mesa Architectural Committee, to review construction procedures.

Listed below are the ARC Review Procedures that take place after you receive final approval from the Architectural Review Committee.

1. **Staking** – The applicant shall provide preliminary staking at the lot corners and corners of the structure or other major improvement and at other locations requested by the ARC. A sign shall be posted to identify the site as described in the Residential Architectural review Standards section 6.00 page 30.
2. **Excavation** – Before footings are poured, locations and elevations of foundation shall be reviewed to confirm building envelope setbacks, proximity of easements and location of the structure on the lot. Instead of this inspection, the General Contractor may provide a Foundation Certificate.
3. **Dry-In Inspection** – The owner/builder must notify ARC to schedule a dry-in inspection once all doors, windows, general framing and ideally exterior materials are in place in order for the ARC to review the progress to date and conformity with submitted and approved plans.
4. **Certificate of Occupancy** – The owner/builder shall provide the ARC with a copy of Certificate of Occupancy prior to the return of deposits.
5. **Final Compliance Inspection** – Owner/Builder must notify ARC to schedule a final walk-around of the exterior. ARC will provide notice of satisfactory completion or noncompliance based upon approved plans. The owner/builder must notify ARC to schedule a landscape inspection once all required landscaping is in place in order for the ARC to review satisfactory completion and conformity with submitted and approved plans. Any noncompliance must be satisfied before the return of the Builder's Completion Fee.

APPENDIX 8

**BATTLEMENT MESA SERVICE ASSOCIATION  
ARCHITECTURAL COMMITTEE APPLICATION SUBMITTAL FORM  
(For New Home Construction)**

INSTRUCTIONS:

This Application & Checklist is to be used for all project submittals to the Battlement Mesa Service Association Architectural Committee (BMSA/AC). This form is intended to assist in ensuring that the applications submittal is complete. This will help provide a quicker, more thorough review process.

It is recommended that each Applicant thoroughly review the requirements of the current **Architectural Standards**, the **Amended and Restated Declaration of Covenants (including Resolutions)** and the recorded **Final Plat** for their respective neighborhood prior to preparing a submittal.

Applicants preparing a submittal should compare the information they are about to submit with the requirements of this form and “check off” each required item on the form. If any item is not checked, the Application submittal is not complete and should not be submitted. Incomplete Applications will not be processed and will be returned to the Applicant.

In addition to the checklist, Applicants should fill in all of the places on the Application Form where information is requested. The Architectural Committee will use this information in evaluating your Application. If information is requested but is not applicable to your specific project submittal, write “N/A” in the space provided. If some required information is yet to be determined (such as exterior paint colors you may not have yet selected) write “TBD” in the appropriated space provided. You will then be required to make a follow-up submittal with these selections at a later date but before installation in the home.

DO NOT fill in any information in the “Conditions for Approval” section of this form. This portion of the form is for Architectural Committee use only.

When an Application is complete, please mail or deliver it to the following address:

Battlement Mesa Service Association  
Architectural Committee Application  
109 Tamarisk Trail  
P.O. Box 6006  
Battlement Mesa, Colorado 81636

**The Architectural Committee meets twice monthly on the 1<sup>st</sup> and 3<sup>rd</sup> Wednesday and Applications are due one week prior to the Scheduled Meeting Dates for prior review by Committee members.** Please contact Steve Rippy at (970) 285-9432 to confirm the next scheduled meeting date or to request further information.

We thank you in advance for your cooperation and in complying with the Architectural Standards of the Battlement Mesa Service Association.

Revised 06-06/07

**BATTLEMENT MESA**

**ARCHITECTURAL REVIEW COMMITTEE**

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PO Box 6006

Phone: (970) 285-9432

Battlement Mesa, Colorado 81635

**ARCHITECTURAL REVIEW COMMITTEE (ARC)**

**NEW HOME CONSTRUCTION APPLICATION**

Date: \_\_\_\_\_ Village: \_\_\_\_\_

Lot #: \_\_\_\_\_ Street Address: \_\_\_\_\_

Block # \_\_\_\_\_

**Owner:** Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax Number: \_\_\_\_\_

Cell Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

**General**

**Contractor:** Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax Number: \_\_\_\_\_

Cell Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

**Architect**

**Or Draftsman:** Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax Number: \_\_\_\_\_

Cell Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

**Section I.** As the Architectural Standards are modified periodically and these modifications may not be listed on this Application, it is the responsibility of the owner or his authorized agent(s) to ensure that the design and construction of a project conform to the requirements of the Architectural Standards. The intent of this Application is to provide a guide for an owner or the architect to ensure a complete submittal. However, this application shall be signed, dated and submitted with the plans package in order for the preliminary submittal to be deemed complete by the Architectural Review Committee. Failure to do so may delay review of the proposal. The Architectural Standards are comprehensive in scope for designing homes within Battlement Mesa. Please review the Architectural Standards carefully prior to presenting a submittal to the Architectural Review Committee.

**Excavation at site may not commence until the ARC has approved construction and foundation plans.**

The Preliminary Plan submittal package shall consist of the following. Please complete any additional information that is required in the spaces provided below.

- A. Site plan at an appropriate scale (not less than 1/20"=1') showing the location of buildings, building envelope, building setback dimensions, the residence and all buildings or other structures, driveway, parking areas and a grading plan and drainage plan, including existing and proposed topography and preliminary landscape plan. Preliminary landscape plan may be combined on Site plan.
- B. Roof plan and floor plan at no less than 1/8"=1'.
- C. Exterior elevations (all) with both existing and final grade lines at same scale as floor plans. At ARC's discretion, additional materials may be required.

**Note: A, B, C above shall consist of two (2) complete full size sets, and four (4) reduced size 8½" by 11" sets. An electronic file in PDF format may also be sent to the Architectural Review Committee of the site plan indicating the location of all proposed improvements, landscape plan and all exterior elevations.**

- D. Statement of building height: Maximum Height Limit \_\_\_\_\_ Actual Building Height \_\_\_\_\_  
Building height shall be clearly indicated on the architectural plans and be tied to undisturbed site grade. Actual reference grade on site must be shown along with the height calculation.
- E. Indication of materials and colors.

Roof \_\_\_\_\_ Siding \_\_\_\_\_

Stone \_\_\_\_\_ Stucco \_\_\_\_\_

Cladding \_\_\_\_\_ Fascia \_\_\_\_\_

Soffit \_\_\_\_\_ Other \_\_\_\_\_

**Note color sample needs to be at least 5" x 6". Stucco color should be on stucco sample with texture.**

- F. A site plan that clearly indicates undisturbed site grade contours (2 foot intervals) and proposed finished grade contours. Undisturbed site grade contours and a reference benchmark tied to absolute elevations shall be established. The site plans shall clearly indicate proposed drainage paths and collection points for the completed site.
- G. Any drawings, materials or samples requested by the ARC.
- H. Staking: The applicant shall provide preliminary staking at the corners of the residence or other major improvement and at such other locations as requested by the ARC.
- I. Landscape plans shall include the identical final grade contours as the site plan along with elevations and locations of all berms.
- J. An ARC Fee, in the amount of \$300, is payable to the Battlement Mesa Service Association. This fee will cover the ARC Meeting time and on-site inspections. This fee assumes up to three (3) hours of meeting time. Additional fees may be required for extended meeting times.
- K. Builder's Completion Deposit is payable to the Battlement Mesa Service Association. The minimum amount of this deposit is \$3500. Structures with floor area as in Architectural Standards encompassing more than 1200 square feet of total enclosed space of Site Built Homes will be assessed at a rate of \$3500 plus \$1 per square foot for each square foot over 1200. This deposit will be held by the Association to guarantee that work will be completed according to the terms of the Battlement Mesa Architectural Standards and will help remedy any violations of said Standards. This deposit, less any penalties, will be returned to the Owner/Builder after the ARC receives a Certificate of Occupancy and after confirming that all improvements conform to the approved plans.

**All necessary materials for the Preliminary Review must be submitted to the ARC six days prior to your scheduled meeting. To expedite the design review process, be sure that your Preliminary Submittal is complete according to the Architectural Standards. Incomplete submittals will cause delays in receiving approval. Please submit 2 copies of this application form with the Preliminary Review Packet.**

**Section II.** The following questions must be answered in order for the ARC to deem this application complete:

Construction Methods:

1. Do you intend to use prefabricated wall systems?  
Yes No

2. Do you intend to use prefabricated components as stated in Section 4.06 & 4.07 of the Standards, other than roof trusses, cabinetry, foundation panels, metal fireplace inserts, exterior or interior handrails, or prefabricated stairs?  
Yes No

*Note: This section must be signed in order for the application to be complete*

Section III. I hereby certify that the building plans, site plan and landscape plans, as well as the information in this Preliminary Review Application, are all accurate and have been submitted to the Architectural Review Committee pursuant to the requirements of the **Architectural Standards**. As the owner or owner's agent, I agree that the ARC and the inspector shall not be held liable or responsible in any manner for any action or for any failure to act in the exercise of their responsibilities under the Battlement Mesa Service Association Covenant, Conditions and Restrictions for Battlement Mesa if the action or failure to act was in good faith and without malice.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Owner/Owner Agent(s)

\_\_\_\_\_  
Date



**Section IV.** Review the following checklist to assist you in preparing your plans for the ARC’s preliminary review.

**BUILDING PLAN**

- All Exterior Elevations – Include exterior material indication (Section I, E).
- Roof Pitch – Primary and secondary.
- Gutter/Downspouts
- Neighbor Impacts – Exterior residence and landscape light, garage entry, refuse storage, pool decks air conditioning units, satellite dishes, irrigation pump and intake structure, etc.
- Construction Staging Issues, parking, access, etc.
- Scale & Relationship to Site – Include site contour.

**SITE PLAN**

- Property Boundaries & Building Envelope
- Easements & Setbacks – All easements and setbacks must be defined on the Site Plan
- Building, Driveway, Parking Areas & Walk Locations – Specify all proposed surface materials
- Existing & Finished Grading showing contours at ten foot (10’) intervals
- Excavation Limits
- Utility Service Line Routing, Tap Locations, Transformers, Fire Hydrants, etc.
- Topographic Survey
- Soil Investigation & Foundation Recommendation
- Storm Water/Runoff Control Methods & Locations
- All Other Site Improvements – Retaining walls, decks, etc.
- Parking Space Locations

**LANDSCAPE PLAN**

- Protection for Existing Trees & Vegetation
- General Massing of Proposed Evergreen & Deciduous Trees
- General Areas of Proposed Ground Cover
- Landscape Plan Submittal to Include Irrigation, Grading and Drainage Plans

**CALCULATE FEES DUE**

<b>ARC Fee</b>	\$ 300
<b>Builder’s Completion Deposit</b>	
Minimum	\$ 3500
Plus \$1.00 per square foot enclosed space over 1200 feet	\$ _____
<b>Total Due</b>	<b>\$ _____</b>

**This portion of the Application Form is to be completed by the  
Architectural Committee (not the Applicant)**

**CONTITIONS OF APPROVAL or DISAPPROVAL**

1. No sitework or building construction may proceed on any Lot (including no preliminary site clearing, grubbing, grade alteration, storing of material, foundation excavation, extension of underground utilities, etc.) until the Project has received a Project approval from the Architectural Committee and has been issued a building permit (as required by Garfield county for new home or Renovation projects).
  
2. All general building, site improvements, landscaping and revegation to specifically include the front, side and rear yard areas for any Project shall be completed and shall have passed a Final Compliance Inspection no later than eighteen (18) months after Project approval by the Architectural Committee. It is the responsibility of the owner or builder to furnish the Architectural Committee a copy of the Certificate of Occupancy within one (1) week of issuance of the Certificate of Occupancy.
  
3. If the selections of colors and/or landscaping plans are not included with this application they must be submitted for approval before any action is taken to install the missing items.
  
4. \_\_\_\_\_  
\_\_\_\_\_
  
5. \_\_\_\_\_  
\_\_\_\_\_
  
6. \_\_\_\_\_  
\_\_\_\_\_

**Application Approval** (Initials of Architectural Committee Members):

By: \_\_\_\_\_

**Application Approved for Construction subject to the above conditions:**

By Chairman: \_\_\_\_\_ Date: \_\_\_\_\_

**Application Denied** (Initials of Architectural Committee Members):

By: \_\_\_\_\_

**Application Denied for reason(s) stated above:**

By Chairman: \_\_\_\_\_ Date: \_\_\_\_\_

APPENDIX 9

**BATTLEMENT MESA SERVICE ASSOCIATION  
ARCHITECTURAL COMMITTEE APPLICATION SUBMITTAL FORM  
(Short Form for Repainting, Landscaping or other Minor Projects Only)**

INSTRUCTIONS:

This Application & Checklist is to be used for all project submittals to the Battlement Mesa Service Association Architectural Committee (BMSA/AC). This form is intended to assist in ensuring that the applications submittal is complete. This will help provide a quicker, more thorough review process.

It is recommended that each Applicant thoroughly review the requirements of the current **Architectural Standards**, the **Amended and Restated Declaration of Covenants (including Resolutions)** and the recorded **Final Plat** for their respective neighborhood prior to preparing a submittal.

Applicants preparing a submittal should compare the information they are about to submit with the requirements of this form and “check off” each required item on the form. If any item is not checked, the Application submittal is not complete and should not be submitted. Incomplete Applications will not be processed and will be returned to the Applicant.

In addition to the checklist, Applicants should fill in all of the places on the Application Form where information is requested. The Architectural Committee will use this information in evaluating your Application. If information is requested but is not applicable to your specific project submittal, write “N/A” in the space provided. If some required information is yet to be determined (such as exterior paint colors you may not have yet selected) write “TBD” in the appropriated space provided. You will then be required to make a follow-up submittal with these selections at a later date but before installation in the home.

DO NOT fill in any information in the “Conditions for Approval” section of this form. This portion of the form is for Architectural Committee use only.

When an Application is complete, please mail or deliver it to the following address:

Battlement Mesa Service Association  
Architectural Committee Application  
109 Tamarisk Trail  
P.O. Box 6006  
Battlement Mesa, Colorado 81636

**The Architectural Committee meets twice monthly on the 1<sup>st</sup> and 3<sup>rd</sup> Wednesday and Applications are due one week prior to the Scheduled Meeting Dates for prior review by Committee members.** Please contact Steve Rippy at (970) 285-9432 to confirm the next scheduled meeting date or to request further information.

We thank you in advance for your cooperation and in complying with the Architectural Standards of the Battlement Mesa Service Association.

**BATTLEMENT MESA SERVICE ASSOCIATION  
ARCHITECTURAL COMMITTEE APPLICATION & CHECKLIST  
(Short Form for Repainting, Landscaping or other Minor Projects Only)**

Homeowner: \_\_\_\_\_  
 Home Mailing Address: \_\_\_\_\_  
 Home Phone: \_\_\_\_\_ Work Phone (if desired): \_\_\_\_\_  
 Project Address: \_\_\_\_\_ Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Subdivision: \_\_\_\_\_  
 Submittal Date: \_\_\_\_\_ Estimated Start Date: \_\_\_\_\_ Estimated Completion Date: \_\_\_\_\_

PLEASE PROVIDE A DESCRIPTION OF THE PROPOSED PROJECT WORK ITEMS THAT ARE INCLUDED IN THIS SUBMITTAL APPLICATION:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

SUBMITTAL REQUIREMENTS: Two copies each of item 1,2 & 4 need to be submitted.  
 (Check off items attached to the Application and fill in the spaces as indicated.)

\_\_\_ 1. Site Plan Drawing (1" = 10' or 1" = 20' scale) with the following information shown:

- \_\_\_ Lot, Block and Subdivision Name
- \_\_\_ Street Address of the Project
- \_\_\_ Building setback Lines (also fill in the shortest distance between property line to the exterior wall closest to that property line):

	<u>Dwelling Unit</u>	<u>Garage</u>
Front Setback:	_____ feet	_____ feet
Left Side Setback:	_____ feet	_____ feet
Right Side Setback:	_____ feet	_____ feet

- \_\_\_ Utility Easements
- \_\_\_ 55' Clear Site-Line at Intersection of Corner Lots
- \_\_\_ Placement Location for Outbuildings, Patios, Patio Cover, Decks, etc.

\_\_\_ 2. Architectural Drawings (1/4" = 1' or 1/8" = 1' scale) with the following information shown:

- \_\_\_ Outbuildings indicating dimensions, elevations and overall height to ridge line
- \_\_\_ Patio and Deck Cover construction details and dimensions

\_\_\_ 3. Exterior Materials (fill in the selections below):

- \_\_\_ Roofing Material: \_\_\_\_\_ Color: \_\_\_\_\_
- \_\_\_ Primary Siding Material: \_\_\_\_\_ Color: \_\_\_\_\_

\_\_\_\_\_ Accent Siding Material: \_\_\_\_\_ Color: \_\_\_\_\_  
 \_\_\_\_\_ Trim Material: \_\_\_\_\_ Color: \_\_\_\_\_  
 \_\_\_\_\_ Masonry Material: \_\_\_\_\_ Color: \_\_\_\_\_  
 \_\_\_\_\_ Stucco Material: \_\_\_\_\_ Color: \_\_\_\_\_  
 \_\_\_\_\_ Front Door Material: \_\_\_\_\_ Color: \_\_\_\_\_  
 \_\_\_\_\_ Garage Door Material: \_\_\_\_\_ Color: \_\_\_\_\_

COLOR SAMPLE

COLOR SAMPLE

COLOR SAMPLE

COLOR SAMPLE

COLOR SAMPLE

COLOR SAMPLE

\_\_\_\_\_ 4. Landscape/Irrigation Plans with the following information:

- \_\_\_\_\_ Planting Plan (indicate areas of irrigated lawn, tree placement, shrub beds, groundcover, etc.)
- \_\_\_\_\_ Plant Material Listing by species of trees, shrubs and grasses
- \_\_\_\_\_ Groundcover Materials including weed control barrier

\_\_\_\_\_ 5. Fences with the following information:

- \_\_\_\_\_ Location
- \_\_\_\_\_ Height
- \_\_\_\_\_ Materials of Construction and Style

\_\_\_\_\_ 6. Other Improvements (decks, patios, site lighting, flag poles, etc.)

\_\_\_\_\_ 7. Variance Request (if Applicable). Give details below.

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I/We hereby acknowledge that Home Remodel or Improvement Projects or Landscape Construction features which are built in non-conformance with this full application, including the Condition of Approval noted on Page 5 of 5 herein, I/We will be cited by the BMSA/AC in written citation form at the time of discovery. In extenuating circumstances Variance may be requested from the BMSA/AC, provided such Variance request item is within the purview and approval jurisdiction of the BMSA/AC. If a Variance is not granted by the BMSA/AC and if the Non-Conforming Item(s) are not corrected within 60 days after the date of written citation, I/We will be served a Notice of a Hearing before the BATTLEMENT MESA SERVICE ASSOCIATION Board of Directors, and if I/We are found in violation of these Non-Conforming Items at the Hearing I/We will be fined a minimum of \$500.00 per Non-Conforming Item. Notwithstanding the foregoing, I/We acknowledge that the BATTLEMENT MESA SERVICE ASSOCIATION Board of Directors and/or Architectural Committee may pursue any legal remedy available in the even of a non-compliance.

Failure to pay fines levied as determined at the Hearing may also result in a Lien being placed on my/our property or a litigation process initiated by the BATTLEMENT MESA SERVICE ASSOCIATION Board of Directors to secure conformance with this full Application and its respective Conditions of Approval.

I/We understand that Architectural Committee approval does not constitute approval of the local building department, drainage design or structural soundness, nor does it constitute assurance that the plans comply with all applicable codes, regulations, ordinances and laws.

I/We further acknowledge that any subsequent field changes which I/We may desire for my/our Home Construction or Improvement Projects or Landscaping Projects of this original Application Submittal and the original Conditions of Approval issued by the BMSA/AC will require an additional Revised Application Submittal on my/our behalf, and that I/We will not proceed with any subsequent field changes until a Revised Conditions of Approval have been issued to me/us by the BMSA/AC.

Applicants Signature: \_\_\_\_\_  
\_\_\_\_\_

Applicants Printed Name: \_\_\_\_\_  
\_\_\_\_\_

Date of Application: \_\_\_\_\_

**This portion of the Application Form is to be completed by the  
Architectural Committee (not the Applicant)**

**CONDITIONS OF APPROVAL or DISAPPROVAL**

- 7. No sitework or building construction may proceed on any Lot (including no preliminary site clearing, grubbing, grade alteration, storing of material, foundation excavation, extension of underground utilities, etc.) until the Project has received a Project approval from the Architectural Committee and has been issued a building permit (as required by Garfield county for new home or Renovation projects).
  
- 8. All general building, site improvements, landscaping and revegetation to specifically include the front, side and rear yard areas for any Project shall be completed and shall have passed a Final Compliance Inspection no later than eighteen (18) months after Project approval by the Architectural Committee. It is the responsibility of the owner or builder to furnish the Architectural Committee a copy of the Certificate of Occupancy within one (1) week of issuance of the Certificate of Occupancy.
  
- 9. If the selections of colors and/or landscaping plans are not included with this application they must be submitted for approval before any action is taken to install the missing items.

10. \_\_\_\_\_  
\_\_\_\_\_

11. \_\_\_\_\_  
\_\_\_\_\_

12. \_\_\_\_\_  
\_\_\_\_\_

**Application Approval** (Initials of Architectural Committee Members):

By: \_\_\_\_\_

**Application Approved for Construction subject to the above conditions:**

By Chairman: \_\_\_\_\_ Date: \_\_\_\_\_

**Application Denied** (Initials of Architectural Committee Members):

By: \_\_\_\_\_

**Application Denied for reason(s) stated above:**

By Chairman: \_\_\_\_\_ Date: \_\_\_\_\_

## APPENDIX 10

### CONTRACTOR REQUIREMENTS

1. Prior to constructions, a site plan must be submitted to and approved by the ARC and follow Architectural Standard 2.01. This plan shall include a detailed construction plan which addresses the following:
  - a) Management practices to protect existing vegetation, implement revegetation and erosion control. Erosion control measures shall be installed as necessary to control erosion or run-off on subdivision access roads, golf course parcels, common areas or adjacent lots. All erosion or sediment caused by construction activity shall be cleaned immediately and/or removed from adjoining areas. *Note Architectural Standard 3.04.*
  - b) Limits of excavation and designated areas for stockpiling material.
  - c) Location of temporary access drives and parking area.
  - d) Location of temporary structures, chemical toilets, dumpster, material lay down and staging areas and construction signage Subdivision access roads, golf course parcels or adjacent lots shall at no time be used for material lay down or staging areas.
  - e) Location of cleaning stations for equipment, etc. and cleaning procedures to be followed.
  - f) Approximate time schedule for construction from permitting, mobilization, utility hook-ups, landscaping and anticipated occupancy.
2. Property owner permission shall be obtained in writing prior to the use of any adjacent property for access. Thos properties must be revegetated and irrigated to ensure that new growth is established prior to the release of the builder's completion deposit.
3. It is the responsibility of the contractors and builders to keep the streets in a clean condition when there is dirt and mud on the streets resulting from run-off or vehicles leaving their site. To ensure home builders and contractors maintain clean streets near their sites; the Association may contract with a street sweeping service. If contractors or builders have not properly maintained the street, the Association will sweep the affected area and charge the contractor or builder for their portion of the cost of the service. The charge will be deducted from the Builder's Bond Completion Deposit with notice to both the general contractor and the property owner.
4. All supplies shall be kept stacked.
5. No alcoholic beverages or illegal drugs will be permitted on job sites.



6. No unrestricted dogs shall be allowed on the construction site at any time. Covenant Rules shall be followed.
7. No concrete suppliers or contractors shall clean their equipment other than at locations contained wholly within the lot boundaries of the site.
8. All builders are required to use dumpsters for collecting scraps or trash materials. Dumpsters must be emptied when the debris accumulates to a visible height above the sides.
9. If building site conditions preclude the use of dumpsters, ARC may approve alternate measures for debris control.
10. If dumpster is not required, containers for debris and light building scrap should be provided and usage enforced.
11. On-site building materials should be limited to those required for remaining construction at that site. As examples:
  - a) Concrete forms, rebar, etc. should not be maintained on-site after completion of the foundation.
  - b) Surplus stone, sand and mortar mix should not be retained on-site after completion of the masonry work.
  - c) At no time should a building site be used as storage site for vehicles or equipment not being used for current construction activities.
12. General contractor may, during initial construction, place a sign. Only one sign may be installed on site. The ARC and these Guidelines shall not allow any sign that is not in compliance with Section 4.19 of the Architectural Standards. No such sign shall be erected prior to the Preliminary Review meeting with the ARC. All such signs are to be removed no later than thirty (30) days after the ARC's final on-site review.
13. Non compliance of these procedures may cause a forfeiture of your Builders Completion deposit.