

# Sawyer Ridge Filing No. 1

## Design Review Guidelines Procedures and Regulations

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**Preface**

Sawyer Ridge, LLC is the entity designated by the Declaration of Conditions, Covenants, Restrictions and Easements for Sawyer Ridge Filing No. 1 (referred herein as the "Covenants"), which has the authority to enforce and implement the Covenants. The author of the Covenants, recognizing the impracticability of addressing all issues that might arise concerning the use and enjoyment of the land within Sawyer Ridge Filing No. 1, and recognizing the desirability of being able to address problems on an as-needed basis has adopted these Design Review Guidelines consistent with the Covenants for the purpose of enhancing and protecting the value, desirability and attractiveness of Sawyer Ridge Filing No. 1. Sawyer Ridge, LLC has adopted the following Design Review Guidelines for use within the entire development. The Design Review Guidelines are declared by the Covenants to have the same force and effect as if originally contained in the Covenants.

Owners are hereby advised that the Design Review Guidelines do not address every requirement or obligation imposed by the Covenants. Accordingly, knowledge of the Covenants, as well as these Design Guidelines is necessary to understand all the guidelines for construction and maintenance of homes within Sawyer Ridge Filing No. 1.

This document on the date implemented will provide home design and landscaping guidelines, procedures and regulations for review.

These Design Review Guidelines are applicable to all real property subject to the Covenants.

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## **Section 1 – Introduction**

Sawyer Ridge Filing No. 1 is a community where dwellings of varying sizes, styles and designs are to be built in harmony with each other to compliment the surrounding physical environment. There is no mandatory style of architecture at Sawyer Ridge Filing No. 1, but there are restrictions imparted on the styles that will affect the overall building design.

The Sawyer Ridge, LLC Approving Authority (herein called the “Approving Authority”) sets standards for new construction and landscaping as well as additions and changes to existing structures as authorized by the Covenants. The Approving Authority has published this document to further define the design concepts and establish specific requirements to assist the Owner and Architect / Designer in preparing plans that suit the Sawyer Ridge environment. No construction or exterior modification may begin without written approval from the Approving Authority.

The major objective in controlling house design and construction at Sawyer Ridge is to insure quality construction and enhance (maintain) property values. Quality of design and compatibility with adjacent lots are the principal factors affecting the overall design aesthetic of the Sawyer Ridge development; and will be most important in the overall approval process.

These standards apply to all properties and allow flexibility that is essential when dealing with a diverse set of Owners and Builders. These standards are intended to guide and help the Owner, Architect / Designer and Builder in formulating design and construction concepts for the homes. The overall intended outcome is an aesthetic quality that will be inherent to the overall development and the surrounding community.

Because no two lots are exactly alike, the Approving Authority will review each plan in relation to the specific characteristics of that lot and it surrounding “neighbors”, and reserves the right to reject any plan, which, in the opinion of the Approving Authority, does not meet the guidelines and standards for this development. The appearance of the houses from other lots and streets are key considerations.

The purpose of this document is to: 1) set forth the design concepts and design requirements, and; 2) establish specific drawing standards to provide uniformity in drawing submittals. By assembling this data in one document, the Architect / Designer can better prepare the required site, building and landscaping documents and the Builder can subsequently complete the construction in compliance with the governing procedures. The Approving Authority will rule upon conflicts or questions of interpretation of requirements between this and other documents.

The Owner and Architect / Designer should review all of the documents governing home design and construction before starting any design work. Ultimate responsibility for compliance with the governing documents for both the home and the site improvements rest with the Owner.

The Owner and Architect / Designer should understand that the Approving Authority is basically concerned only with the external appearance of the home, the landscaping, drainage and impact on the surrounding areas. House floor plans, internal configuration and interior finishes, etc. are at the discretion of the Owner and Architect / Designer.

This document is divided and organized to allow for easy location of particular areas of interests to the readers.



## **Section 2 – The Approving Authority**

### **2.1 The Approving Authority.**

Sawyer Ridge, LLC (hereinafter referred to as the “Declarant”) shall assign an individual or individuals to act as the Approving Authority; as stipulated in the Covenants.

All meetings required or contemplated by the Approving Authority will be scheduled in a timely fashion and proper notice will be forwarded to all interested parties.

The Approving Authority will normally meet once each month to review submissions with attending parties. Meeting times and dates may be altered without notice provided to Owners or to Architects / Designers who have submitted material for review.



## Section 3 – Site Design Requirements.

### **3.1 General Site Grading and Drainage.**

- 3.1.1 Site grading and drainage will be done with minimum disruption to the lot and shall not drain to adjoining lots, open spaces or across adjacent streets so as to cause a condition that could lead to soil erosion or is detrimental to existing drainage patterns.
- 3.1.2 Contouring to create large “unnatural” flat earth platforms to serve as building or amenity sites is not acceptable. The building and it’s attached amenities should be designed to engage the site with as little disturbance to the site as possible. Land that is disturbed must be re-contoured to “blend” with the original terrain as much as possible.

### **3.2 Re-contours and retainage.**

- 3.2.1 Re-contoured slopes over 2:1 must be retained with architecturally acceptable retaining walls. Individual wall heights are nominally limited to a maximum height of three feet (3’). Retainage requiring heights in excess of three feet (3’) must be properly terraced and designed by a licensed engineer with appropriate drawings and documentation, certified and furnished to the Approving Authority for approval.
- 3.2.2 Retaining walls may be constructed of natural stone, modular concrete landscaping blocks or new (brown) pressure treated timbers. Exposed concrete walls must be textured, colored and faced. All retaining wall material must be compatible with the house and surrounding environment.
- 3.2.3 Adequate slopes away from the house foundation must be maintained to provide proper runoff. As a minimum, the finished grade 10 feet from the house should be one foot (1’) below grade at the house. Re-contouring cannot result in surface runoff to neighboring properties or common areas such as to increase the runoff to these properties or cause soil erosion. All plans must comply with the City of Pueblo requirements.

### **3.3 Setbacks.**

- 3.3.1 Lot owners must confirm the setbacks that apply to a specific lot by consulting applicable recorded documents at the City of Pueblo’s Planning office. Any intrusion of patios, decks and enclosures into building setbacks may be considered by the Approving Authority on an individual basis and must be in compliance with the City of Pueblo requirements.

### **3.4 Driveways.**

- 3.4.1 Driveways shall have a slope consistent with the natural slope of the site and not exceed 10% grade wherever possible. Driveway entry should be as narrow as practical ( i.e. 16 '). Driveways must be paved with concrete from the street all the way to the garage. Only one driveway access per lot is allowed. Exceptions to this rule for unusual circumstances may be considered and approved by the Approving Authority.
- 3.4.2 Driveway construction shall not interfere with established drainage and street grades.

### **3.5 Backboards and Outdoor Accessories.**

- 3.5.1 Installation of all backboards and outdoor accessories (i.e. basketball, tennis, handball, horseshoes, volleyball pits, playhouses, etc.) installed on the house or free-standing improvements shall be screened from view from the neighboring properties and streets, be of a color compatible with the house and have prior approval of the Approving Authority before installation.

### **3.6 Pools and Spas.**

- 3.6.1 Above ground pool structures are not allowed. Pool decking for in-ground pools must be level with the finished grade. All pool equipment shall be screened from view of neighboring property and streets. All pool equipment must be located in such a manner as to not disturb the occupants of adjacent properties. Spas are allowed to be located above ground, on at-grade patios and decks. The spa and any associated equipment must be situated adjacent to the house and be screened and sound buffeted as completely as possible from the view of neighboring properties and streets. The screening may be appropriate non-deciduous vegetation or an enclosure compatible with the house. The location and screening must have prior written approval of the Approving Authority.

### **3.7 House Numbers.**

- 3.7.1 House number signage must be sized so as to allow installation of house numbers whose minimum height is four inches (4") and whose maximum height is six inches (6"). The numbers must be of an appropriate contrasting material and color with the surface upon which they are mounted. The signage must be designed and built using materials that are compatible with the design of the house and have a professional constructed appearance.

### **3.8 Fencing.**





















- 3.8.3 Any fencing placed in the front yard is to be decorative in nature and will be a wood rail type fence with a maximum height of 42 inches above natural grade.
- 3.8.4 Fencing materials composed partially or totally of chain link, barbed wire, vinyl, etc. are not permitted.

3.8.5 All fencing must be approved by the Approving Authority and must be shown on the site plan at the time of all submittals. No fencing shall be erected without approval.

### **3.9 Other Regulatory Agencies' Site Requirements.**

3.9.1 The site design must be in compliance with all Federal, State and local agencies' requirements.





#### **4.1 Lot Type Designation.**

- 4.1.1 Within Sawyer Ridge Filing No. 1, there are two (2) distinctive types of lots; as outlined in the Covenants. Some specific design parameters are herein noted for each type of lot.
- 4.1.2 The lot types are:
  - 4.1.2.1 Lot type 'A' are those lots designated as "bluff" lots. Refer to the Covenants for a list of 'A' lots.
  - 4.1.2.2 Lot type 'B' are all lots not designated as 'A' lots. Refer to the Covenants for a list of 'B' lots.

## **4.2 Size / Square Footage.**

- 4.2.1 Minimum house sizes are as mandated by the Covenants. For lot type 'A'; the minimum footprint is 2,000 square feet. For lot type 'B'; the minimum footprint is 1,500 square feet.
- 4.2.2 All houses are to have a minimum of a two (2) car garage.

## **4.3 Height of Structures.**

- 4.3.1 It is the goal of the Approving Authority to limit the height of the homes on flat and gently sloping lots to a maximum of thirty five' (feet). This height is determined by the distance from the lowest visible house / finished grade line to the top of the ridge at the highest portion of the house. Building heights shall be limited to two (2) stories plus a roof. In no case will continuous vertical building elevations of more than two (2) stories be allowed, that is, building elevations greater than two (2) stories in height must be broken by horizontal setbacks. Designs, which result in excessive vertical massing, will not be approved. The Approving Authority reserves the right to require a lower building height if, in the opinion of the Approving Authority, the proposed structure would be detrimental to the design integrity of the community.
- 4.3.2 In no case is the height of the house to exceed the overall maximum building height dictated by the City of Pueblo.

## **4.4 Color.**

- 4.4.1 The color of exterior materials will be generally subdued to blend with the colors of the natural landscaping, generally, muted earth tones are recommended. Accent colors

and materials, used sparingly and with restraint may be permitted. Whites and large expanses of pastels are not allowed.

- 4.4.2 The color of all projections including, but not limited to, chimney flues, gas meters, vents, gutters, downspouts and utility boxes shall match the color of the adjacent wall surface.

#### **4.5 Materials.**

- 4.5.1 All materials must be of a quality equal to the house design. Exterior surfaces will be of materials with colors and textures that are compatible with the landscape.
- 4.5.2 The use of synthetic stone veneer and stucco finishes is acceptable. Avoid large areas without fenestrations.
- 4.5.3 Wood or textured premanufactured siding materials are not acceptable.
- 4.5.4 Vinyl and metal siding materials are not acceptable.
- 4.5.5 Where restricted materials are desired approval may be asked for of the Approving Authority.

#### **4.6 Roofs.**

- 4.6.1 The maximum pitch of the primary roof section will not exceed 8 / 12 without written approval of the Approving Authority. Approval by the Approving Authority is based upon the visual impact of the roof on the lot and on the neighboring lots, streets and open spaces. Roof forms and slopes should follow the natural slope of the terrain. Roof overhangs are to be 2 feet (2') minimum.
- 4.6.2 All roofing material must meet City of Pueblo requirements for fire resistance and, as a minimum, be fire resistance Class 'A'. Wooden shake shingles are not allowed.
- 4.6.3 All 'A' lot roofs are to be of concrete roofing tiles.
- 4.6.4 All 'B' lot roofs are to be of "dimensional" (architectural grade) composition shingle roofing or better.

#### **4.7 Flat roofs.**

- 4.7.1 Flat roofs are allowed. Roof protrusions should be kept to a minimum and not be visibly obtrusive. Where possible, vent protrusions should be grouped and screened by a single enclosure whose material is compatible with the overall house design. The flat roofing material should be of an “earth tone” color; exposed black or white roofing materials are not allowed. The material and color of the roofing material are subject to the acceptance of the Approving Authority.

#### **4.8 Garage Doors.**

- 4.8.1 Materials and design of the garage doors must be compatible with the overall house design.

#### **4.9 Foundation Walls.**

- 4.9.1 On all foundation walls, the house wall finish materials must follow the grade slope with no more than 6 inches (6”) of foundation wall exposed below the finished wall material.
- 4.9.2 Any exposed concrete foundation wall must be painted to match the color of the wall finish above. Brick and stone materials must extend to finished grade.

#### **4.10 Exterior Mechanical Equipment.**

- 4.10.1 All exterior mechanical equipment such as air conditioning and heat exchanger equipment shall be either incorporated into the overall form of the house or must be permanently enclosed by appropriate material or screened and sound buffered by non-deciduous plantings approved for use in the development.

#### **4.11 Exterior Enclosed Areas.**

- 4.11.1 Exterior enclosures must be designed to be integral with the house and constructed of the same materials or compatible with the exterior finishes of the house. The Approving Authority, for aesthetic appearance and reasonableness of size and area, will review exterior enclosures for the specific purpose of privacy.

#### **4.12 Decks.**

- 4.12.1 Decks and deck supports shall be constructed of materials compatible with the overall house design.
- 4.12.2 All deck layouts and materials must be approved by the Approving Authority.

#### **4.13 Exterior Steps.**

- 4.13.1 Front entry steps are to be constructed of concrete. The use of a decorative surfaces ( i.e. stone, etc.) over the concrete is acceptable. The use of wood on front entry steps is not acceptable.

4.13.2 Exterior steps leading from auxiliary entrances or decks to finished grade are discouraged. When the Owner desires such a stairway, the stairway must be placed such that the slope of the stairs is parallel to the side of the house. The step design and materials must be compatible with the overall design and color of the house.

#### **4.14 Accessory Site Structures and Exterior Storage Structures.**

- 4.14.1 Accessory structures, such as swing sets, sand boxes, etc. shall be constructed predominantly of wood compatible with the overall design of the house and with prior written permission of the Approving Authority. Where used, appropriate screening using properly designed enclosures and/or non-deciduous trees or shrubs must be provided. Color, location and screening are subject to approval by the Approving Authority. Use of bright, or multi-colored material will not be approved.
- 4.14.2 The construction and /or installation of exterior storage structures are permitted with the prior written approval of the Approving authority.

#### **4.15 Exterior Lighting.**

- 4.15.1 Exterior lighting must be designed and installed as to avoid being a nuisance for neighboring properties and streets. All automatically operated exterior lights, must be downlights or "low voltage" planting lights. The light source must not be visible from neighboring properties, streets and common areas. External flood lighting fixtures are not permitted. In all cases, exterior lights are to be reviewed by the Approving Authority.
- 4.15.2 No exterior lights activated by sound or motion sensors are permitted.

#### **4.16 Skylights.**

4.16.1 Skylights are to be of the “flat” glass design. Skylights that are of the bubble design could be used on the rear roof elevation with the approval of the Approving Authority..

#### **4.17 Sun Shades, Arbors, Trellis and Other Structures.**

4.17.1 The vertical support elements of any such features will be of wood, brick, stucco or stone. If partial screen walls are used in these structures, they shall be of natural materials. All features will need to be sited to accommodate all required easements and setbacks. Show all such features on the site plan for review by the Approving Authority.

4.17.2 The following materials shall be used for the roof covering of these structures:

- .1 Materials matching the roof of the house.
- .2 Glass (flat) panels.
- .3 Wood – solid or spaced.
- .4 Canvas in natural tones as approved by the Approving Authority.

ght from the peak of the roof covering to the highest point of the existing grade at the proposed foundation

4.17.4 The Approving Authority shall approve height and placement of all such structures. And shall not obstruct any neighbor’s views.

4.17.5 Unacceptable materials include, but are not limited to:

- .1 Metal structures and supports.
- .2 Corrugated plastic and fiberglass.
- .3 Inflatable structures.



- 4.18.1 Chimneys are a distinctive design element and must be addressed accordingly within the overall house design.
- 4.18.2 All chimneys must meet all City of Pueblo emission standards.

**4.19 Window Settings / Trim ( for Stucco homes).**

- 4.19.1 All windows are required to have appropriate trim to provide aesthetical shadow lines. Windows in stucco walls must be trimmed (banded) with appropriate stucco (or wood) casing. The casing must provide a minimum of 1 ½ inches ( 1 ½”) reveal from the wall surface and be a minimum of 3 ½ inches ( 3 ½” ) in width. Windows may be allowed with no trim on rear of house only with the approval of the Approving Authority.

**4.20 Areaways (Window Wells).**

- 4.20.1 Exposed window wells are to be constructed of new timber or concrete (either cast-in-place or pre-cast). Window wells should protrude as little as possible above grade.

**4.21 Front entrances.**

20.1 All front entrances shall be designed to enhance the overall design of the house. The use of decorative entry doors is encouraged.

- 4.20.1.1 Front entrances for 'A' lots shall have a minimum of two (2) entry doors (doors to be a minimum of 2'-6" wide each).
- 4.20.1.2 Front entrances for 'B' lots shall have one (1) 36 inch wide entry door with a minimum of one (1) 16 inch wide tempered, fixed sidelight (adjacent to the door).



## Section 5 – Landscaping Design Requirements.

### 5.1 General.

- 5.1.1 All yards and open spaces shall be landscaped. Contouring for landscape effects is subject to the same limitations imposed on the overall site design (i.e. no slopes greater than 2:1, maximum retaining wall height is 3 feet (3'), etc.). Plantings shall be limited to plant materials that are suitable for the climate of Sawyer Ridge Filing No. 1. .
- 5.1.2 **Required tree plantings.** Each front yard within Sawyer Ridge Filing No. 1 is to have at least one (1) Spring Snow tree planted equidistant in the yard approximately 12 feet from the interior face of the sidewalk. The required tree shall be a minimum 2" caliper. The required tree shall be shown on the required landscape plan.
- 5.1.3 Minimize disruption of the natural grading as much as practical.

- 5.1.4 Select man-made elements that blend and are compatible with the land.
- 5.1.5 Rock shapes and colors should be compatible with other landscaping material and approved by the Approving Authority. Where used, large expanses of rock and mulch are not permitted and must be “broken” up with shrubs and perennial plantings.
- 5.1.6 Preserve existing drainage paths.
- 5.1.7 Ornamental manicured species such as bonsai, topiary or pom pom type plantings are not permitted.

## **5.2 Landscape plan.**

- 5.2.1 A detailed landscape plan is required at the time of the final design review submittal. The plan should be prepared using an overlay of the site plan at a scale of 1” = 10’-0” (minimum). The landscape plan should include all existing and proposed site grading. The drawing must have a north arrow oriented to the top or right of the sheet. Footprints of all proposed site improvements including decks, patios, porches, driveways, sidewalks, enclosures and retaining walls should be shown. Indicate the landscape treatment to be applied to all affected areas.
- 5.2.2 Minimum planting sizes for front yards.
  - .1 Deciduous trees: 2” caliper.
  - .2 Evergreen trees: 6’ high.
  - .3 Shrubs: 5-gallon container size.
  - .4 Perennials or ground cover: 1-gallon size.
- 5.2.3 Installation of the approved landscaping is required within the time limit stipulated herein.
- 5.2.4 Buyers of speculative (spec) built homes, where the landscaping has not been installed (or completed), are required to either accept and install the landscaping as specified on the approved landscape plan within the allotted time limits, or submit a revised plan if they desire to make changes to the approved plan.

5.3.1 All landscaped areas and lawns shall be sprinklered with an automatic irrigation system. The irrigation system need not be shown on the landscaping plan; however, an

irrigation system must be installed. Irrigation system requirements shall be as specified by the City of Pueblo.

#### **5.4 Landscaping Maintenance.**

- 5.4.1 All property owners are responsible for maintaining their properties' landscaping and planting materials.

#### **5.5 Drainage Improvements and Maintenance.**

- 5.6.1 As a result of the site improvements (i.e. house and hard surface construction and installation) a significant increase in water runoff is anticipated. Adequate drainage paths and proper vegetation installation will be required to minimize the potential of runoff and erosion to adjacent properties. Methods of temporary and permanent erosion control must be detailed on the site and landscaping plans.

Section 6 – Design Procedures.

## **6.1 Site Preparations.**

- 6.1.1 No grading, removal of topsoil or removal of vegetation shall be started, and no construction within Sawyer Ridge Filing No. 1 shall commence until the final design is approved by the Approving Authority (in writing) ***and*** a building or foundation permit is obtained from the City of Pueblo. A copy of the building permit is to be submitted to the Approving Authority within fourteen (14) days of commencement of construction activities.

## **6.2 Design Drawing Preparation.**

- 6.2.1 All drawings must be prepared by a licensed Architect or by a qualified Building Designer. Those portions of the final design drawings related to structural engineering considerations (i.e. foundation design / layout, framing design / layout, etc.) must be prepared by an engineer licensed to practice in the State of Colorado.

## **6.3 Submittal Packet.**

- 6.3.1 Prior to the preparation of plans for any home, a complete submittal packet for Approving Authority procedures must be prepared.
- 6.3.2 These Design Guidelines contain instructions, forms, checklists and a fee schedule, which must be adhered to in its entirety by all affected parties when making the two (2) required plan submissions.

## **6.4 Fee Schedule.**

- 6.4.1 A fee schedule listing all amounts and required insurance certifications is available from the Approving Authority and is included within these Guidelines.



## **6.5 Checklist.**

- 6.5.1 The applicant indicating conformity to the rules and regulations at the time of the submissions must complete the Checklists in this packet. Any materials not completed or provided at that time will result in an incomplete submission, which may not be reviewed by the Approving Authority.

## **6.6 Owner / Architect Pre-Design Meeting.**

- 6.6.1 Should the property Owner(s) or the Architect / Designer require clarification regarding written directions or comments received from the Approving Authority in response to any plan submittal, they may make arrangements with the Approving Authority to meet and discuss these matters “in person”. The Owner and/or Architect / building Designer must provide a written document outlining the subject of the proposed meeting in a timely manner. The meeting request will be treated as a “submittal” and scheduled in the queue system through the Approving Authority.

## **6.7 Plan Submissions.**

- 6.7.1 The Preliminary and Final (construction document) drawings must be submitted separately to the Approving Authority. The Preliminary submittal must be approved prior to the submission of the Final drawings.
- 6.7.2 Each submittal must be accompanied with a properly completed checklist.

## **6.8 Review Scheduling.**

- 6.8.1 Submittals to the Approving Authority are processed in order of priority using a queue system.

- 6.8.2 Initial submittal of plans, the resubmission of rejected plans, the resubmission of plans with conditions requiring revisions for re-submittal and subsequent submittals, are treated with equal weight. Each is placed in queue based upon the time of receipt of the submittal, re-submittal or approved meeting as recorded by the approving Authority.
- 6.8.3 Plans that are in the queue before noon on the first Thursday of each month; will normally be reviewed at the next Approving Authority meeting (the third Thursday of each month).
- 6.8.4 Changes or minor additions to homes under construction, color boards, landscape changes or other minor items (as determined by the Approving Authority) requiring formal approval may be allocated priority. These items may be reviewed and ruled on by the Approving Authority as a separate action and the Owner or Architect / Building Designers notified accordingly.

## **6.9 Approving Authority Actions.**

- 6.9.1 Following review of submittals, the Approving Authority will provide a written reply of its findings to the Owner within ten (10) days. Copies of the written replies will be provided to the Architect / Building Designer for all submittals.
- 6.9.2 The reasons(s) for disapproval or conditions required for re-submission, or subsequent submissions will be stated within the written reply.
- 6.9.3 The Approving Authority will retain one (1) copy of the submittal documents for its files. Extra copies will be available for the applicant to pick up for ten (10) days from the date of the review and disposed of thereafter.

## **6.10 Preliminary Plan Review Results.**

- 6.10.1 Preliminary plan review will result in one of the following determinations by the Approving Authority:
  - a. Approved
  - b. Approved with Conditions

c. Not Approved

Approved – informs the applicant(s) that the submittal plan meets all of the requirements of the preliminary plan submission, and allows the applicant to proceed to the Final working drawings.

Approved with Conditions – informs the applicant(s) that the design is acceptable and the requirements are sufficiently satisfactory to allow the applicant to proceed to the final design, incorporating the conditions specified by the Approving Authority in its written comments.

Not Approved – informs applicant the applicant(s) that the conditions required for the Preliminary design have not been met. The Approving Authority in the written findings will specify the specific deficiencies. The applicant is not permitted to proceed to the Final design and is required to resubmit new and/or revised plans to the queue for Preliminary review.

## **6.11 Final Plan Review Results.**

6.11.1 Final review results in one of the following determinations by the Approving Authority. A color board and landscape plans are also required as part of this Final submittal:

- a. Approved
- b. Approved with Conditions
- c. Not Approved

Approved – informs the applicant(s) that the submitted plans meet all of the requirements for the final submission and results in the Approving Authority stamping three (3) copies of the plans to indicate approval for construction. Two (2) complete, approved copies of the plans will be available to the applicant for pick up allowing the applicant to proceed with a building permit application at the City of Pueblo.

Approved with Conditions – may result in one of two actions required by the applicant:

- 1) Incorporation of the items specified in the written findings and re-submission to the Approving Authority queue for re-review.
- 2) Incorporation of the items specified in the written findings and re-submission of three (3) copies only to the Approving Authority for verification and subsequent sign-off.

Not Approved – Applicant(s) are informed that the conditions required for Final submission have not been met. The Approving Authority in its written findings will specify all deficiencies. The Applicant is required to resubmit revised plans for re-review and approval.

## **6.12 Plan Approval Validation periods.**

6.12.1 Upon approval of any plan submittal, the plans will be valid from the date of approval for the following periods;

Preliminary	90 days
Final (working drawings)	180 days
Changes and additions	180 days

ritten request for an extension prior to the expiration date of the approved plans, citing reasons for the request and the Approving Authority will act upon the extension request and provide the Owner with written notification of the

- 6.12.3 Plans whose validity period has expired, and are re-submitted for consideration are automatically subject to Approving Authority review fees in effect at the time of the re-submission request. Approval of previously approved plans whose validity period has expired is not automatic. The Approving Authority has the option of rejecting these previously approved plans.
- 6.12.4 Previously submitted and approved plans whose validity period has expired will be subject to a complete review as a preliminary submittal. A complete checklist, current at the time of the re-submittal is required.
- 6.12.5 Upon conditional approval of the re-submitted plans, notification of home design approval will be provided.

### **6.13 Schedule Requirements – Construction.**

- 6.13.1 All exterior construction (including roof, wall finishes, windows, doors, decks, porches, etc.) must be completed and painted (or stained) within one (1) year after the issuance of the date of the stamped approved plans. All construction materials and equipment, including sanitary facilities, must be removed from the building site within this same time period.

### **6.14 Schedule Requirements – Landscaping**

- 6.14.1 All landscaping, per the approved landscaping plan, must be installed within fifteen (15) months of the approved drawing issuance.

### **6.15 City of Pueblo Requirements.**

- 6.15.1 All site improvements and construction in Sawyer Ridge Filing No. 1 must meet (or exceed) all City of Pueblo requirements; as well as, other requirements established by other governmental agencies.
- 6.15.2 A building permit is required before any construction can be commenced in the development.
- 6.15.3 Upon completion of construction, a Certificate of Occupancy (CO) must be obtained from the City of Pueblo and a copy provided to the Approving Authority.

#### **6.16 Utility Services.**

- 6.16.1 Every person, partnership, company or corporation who shall enter any street right-of-way, easement, common space or other property owned by Sawyer Ridge, LLC for the purpose of placement of electric cable, water or sewer lines, gas pipelines, telephone cable, television cable or any related construction shall comply with the regulations established herein.
- 6.16.2 Furnish, prior to commencement of any activity, evidence of general liability insurance in the amount of \$ 1,000,000.00. Such evidence shall name the Sawyer Ridge, LLC as an additional insured. In addition, such persons, partnership, company or corporation shall furnish evidence of Workmen's Compensation insurance coverage.
- 6.16.3 Notify Sawyer Ridge, LLC of such entry or excavation at least 48 hours in advance to the start of the work. In the event of emergency or repair work, notification shall be given to Sawyer Ridge, LLC offices by noon of the next regular work day.
- 6.16.4 The contractor prior to the start of any work shall obtain all locations of existing underground utilities.
- 6.16.5 All activity that results in damage to any facility, either private or public, shall be promptly reported to the respective owners.
- 6.16.6 All contractors shall comply with the appropriate safety rules and regulations as necessary to protect their employees and the public. Failure to do so shall be sufficient grounds to cause suspension of all work activities.
- 6.16.7 No modification of existing street surfaces is permitted.

6.16.8 Compaction of backfill shall be accomplished to achieve 95 % as measured by the Proctor method. Sawyer Ridge, LLC will require compaction testing by a qualified soils engineer when necessary. Such testing shall be at the expense of the excavator.

### **6.17 Preliminary Plan Submittal.**

6.17.1 The Preliminary Plan Submittal is intended to provide the Approving Authority with a detailed representation of the site as it currently exists, and as it is to be configured and the house exterior as it will appear on the working drawings.. Once approval of the Preliminary Plan has been obtained, including incorporation of all changes required by the Approving Authority, only minimal changes should be required on the Final submission.

6.17.2 Prerequisites and general requirements.

6.17.2.1 Design Review fee paid.

6.17.2.2 A completed Checklist must accompany the submittal.

6.17.2.3 Individual drawings, listed below, are required. The drawings must be side-bound and should be packaged in the order shown. A Cover Sheet showing the lot number and Owner and Architect / Building Designer names and addresses; and a list of all the drawings contained in the submittal with their page numbers. The number of copies of each plan is noted on the Preliminary Design Review Checklist.

1. Cover Sheet
2. Site Plan
3. Floor plans
4. Building Elevations
5. Roof Plan
6. Building Section(s)

6.17.3 All preliminary sheets shall be 36" x 24".

6.17.4 Each drawing shall contain the lot number, Owner's name and Architect / Building Designer names and addresses and telephone numbers.

### **6.18 Preliminary Site Plan.**

6.18.1 Site plans shall be drawn at a scale of 1" = 10'-0". The site plan must show existing contours shown through all improvements, the edge of the existing street(s), plus the following:

6.18.1.1 Drainage arrows indicating the resulting proposed surface flows away from and around the house and to the neighboring properties are required.

6.18.1.2 Show the location on the site of, and the area encompassed by, accessory equipment such as swing sets, trampolines, antennas, etc. Details of the equipment i.e., its profile (elevation views) and overall dimensions, colors, etc., must be included in this submission. This equipment is required to be as unobtrusive as possible and properly screened from neighboring properties, common areas and streets with approved enclosures, evergreen shrubs and/or trees.

### **6.19 Preliminary Building Plans.**

6.19.1 Plan submittals must include:

6.19.1.1 All four exterior elevations (labeled north, south, east and west) at a scale of ¼" = 1'-0" with roof pitch notations and existing (dashed) and proposed (solid) grade lines.

6.19.1.2 Expanded scale drawings of critical areas (i.e. window trim and fenestrations, deck railings, exterior lights, etc.)



- 6.19.1.3 On all elevations indicate gutters and downspouts. Gutters and downspouts are to be painted with a flat finish paint, which matches the color of the surface to which it is mounted.
- 6.19.1.4 Indicate on all exterior elevations locations of all proposed exterior light fixtures. If lights are to be located in the soffit or otherwise obscured from view from outside the house, provide notes on the drawings to indicate the type of lighting and dash-in locations. Lights are required at all exterior entrances.
- 6.19.1.5 Floor plans and roof plans should be oriented the same direction as the site plan and be of a scale of  $\frac{1}{4}'' = 1'-0''$ . Provide a north arrow on all plan drawings.
- 6.19.1.6 A material and color matrix schedule is required; preferably included on the front elevation sheet. Refer to the enclosed sample form.

## **6.20 Final (Working Drawing) Submittal.**

- 6.20.1 The Final Submittal is intended to provide a complete set of drawings for construction of the house and other site improvements, along with additional information as listed below. These drawings, in addition to being used by the Builder to actually construct the house (including the landscaping improvement), are used by the City of Pueblo and the Approving Authority as the basis for field observations to verify that all improvements have in fact been made as specified on the final approved working drawings. Items installed that are not in compliance with the approved drawings are subject to rejection and subsequent correction at the Owner's expense. The drawings submitted to Sawyer Ridge, LLC and the City of Pueblo must be identical and made from the same master.
- 6.20.2 A completed Checklist must accompany the final submittal.
- 6.20.3 Prerequisites and General Requirements.
- 6.20.3.1 Incorporation of all changes requested by the Approving Authority as part of the Preliminary plan approval. Any changes made, not specifically requested by the

Approving Authority, must be brought to the attention of the approving Authority. Unauthorized changes may result in rejection and require a submittal of Preliminary plans with all attendant fees.

6.20.3.2 Architect's seal on all drawings.

6.20.3.3 Owner's signature indicating approval and acceptance of the final plans on each of the drawings. By his/her signature, the Owner also accepts responsibility for insuring completion of all improvements indicated on the drawings and for compliance with the rules and regulations set forth in the Covenants and this document.

## **6.21 Final Site Plan.**

6.21.1 As approved with any incorporated changes from the preliminary plan submittal.

## **6.22 Final Landscape Plan.**

6.22.1 The landscape plan must be prepared in compliance with details outlined previously within this documents.

## **6.23 Final Building Plans.**

6.23.1 As approved with incorporated changes from the preliminary plan submittal.

6.23.2 Construction (working) drawings must meet City of Pueblo requirements for building permits. The plans submitted to the Approving Authority shall be identical to those submitted to the City of Pueblo.

6.23.3 The plans must show all building projections including chimney flues, gutters, downspouts, utility boxes, etc. The color of these building projections shall match the color of the surface from which they project.

- 6.23.4 Indicate the colors of all exterior materials using the required material / finish color schedule included.
- 6.23.5 Show wall sections and exterior details including chimneys, exterior stairs and decks, railing and supports.

**6.24 Other Submittal Requirements.**

- 6.24.1 Number of copies. The number of copies of each plan is noted on the Final Drawing Review Checklist.
- 6.24.2 Color boards are required and must clearly show samples of colors and materials to be used on the exterior of the house. (. These items include samples of the roofing, exterior wall finish (i.e. stucco, rock, brick, etc.), color samples of window trim, fascia boards, etc. A color photograph or “cut-sheet” for the proposed windows is also required.
- 6.24.3 A legible “Exterior Finish Schedule” identical to the one submitted with the submittal packets must be firmly attached to the rear of the board. Each board shall be clearly labeled with the specific lot and block number and the contacting information for the Architect / Building Designer.
- 6.24.4 In order to better evaluate the proposed colors, the following approximate sized samples are required:

- |                                 |          |
|---------------------------------|----------|
| 1. Roofing sample               | 3” x 12” |
| 2. Stucco wall finish           | 8” x 8”  |
| 3. Trim (fascias, window, etc.) | 2” x 4”  |
| 4. Window frames                | 2” x 4”  |
| 5. Gutters and downspouts       | 2” x 2”  |
| 6. Soffit                       | 2” x 4”  |

appropriate to show color palette

6.24.5 The finished construction material(s) must be identical to the sample material(s) and must be treated in the same manner as that proposed for the house; that is, the number of coats applied to the sample and the means of application (spray, brush, etc.) must be the same as proposed for the house. Stucco finishes must be identical (i.e. same application and finish) as that proposed for the house on the approved sample.

#### **6.25 General Liability Insurance.**

6.25.1 Evidence of general liability insurance, satisfactory to Sawyer Ridge, LLC, in the amount of \$ 1,000,000.00. Such evidence shall name Sawyer Ridge, LLC as an additional insured, and shall show coverage for the duration of the project. In addition, each entity shall furnish evidence of Workers Compensation Insurance coverage sufficient to cover all employees engaged in the project for the duration of the project.

#### **6.26 Home and Landscape Inspections.**

6.26.1 At the conclusion of construction, the Owner shall request a final inspection of the premises from the Approving Authority. A copy of the City of Pueblo Certificate of Occupancy must be supplied to the Approving Authority.

6.26.2 The inspection is for purposes of determining apparent compliance with the approved plans on file with Sawyer Ridge, LLC, including finished grading, exterior appearance, color, finish, landscaping, etc..

6.26.3 The Approving Authority will issue a final checklist indicating the home and/or landscaping has been satisfactorily completed in accordance with the approved plans.

6.26.4 In the event the premises are unoccupied, the Owner remains responsible for the maintenance of the outward appearance of the building and the site. Any violation may, after ten (10) days written notice to the last know address of the Owner, be corrected by Sawyer Ridge, LLC and charged to the Owner.

## **6.27 Mandatory Builder's Conference.**

- 6.27.1 Prior to the start of construction, the Owner shall meet with representatives of Sawyer Ridge, LLC to discuss the logistics of construction. Items to be discussed include, but are not limited to:
- 6.27.1.1 Physical identification of lot lines.
  - 6.27.1.2 Location of parking for workers during construction
  - 6.27.1.3 Access and egress to the site during construction
  - 6.27.1.4 Covering of dumpsters and disposal of trash.
  - 6.27.1.5 Disposal of excess excavated materials.
  - 6.27.1.6 On-site building material storage.
  - 6.27.1.7 Hours and days of construction activity.
  - 6.27.1.8 Location, use and maintenance of required temporary sanitation facilities.
  - 6.27.1.9 All moving vehicles carrying loose materials, such as dirt, sand, gravel, etc. are required to be covered.
  - 6.27.1.10 Construction debris must be picked from the work site each day.

## **6.28 Changes during construction.**

- 6.28.1 Any change in color(s), texture(s), material(s), finish(es), location of windows, dormers, vents, etc. that affect the exterior appearance of the building must be submitted to approved by the Approving Authority before such changes can be made. Changes will be reviewed at the time of the regularly schedules Design Review meetings. Any changes in elements of the Color Board must be re-submitted as a new Color Board. A change affecting the exterior appearance shall be submitted as a revision to the original

drawings. The Approving Authority must approve all changes before they can be affected. The approved change(s) will be inserted in the file drawings. Changes submitted by letter and not accompanied by a revised drawings will not be approved.

## **6.29 Inspections.**

6.29.1 Sawyer Ridge, LLC, through its representative(s), may inspect the work of each home as it is built. Any noncompliance may be cause for a Stop Work Order notification to the Owner, which can be enforced by injunctive action by the City of Pueblo at the expense of the Owner.

## **6.30 Sign Standards.**

6.30.1 Design Standards for various signs allowed at Sawyer Ridge, LLC have been established and are provided herein. Design approval of signs is required only as specified in signage section of these Guidelines.



## **7.1 Approval Requirements.**

- 7.1.1 And additions or alterations affecting the finished grade of the site, exterior appearance (including color) of any structure or major landscaping change requires written approval of the Approving Authority.
- 7.1.2 The following paragraphs apply to new homes designed and built for lot owners as well as homes previously designed and built by prior owners and purchased or re-purchased in a completed state.

## **7.2 Property Owner Responsibilities**

- 7.2.1 The property owner must submit a request, either via letter or drawings, to the Approving Authority for the addition or alteration proposed. The submission must be sufficient in detail to allow the Approving Authority to evaluate the change request. For major changes, a review fee may be charged, depending upon the scope of the addition or alteration. See the Fee Schedule for the specific amount of fee to be charged.



### **7.3 House Exterior**

- 7.3.1 Any change of exterior material or change resulting in a change of appearance of the house, including exterior finishes, doors, windows, attached yard enclosures, skylights, decks, deck railings, roofs, etc., must have prior written approval of the Approving Authority.

### **7.4 Re-painting.**

- 7.4.1 **Any change in paint or stain color must be approved by the Approving Authority.** Samples of the colors to be applied must be submitted to the Approving Authority for formal written approval. Re-staining or re-painting with the existing colors, as previously approved, does not require approval.

### **7.5 Landscaping.**

- 7.5.1 All property owners are encouraged to plant additional indigenous trees and shrubs. There is no minimum planting size requirement. Approval for planting additional trees and shrubs is not required by the Approving Authority, provided the following requirements are adhered to:

7.5.1.1 Trees or shrubs are not to be planted so as to define property lines.

7.5.1.2 Trees or shrubs are not to be planted where, when fully grown, they interfere with the views or solar exposure of neighboring properties, or impair the egress view from driveways or views at street corners.

### **7.6 Exterior Lighting.**

- 7.6.1 Any additions, replacements or alterations to exterior lighting must have Approving Authority written approval.

## **7.7 Accessory Equipment / Site Structures.**

7.7.1 Installation of accessory equipment and/or structures is discouraged.

## **7.8 Changes in New Owner Unfinished Homes ( Spec. Homes).**

7.8.1 Changes in exterior design or landscaping to property that has been purchased by new owners after the approval of the Final Plans, but were not completed at the time of purchase, may be made only in conformance with the following conditions:

7.8.1.1 Any change that would result in a change of exterior physical appearance of the property must have prior written approval from the Approving Authority. This includes changes in site design, house structure, materials and colors.

7.8.1.2 Changes in landscaping material or location of planting from the approved landscape plan require written approval from the Approving Authority. Additions may be made to the approved landscape plan without Approving Authority approval, provided they meet the requirements specified in Section 7.5 above.





















## **8.2 Construction Fines.**

- 8.2.1 The Approving Authority may assess fines for violations of any provisions of these guidelines as follows: First violation, fifty dollars (\$ 50.00); second violation, one hundred and fifty dollars (\$ 150.00) and subsequent violations, five hundred dollars (\$ 500.00). In the event any person or entity fails to cure (or fails to commence and proceed with diligence to complete the work necessary to cure) any violation of the Design Guidelines, including these Construction Regulations, within ten (10) days after receipt of written notice from the Approving Authority designating the particular violation, the Approving Authority shall have the power and authority to impose upon the person or entity subsequent fine as outlined above. There shall be no limit to the number or aggregate amount of Violation Fines, which may be levied against a person or entity for the same violation if not timely addressed. The Violation fines, together with interest at the highest lawful rate per annum and any costs of collection, including reasonable attorneys' fees shall be a continuing lien upon the Lot against which the Violation Fine is made. Continued failure to comply may cause the Approving Authority to pursue legal remedy in the form of a "stop work" injunction or punitive damages. .

## **8.3 Erosion Control.**

- 8.3.1 Erosion control measures must be used during all phases of construction activities. A silt fence will be installed around the perimeter of the construction area and maintained throughout the project duration.

## **8.4 Health and Safety Compliance.**

- 8.4.1 All applicable statutes, ordinances or rules pertaining to safety and health, hazardous materials, and toxic substances and wastes, including all relevant Occupational Safety and Health Act (OSHA) regulations and guidelines must be observed at all times.

## **8.5 Construction Trailers.**

- 8.5.1 Upon commencement of construction, a construction trailer or portable field office may be located on the building site; clear of all required building setbacks and easements. The type, size and color of any portable office must be approved by

the Approving Authority prior to its placement on the site. The field office may not be placed on-site earlier than two weeks prior to continuous construction activity. At the same time, provisions for temporary power and telephone will be determined. A construction trailer may not remain on-site for a period of time exceeding six months without written approval of the Approving Authority.

## **8.6 Trash Receptacles and Debris Removal.**

- 8.6.1 Owners and builders shall clean up all trash and debris at the end of each day. An approved trash receptacle must remain on-site at all times for the purpose of containing all lightweight materials and packaging. The receptacle must be positioned on site alongside the access drive, clear of side and rear setbacks, adjacent street right-of-ways and neighboring properties. Trash receptacles must be emptied on a timely basis to avoid overflow of refuse; disposal shall be at a suitable off-site facility. Owners and builders are prohibited from dumping, burying or burning trash anywhere on the Lot or in Sawyer Ridge Filing No. 1. Heavy debris, such as broken stone, wood scrap or the like must be removed from the site immediately upon completion of the work of each trade that has generated the debris.
- 8.6.2 All concrete wash-out, from both trucks and mixers, must occur within the Building site of the Lot in a location where it will ultimately be concealed by structure or covered backfill. Washout in street right-of-ways, setbacks or on adjacent properties is strictly prohibited.
- 8.6.3 During the construction period, each construction site shall be kept neat and shall be properly policed to prevent it from becoming a public eyesore or detriment to other lots and open spaces. Any clean up costs incurred by Sawyer Ridge, LLC in enforcing these

requirements shall be payable by the Owner. Dirt, mud or debris resulting from activity on each construction site shall be promptly removed from all public streets, open spaces and neighboring properties.

## **8.7 Sanitary Facilities.**

- 8.7.1 Each Owner or Builder shall be responsible for providing adequate sanitary facilities for his construction workers and sub-contractors. Portable toilets must be located within the Building site, clear of setbacks. All sanitary facilities shall be maintained regularly to prevent odor pollution to all adjoining properties.

## **8.8 Vehicles and Parking Areas.**

- 8.8.1 Construction crews will not park on, or otherwise use, undeveloped portions of lots or open space. All vehicles shall be parked within the building site. During very busy construction periods involving multiple trades such that all construction vehicles cannot be confined to the site proper, the overflow vehicles may be temporarily parked along the street; during these limited occurrences, vehicles must not block any street access to adjoining properties to allow continual unconstrained access by normal traffic and emergency vehicles. Vehicles may not be parked on neighboring lots, in nearby driveways or on open space. Changing oil or other vehicle maintenance is prohibited.

## **8.9 Dust and Noise Control**

- 8.9.1 The builder and sub-contractors shall be responsible for controlling dust and noise from the construction site, including the removal of dirt and mud from public streets that is a result of the construction activities on the site.
- 8.9.2 The sound of radios and other audio equipment must not be audible beyond the property perimeter of the Lot; repeated violations of this provision will result in the total prohibition of any on-site use of radios and audio equipment during construction.

#### **8.10 Material deliveries.**

- 8.10.1 All building materials, equipment and machinery required to construct a residence on any lot at Sawyer Ridge Filing No. 1 must be delivered to and remain within the building site, clear of all setbacks. This includes all building materials, earthmoving equipment, trailers, generators, mixers, cranes and any other equipment or machinery that will remain overnight. Material delivery trucks may not drive across adjacent lots or open space to access the construction site.

#### **8.11 Firearms.**

- 8.11.1 The possession or discharge on any type of firearm by construction personnel on any construction site, open space or street within Sawyer Ridge Filing No. 1 is prohibited.

#### **8.12 Alcohol and Controlled Substances.**

- 8.12.1 The consumption of alcohol or use of any controlled substance by construction personnel on any construction site, open space or street within Sawyer Ridge Filing No. 1 is prohibited.

#### **8.13 Fires and Flammable Materials.**

8.13.1 Careless disposition of cigarettes and other flammable materials, as well as the build-up of potentially flammable materials constituting a fire hazard, is prohibited. At least two (2) 20 lb., Type ABC dry chemical fire extinguishers shall be present and available in a conspicuous place on the construction site at all times; in addition to requirements of the local fire prevention agencies.

#### **8.14 Pets.**

8.14.1 A member of any construction crew may bring no pets, particularly dogs, onto the property.

#### **8.15 Restoration of Property.**

8.15.1 Upon completion of construction, each Owner and Builder shall clean the construction site and repair all property which has been damaged, including but not limited to, restoring grades, and repair of streets, signs and fencing.

#### **8.16 Construction Signage.**

8.16.1 Temporary construction signage shall be limited to the requirements of these Design Guidelines.

#### **8.17 Daily Operations.**



8.17.1 Daily working hours for each construction site shall be 30 minutes before sunrise to 30 minutes after sunset. Construction activity which generates excessive noise such as hammering, sawing, excavation work, concrete delivery, etc. must be confined to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday, and 8:00 a.m. to 4:00 p.m. on Saturday. Noisy activity should be curtailed on Sunday of each week.

#### **8.18 Construction Insurance Requirements.**

8.18.1 All contractors and sub-contractors must post evidence with insurance coverage to the Approving Authority as outlined within these Design Guidelines.

## Section 9 – Signage Provisions

- 9.1.1 Design standards for various signs allowed in Sawyer Ridge Filing No. 1, such as residence sale signs, etc. have been established as noted herein.
  - 9.1.2 Design approval of signs is required only as specified herein.
- 9.2 Property for Sale / Real Estate Signs.**

9.2.1 For sale signs used by Owners and/or real estate agents shall be a maximum of 24 inches wide by 18 inches high (nominally). The sign and its support frame cannot extend more than 48 inches above the grade (to the top of the sign).

9.2.1.1 Only one (1) sign per lot is permitted.

9.2.1.2 Approving Authority approval is not required.

9.2.1.3 The sign must have a professional appearance and must have been manufactured by a signage company. Handrawn and/or handwritten signs are not permitted.

### **9.3 Owner / Contractor Identification Signs.**

9.3.1 Owner / Contractor identification signs shall be a maximum of 48 inches wide by 24 inches high. The sign and its support frame cannot extend more than 56 inches above the grade (measured to the top of the sign).

9.3.1.1 Only one (1) sign per lot is permitted.

9.3.1.2 Approving Authority approval is not required.

9.3.1.3 The sign must have a professional appearance and must have been manufactured by a signage company

9.3.1.4 Owner / Contractor identification signs are to be used for identification purposes only any may contain company name, address and phone number only. No advertising information is allowed.

### **9.4 Miscellaneous signage.**

9.4.1 All other signage not listed herein; must be reviewed and approved by the Approving Authority.

## **10 – General Provisions**

### **10.1 Authority**

10.1.1 The authority for the Approving Authority is found in the Declaration of Conditions, Covenants, Restrictions and Easements for Sawyer Ridge Filing No. 1.

### **10.2 Owner Responsibility.**

10.2.1 All lot Owners at Sawyer Ridge Filing No. 1 will be responsible for their builders, contractors and subcontractors complying with the Sawyer Ridge Covenants and Design Guidelines.

### **10.3 Non-Waiver.**

10.3.1 The failure of the Approving Authority to enforce any restriction, covenant, condition or requirement contained in the Declaration of Conditions, Covenants, Restrictions and Easements for Sawyer Ridge Filing No. 1, or these Design Guidelines, shall not constitute a waiver of any right to enforce such provision or any other provision contained in any of the above documents.

### **10.4 Non-liability.**

10.4.1 Neither the Approving Authority, nor any member thereof, nor the Sawyer Ridge, LLC, nor any member of the Board of Directors thereof, nor agents or employees of the Approving Authority or the Sawyer Ridge, LLC, nor their respective heirs, successors, or assigns of any foregoing individuals or entities shall be held liable for damage to anyone submitting plans and/or specifications to them for approval by reason of mistake in judgment, negligence, or failure to approve such plans and/or specifications. Every Owner or other person who submits plans and/or specifications to the Approving Authority for approval agrees, by submission of such plans and/or specifications, that he/she will not bring any action or suit against the Approving Authority, its members, agents or employees, or the Sawyer Ridge, LLC the members of its Board of Directors, its members, agents or employees relating to action taken by them or neglected to be taken by them, in connection with the plans and/or specifications submitted.

### **10.5 Interpretation.**

10.5.1 Any matter, condition or material not defined herein nor any matter requiring interpretive clarification shall remain a matter of discretion on the part of the Approving Authority.

### **10.6 Enforcement.**

10.6.1 Failure to obtain necessary approval from the Approving Authority in advance of new construction, additions or alterations will constitute a violation of the Declaration of Conditions, Covenants, Restrictions and Easements for Sawyer Ridge Filing No. 1 and can require modifications or removal at the expense of the Owner. The Approving Authority shall notify the Owner of the infraction, define the corrective measures required to remedy the infraction and refer the matter to the Sawyer Ridge, LLC legal counsel. In addition to the expense of the corrective action required, a noncompliance assessment penalty may be imposed on the property owner.

### **10.7 Variances.**

10.7.1 The Approving Authority reserves the right to make reasonable variations at any time from the procedures or standards established herein in order to provide flexibility to meet unforeseen circumstances or situations.

### **10.8 Additional Standards and Requirements.**

10.8.1 Additional standards and requirements are set forth in the Overall Development Plans for Sawyer Ridge Filing No. 1, the applicable subdivision plat and the Declaration of Conditions, Covenants, Restrictions and Easements for Sawyer Ridge Filing No. 1. Each Owner and Builder must read and become familiar with all such documents so as to avoid violating the standards and requirements set forth therein.

### **10.9 Severability.**

10.9.1 Each and every provision continued herein shall be deemed independent and severable, and the invalidity or partial invalidity of any provision or portion thereof shall not affect the validity or enforceability of any provision herein.

**10.10 Effective Date.**

10.10.1 These Design guidelines shall be in full force and effect from the date of adoption by the Sawyer Ridge, LLC, pursuant to the terms of the Covenants.

**10.11 Amendment.**

10.11.1 The Board of Directors of the Sawyer Ridge, LLC may amend, repeal or reenact all or part of these regulations as provided for in the Declaration of Conditions, Covenants, Restrictions and

Easements for  
Sawyer Ridge Filing  
No. 1.

**10.12 Stop Work  
Authority.**

10.12.1 The Approving Authority or a member of the Board of Directors of Sawyer Ridge, LLC have the authority and responsibility (a) to stop any or all work where any violations of the Design Guidelines process or approved plans occur, and (b) to require correction or removal of any violation at the Owner's expense. Violations may include unacceptable workmanship, changes in site work, architectural or structural plans, and exterior lighting, grading, landscaping, building materials and/or exterior colors, or starting the Project prior to receiving Final approval from the Approving Authority.



## **Section 11 – Submittal Forms**

Request for Design Review and Approval

Preliminary Plan Review Checklist

Final Plan Review Checklist

Color and Material Schedule

Meeting Schedule

Design Review Fee Schedule



**Section 12 –  
Miscellaneous  
Forms**

Notice of Non-Compliance with Construction Regulations