

The Overlook Landowner's Association Design Review Guidelines

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Introduction

The Design Review Committee is a valuable resource for a Homeowner that would like to plan improvements to their property. Including the Committee in your planning will expedite the approval process. These guidelines and regulations give residents a consistent standard to follow as the foundation to use in planning any exterior changes to their property. These guidelines are in addition to, and an extension of the Covenants ARTICLE V Restrictions and ARTICLE VI Design Review Committee. Please retain this copy as part of your permanent papers to refer to now and in the future. These guidelines should also be made available to prospective buyers of your home. Please read and follow these Guidelines.

Written approval from the DRC is required prior to the start of any exterior changes. Do not commit to labor or materials until you have received written approval for your project. The Design Review Committee has the exclusive right to approve or deny plans, at its sole discretion. The DRC may grant, with concurrence of the BOD, reasonable variances or adjustments from any conditions and restrictions imposed by these Guidelines in order to overcome practical difficulties and prevent unnecessary hardships arising by reason of the application of the restrictions. Such variances or adjustments shall be granted only if they are not materially detrimental or injurious to other properties in the Overlook.

Absent an approval from the DRC the proposed alteration or improvement may not be commenced. Please direct your questions regarding these guidelines to The Overlook Landowner's Association Board. The Overlook Landowner's Association Board of Directors reserves the right to modify or amend these Guidelines and regulations from time to time as it deems desirable or necessary.

Terms, Related Documents and Jefferson County Resources

DRC - Design Review Committee

BOD - Board of Directors

Bylaws – Bylaws of Overlook Landowner's Association

Covenants – Declaration of Covenants, Conditions, and Restrictions for The Overlook Landowner's Association located at the following web address: <http://youroverlook.info>

In any community, the question naturally arises as how to maintain a quality environment over time. The following guidelines attempt to provide a meeting ground between private interests and the broader interest of our community.

The Declaration of Covenants, Conditions, and Restrictions for The Overlook Landowner's Association (hereafter referred to as 'the Covenants') and the Bylaws of Overlook Landowner's Association (hereafter referred to as 'the Bylaws') run with the land and are binding upon all Homeowners, their renters, and/or their tenants; and should be fully complied with. The fact that each Homeowner is subject to the Covenants Articles V, VI and VII, should assure all owners that the standards of design and quality will continue to be maintained, enhancing the community's overall environment and protecting property values. The rules, regulations,

responsibilities and procedures outlined in these Guidelines have been established by the Design Review Committee and approved by the Board of Directors in compliance with the Covenants Article VI, section 9.

The intent of these guidelines is to:

- Insure quiet enjoyment for our residents
- Protect and enhance property values
- Provide for the design integrity of the neighborhood
- Make it clearer for Homeowners to plan improvements
- Lessen the hard feelings that can arise from not knowing what is expected
- Decrease the volunteer hours and effort of our DRC members
- Minimize problems and expenses for the OLA

The cooperation of each Homeowner will be beneficial to all.

Design Review Committee (DRC)

The covenants establish the DRC, to be comprised of three (3) or more representatives to rule on Design submittals. The DRC is charged with conducting the review of all applications for new construction and changes to preexisting structures, and with rendering a timely decision to the applicant.

The Design Review Committee Process

NOTE: The OLA's covenants require prior written approval for any improvements to a lot or any structure on the lot. Therefore do not commit labor or materials until you have received written approval.

1. The owner submits to the DRC Chairman an Application for Design/Landscaping Review (available on <http://youroverlook.info>) along with all requested documentation. The current Chairman is listed on the web site under Committees and the contact info is on the current OLA Directory. Please note the DRC has 30 days to review the application but will attempt to respond sooner if requested due to an urgent situation. Receipt of an application and subsequent documents will be confirmed to your email.

NOTE: Complete applications will be considered on individual merit, using these documented standards as a basis for decision making. Out of courtesy we request you inform your neighbors of your proposed improvement(s), and obtain their signature on the application form. Their signature does not give their consent; it just lets the DRC know that your neighbors understand your intent.

2. The DRC may still require additional information. The 30-day review period will not begin until the request for information has been satisfactorily responded to and the application is complete and appropriate for review.

3. The DRC will act within 30 calendar days upon receiving the complete application. In many cases the owner will receive a response sooner than this.
4. The DRC's decision will be noted on the application. The owner will then be notified of the decision. The application will show one of the following four decisions.
 - a. APPROVAL: The application is approved as submitted.
 - b. APPROVAL WITH CONDITIONS: The overall proposal is accepted, but with certain specified changes, limitations or requirements that must be followed.
 - c. DISAPPROVAL: The application is denied. The owner can appeal to the DRC within 15 business days. The BOD will be advised of any disapprovals and the circumstances. (See the the Appeal Procedure section for more details.)
 - d. ADDITIONAL INFORMATION REQUIRED: The DRC has determined that additional information is needed for appropriate review of the application. In this case, the entire process begins again once the DRC receives the requested information. The owner should follow the same submission procedure as before. The DRC will act swiftly on all re-submissions.
5. The DRC reserves the right to visit your lot before and during construction and inspect the improvement(s). This will be done for two specific reasons.
 - a. To ensure that the application details are followed.
 - b. To note any problems that were encountered and to learn any facts that may help other owners to more easily complete similar projects.
6. Once work has begun on an approved application, it shall be completed within 360 days. Applications are valid for one (1) year from the date of approval. For extenuating circumstances extensions can be requested.

NOTE: Many design changes and improvements require a permit. Please plan in advance and remember that the DRC has 30 days after all the appropriate information has been received to review applications. It is strongly suggested that Jefferson County be contacted to determine what permits or approvals are required and how long they take at the very beginning of your planning. The DRC's approval is not a substitute for approval by the County. It is the Homeowner's responsibility to acquire appropriate approvals, permits, etc.

Review Criteria

The DRC evaluates each application on the individual merits of the application and the standards listed below.

- The Overlook has a variety of beautiful, unique, and different homes built over the years giving the neighborhood valuable diversity. Attractive new architecture is encouraged.
- Validity of Concept - The basic idea of the exterior change must be sound and appropriate to its surroundings.
- Landscape and Environment - The exterior change must not unnecessarily destroy the natural landscape or the achieved man-made environment.
- Relationship of Structures and Adjoining Property - The proposed change should be compatible with the surroundings and to existing buildings and terrain that have a visual relationship to the change.
- Protection of Neighbors - The interest of neighboring Owners and renters should be protected by making provisions for such matters as surface water drainage, sound and sight buffers, preservation of views, light and air, and other aspects of design, which may have substantial effects on neighboring property.
- Design Compatibility - The proposed change must be compatible with the design characteristics of the applicant's home and the general neighborhood setting.
 - a. Style: The improvement should fit in and compliment the surrounding properties.
 - b. Scale: The three-dimensional size of the proposed change must relate satisfactorily to adjacent structures and their surroundings.
 - c. Materials: Continuity must be established by using the same materials as those used in the existing home. Siding materials and shingles must match the existing structure. If the original materials are no longer available, compatible materials may be substituted.
 - d. Color: Color may be used to soften or intensify visual impact, while maintaining continuity.
- Workmanship - The quality of the work must be equal to or exceed that of any existing structure. Poor practices may cause the owner problems and may be visually objectionable to others.

Appeal Procedure

If the applicant disagrees with the decision of the DRC in its review or inspection, an appeal may be submitted as noted below.

1. Within 15 business days after the receipt of a notice of disapproval, the Homeowner must file a written appeal with the DRC.
2. Upon receipt of the appeal, the DRC may contact the Homeowner and schedule a review of any further information relating to the request and appeal. The BOD will be notified of all disapprovals and the given the circumstances. Their opinions will be carefully considered in any appeal but the DRC's appeal decision will be final.

NOTE: No work may progress during the appeal process.

Violations and Penalties

An exterior change made without the required approval of the DRC constitutes a violation of the Covenants. A violation may require removal or modification of the work at the expense of the property owner.

When a violation is determined to have occurred the following steps shall be taken.

1. The DRC will investigate any reported violation and attempt to bring the Owner into compliance. Homeowners will be notified in writing of the violation and are expected to bring the violation into compliance within a reasonable amount of time.
2. Should the owner fail to act upon the recommendations for corrections, the DRC shall submit the matter to the BOD and the OLA Dispute Policy and OLA Enforcement Policy will be followed.

County Regulations

All improvements, including grading, well and septic installations and maintenance, and other construction-related activities must comply with all applicable governmental building, zoning, health, safety, environmental, and fire safety requirements. In case of conflict between governmental requirements and the provisions of the Guidelines, the more strict requirements of the two shall apply.

Please go to <https://www.jeffco.us/planning-zoning> for further information on Jefferson County zoning.

Design and Construction Guidelines

A. Site Plan for Construction of and Additions to Primary Residences

1. Surveying
 - a. Provide an original or a wet stamped copy of the survey, with an original signature of a surveyor registered and licensed in the State of Colorado.
 - b. Locate the high and low elevations of the building.
 - c. Show elevations of adjacent roads and drives where lot access is proposed.
 - d. Show elevations and locations of key features of the natural terrain, such as large rocks and rock outcroppings, which will be affected by construction.
 - e. Locate trees affected by the proposed improvements.
 - f. Show all exterior elevations at the same scale as floor plans with both existing and proposed grade lines labeled.
2. Setback Requirements

All setbacks shall be measured from the foundation or wall; however, eaves, roof overhangs and fireplaces may protrude 24 inches into the setback.

Front Setbacks:

- a. The minimum front setback for a dwelling or other main building shall be 30 feet.
- b. Corner lots must comply with the county vision clearance requirements.
- c. Private garages shall have the same front setback as the dwelling or other main building to which they are accessory.

Side Setbacks:

- d. The minimum side setback for any building shall be 20 feet.
- e. Corner lots must comply with the county vision clearance requirements.

Rear Setbacks:

- f. The minimum rear setback for any building shall be 20 feet.

3. Construction Trailers

Any property owner or contractor who desires to locate a construction trailer on to the property shall obtain written approval from the DRC, which will work closely with the owner or contractor to determine the best possible location. Such temporary structures shall be placed only in a location approved by the DRC and shall be removed within 14 days of completion of construction. Construction trailers are generally discouraged.

4. Construction Signs

All signs must be approved by the DRC as far as design and location are concerned. No signs of any kind shall be displayed to the public view on any part of the property except one sign of not more than four (4) square feet designating the owner, builder or architect of any improvements under construction. The sign will be placed at the project site not at the roadway. Signs must be removed within 7 days of project completion. Real estate directional signs are not allowed within The Overlook.

5. Sanitary Facilities

Each property owner and contractor shall be responsible for providing adequate sanitary facilities for construction workers. Portable toilets or similar temporary toilet facilities shall be located only on the site itself or in areas approved by the DRC.

6. Hours of Operations

All exterior construction that creates noise disturbances (excavation, pouring foundation, framing, roofing, etc.) shall be limited to the following hours:

Monday-Friday 7:00 A.M. to 6:00 P.M.
Saturday-Sunday 8:00 A.M. to 3:00 P.M.

Homeowners should make every attempt to honor these hours and exceptions will only made on an occasional basis with concurrence of affected neighbors.

7. Blasting

In addition to all other requirements of this document, if any blasting is to occur, the contractor is responsible for informing all residents via email from the DRC or the President of the Association.

8. Demolition

If an existing structure is to be demolished prior to the construction of a new structure, conventional methods of destruction and removal must be used. Approved methods of destruction would include bulldozing or a wrecking ball but would not include fire or dynamite. Until it is removed from the site, debris must always be adequately contained and covered. Dumpsters shall be placed only in a location approved by the DRC. Debris and dumpsters must be removed as soon as demolition has been completed and are not to exceed 30 days.

9. Site Drainage

Site Drainage should remain the same as before the construction and will be done with minimal disruption to the lot and shall not change so as to drain to adjoining lots, open spaces, or across adjacent roads to cause a condition that could lead to soil erosion, deposit of debris or water collection.

10. Driveways

All new and redesigned driveways require a permit from Jefferson County for property “entrance” into a main road. The County has certain “visual” and fire prevention requirements in this area. Driveways should be designed to produce a minimal impact on the natural landscape and natural contour of the land. Trees to be removed for driveway construction shall be identified on plans submitted to the DRC.

11. Excavation Materials (soil, fill, gravel, etc.)

Excess excavation material (soil) will be hauled off the project or be placed elsewhere on the property with DRC approval as to its location. Imported soil, fill and roadway materials may be stored on the lot for not more than 30 days before being incorporated into the construction project. Imported excavation materials include dirt, fill, gravel, rock, pavers, etc.

12. Septic/Well Location

Leach fields must comply with the county permit and inspection process. (If you have questions, please contact Jefferson County Department of Health & Environment,

telephone 303-232-6301, or <https://www.jeffco.us/2379/Onsite-Wastewater-Treatment-Systems>.) The DRC should be notified of any well, septic or leach field work planned, and must receive copies of the county permit and paperwork.

13. Landscaping

All native plants and ground cover should be preserved and supplemented with indigenous materials. The overall landscape intent is to preserve and enhance the existing natural character. New landscape plantings shall reflect this intent.

Landscape grading shall be kept to a minimum. Areas requiring grade changes shall be sculptured in such a manner as to minimize aesthetic and erosion problems. The DRC requires landscaping plans to be submitted for approval. Property owners are encouraged to make adequate provisions for landscaping costs in their overall construction budget. Ground disturbed by construction shall be revegetated and restored for erosion and appearance reasons, using natural, indigenous grass seed. Planting is to commence as soon as possible after completion of the dwelling. Local nurseries will have more information on available seeding options.

The Guidelines stress the importance of conserving and protecting, topsoil, unique landscape features, as well as view corridors through thoughtful and sensitive siting, design and considerate construction procedures. The DRC requires good forest management in all three Defensible Space Zones, and fire mitigation in Zone 1 (out to 5 feet) and Zone 2 (5 feet out to 30 feet).

All natural surface areas disturbed by construction shall be returned promptly to their natural condition and replanted in native grasses, shrubs and trees.

14. Construction Completion

Upon completion of construction, each property owner shall clean the construction site and undertake repair of damages, including, but not limited to, restoration of grades, seeding of disturbed areas, and repairing of streets, driveways, pathways, drains, culverts, ditches, signs, lighting and fencing.

Any property damage done to OLA property or adjoining properties shall be promptly repaired to the satisfaction of the DRC. If the Owner does not satisfy the DRC within a reasonable amount of time the OLA may complete the repair and restoration at the owner's expense.

Owners are to advise the DRC of construction completion and schedule a final site visit to ensure compliance with approved plans and fire mitigation in Defensible Spaces Zone 1 and 2.

15. Prohibited Construction Activities

The following practices are prohibited anywhere on the Construction Site:

- a. Changing or disposing of oil in or from any vehicle or heavy equipment.
- b. Leaving concrete residue and/or waste materials on the construction site after completion of construction.
- c. Cleaning concrete trucks and delivery equipment.
- d. Carelessly disposing of cigarettes and other flammable materials. An on-site smoking area must be designated with adequate cigarette disposal receptacles provided by contractor. At no time are cigarettes allowed to be left on the ground even if they have been extinguished. The Owner and contractor will be responsible for any damage to other lots or OLA property as a result of a fire originating from the construction site or from the negligent behavior of the contractor, subcontracts or other construction personnel.

B. Improvements - What is Considered an Improvement / Not an Improvement

Rule of thumb is anything that is attached to the ground is considered an improvement.

No structure, attachment to any existing structure, or other exterior improvement (whether a residence, antenna, athletic facility or similar improvement or attachments) shall be constructed, erected, or maintained on any lot and no alterations to the exterior of a structure or exterior improvement shall be made unless it complies with the Jefferson County, Colorado zoning ordinances in existence with respect to the property and until the complete written plans and specifications have been submitted to the DRC and approved in writing according to the procedures outlined in the Covenants.

C. Exterior Material and Treatment of all Structures

1. Elevations

All structures should blend with site and the environment. To the extent possible each structure should be designed so that existing natural features are preserved, and site grading is kept to a minimum.

A primary residence shall not exceed 35 feet in height. Accessory buildings shall not exceed 24 feet in height from the lowest grade (down hill point to the peak of the roof), nor shall the building exceed the height of the main home.

2. Materials (Exterior)

- a. Exterior material treatment shall be continuous and consistent on all elevations of a residence to achieve a uniform and complete architectural design statement.
- b. Wood siding is discouraged for fire purposes. However, if used it may be left natural or colored with natural (earth-tone), semi-transparent or solid color stains or paint.

- c. If masonry is used, finish color may be either integral or applied and must be of neutral tones. Moss rock, granite, and other natural materials are the accepted standard as exterior materials for the Overlook properties.
- d. Fascia, trim, columns, beams and deck railings may have accent colors, with DRC approval. White is discouraged.
- e. Samples of all materials (siding material painted or stained with finish color, roofing material, windows, stone etc.) must be presented to the DRC by the property owner for approval.

3. Color (Exterior)

The color of exterior materials will be generally subdued to blend with the colors of the natural landscape. Earth tones, for example: soft browns, buff, taupe, or terra cotta, are strongly recommended. White and light colors that make structures stand out are discouraged. Accent colors and materials, used judiciously and with restraint, may be permitted. Indiscriminate colors not in keeping with Overlook properties and the natural environment will not be approved. When repainting the same color, no DRC approval is necessary, but a change in color must be presented for approval prior to commencement of painting.

Mortar color will match or coordinate with materials used to keep in harmony.

4. Gutters

All gutters and down spouts shall be of a color similar to adjacent trim or siding.

5. Garages and Car Ports

All garage spaces shall be fully enclosed. Car ports are prohibited.

6. Lighting (Exterior)

The neighborhood greatly values the mountain's star filled dark sky.

Exterior lighting is subject to approval by the DRC and should be of a design compatible with the structure. Exterior lighting must be subdued downcast and bulbs shielded. All lighting must not be an annoyance to adjoining property owners.

Lights which can be controlled from the residence by the homeowner when expecting visitors are suggested. Outdoor lights should be turned off when not in use.

Downcast lighting of no more than 20 watts is allowed on any driveway or walkway.

Ground and building lighting shall be confined to the property and shall not cast direct light or glare on adjacent properties or rights-of-way, or add to light pollution.

7. Roofing Design and Materials

All buildings must feature sloped roofs and shall be covered with high quality, fire resistant roofing materials such as clay tiles, slate, concrete tiles or dimensional asphalt shingles with a minimum of a 50-year warranty. Additional county regulations are in place for any flammable roofing materials.

DRC approval is required prior to installing a new roof. Jefferson County regulations for roofing materials must be followed.

8. Relationship to Existing Dwellings

Height and configuration of an improvement shall respect established views and privacy of dwellings on adjacent lots.

D. Accessory Buildings

All accessory buildings shall be situated and constructed in such a manner as to minimize environmental disturbance and visual/aesthetic disturbance to neighbors. This implies that natural features such as topography, vegetation and wildlife be protected; that only essential trees be removed; that existing contours remain essentially unchanged; and that such facilities not adversely disturb or be detrimental or injurious to another owner's natural surroundings and views. A main factor for consideration is the lot size and ability to locate the building away from the road and lessen the view from other properties.

Major architectural themes from the residence must extend to all accessory buildings and must match the primary residence as to color, roof pitch and materials (including, but not limited to siding, trim, roofing, windows etc.)

The front setback for an accessory building shall be 30 feet and no closer to the road than the main home. Side and rear setbacks are 20 feet. The height of accessory buildings must not exceed 24 feet from the lowest grade and not exceed the height of the main home. Total square footage of the accessory building can not exceed 1000 square feet.

The Overlook is zoned to permit construction of one single-family dwelling per lot. No lot in The Overlook may have a second residence. Accessory buildings used for a garage should not have garage doors facing the roadway if possible. Vehicle access should be from the side. The use of an accessory building should be for garaging vehicles, storage, workshop, art studio or office. Apartments and guest quarters are not allowed. Commercial activities are prohibited.

E. Additional Structures

1. Satellite Dishes / Antennas

All satellite dishes and antennas must be approved by the DRC and every effort should be made for them not to be visible from the roadway and other properties. Permitted antennas shall be installed in the least conspicuous location available on a lot. No

television or radio antennas may extend above the roof height of the structure on which they are located.

2. Alternative Energy

No solar panels or wind generators will be placed on any buildings or parcels in view of the road or other parcels. This does not preclude the use of solar roof tiles or other items that are approved by the Design Review Committee.

3. Fencing / Security Gates / Dog Runs

Fencing and security gate plans should allow for wildlife corridors and be appropriately sized. The Colorado Division of Wildlife recommends fence heights not exceed 42 inches. No fence, wall, dog run, or similar type barrier of any kind shall be constructed, erected, or maintained on any lot for any purpose whatsoever, unless the design and location have been approved in writing by the DRC in accordance with the same standards as are used in evaluating and approving other exterior improvements. Written plans must be submitted to the DRC. All fencing plans must be approved by the DRC. As needed, the DRC will conduct a site visit when the proposed fencing has been staked.

Dog runs shall be architecturally compatible with the existing or proposed dwelling and the design and location require DRC approval. The County regulations limit the maximum height to 6 feet.

Dog runs become part of the structure of a home. As such, they should be designed and constructed to complement the house, decking, fencing and topography. Use of black, dark green or brown fencing is recommended.

Extreme care should be taken to locate the run in an area that will have the lowest visual and audible impact on neighbors. All fencing will be shielded from view by trees/bushes.

Invisible Fencing must be installed 10 feet inside the property line. This will allow neighbors to install similar fencing for their dogs while maintaining a distance between the animals.

The Covenants require that every dog be under the direct control of its owner when outside.

All fencing in The Overlook must be maintained in good condition/repair.

4. Flag Poles

Permanent verticle flag poles are not allowed.

5. Play Equipment

The following items are considered play equipment: Swing sets, swings attached to permanent structures, sliding boards, climbing structures, basketball backboards, forts and playhouses, trampolines, and portable swimming pools. Play equipment may not be limited to these items.

Requests for installation of play equipment shall be submitted to the DRC to ensure that the requirements following have been met.

- a. Play equipment shall be finished to blend with the surroundings or be made of natural materials. Muted, dark, or earth tones are strongly encouraged. Home-built play equipment should be neat and orderly in appearance and finish. Brightly colored plastic play sets will not be allowed.
- b. Play equipment should be located away from property lines adjacent to other houses or streets and away from neighbor's direct view.
- c. Play equipment which has fallen into disrepair should be removed from the property.

6. Pools

Pools require DRC approval. Pool interior surfaces needs to be subdued to include cobalt blue or other dark colors. Surround of the pool should be natural landscaping and natural colors. Water must be from an external supplier and Overlook well usage is not permitted. Pools must have approved fencing or secure keyed roll out covers that assures safety for children and animals.

7. Tennis Courts

Tennis courts will not be permitted within the view of the road or other properties. Tennis courts require a 50' setback from the property lines. Perimeter fencing of tennis courts should blend in with surrounding landscaping and must comply with all fencing design requirements stated within these Guidelines. Courts will be for daylight use only and have no lighting installed.

8. Outdoor Fire Features

Without exception, no open burning is allowed in The Overlook. Jefferson County may issue burn permits, but they are invalid within the boundaries of The Overlook. The DRC approves gas fire features such as gas fire places, gas fire pits and/or gas fire tables if they are located on nonflammable hard surfaces.