

# Woodmoor<sup>SM</sup>

Improvement Association



**Policies, Procedures, Rules and Regulations of Woodmoor Improvement Association**

## **PART V**

# **DESIGN STANDARDS MANUAL**

<b>TABLE OF CONTENTS.....</b>	<b>1</b>
<b>PREFACE.....</b>	<b>3</b>
<b>INTRODUCTION.....</b>	<b>4</b>
<b>DISCLAIMER .....</b>	<b>5</b>
<b>I. AUTHORITY .....</b>	<b>6</b>
A. GOVERNING DOCUMENTS .....	6
B. THE ARCHITECTURAL CONTROL COMMITTEE .....	6
<b>II. NEW CONSTRUCTION PROJECT PROCEDURES .....</b>	<b>7</b>
A. PLANNING PHASE .....	7
B. NEW CONSTRUCTION PROJECT APPLICATION CONTENTS .....	8
C. APPROVAL PHASE.....	9
D. CONSTRUCTION PHASE.....	11
E. COMPLETION PHASE .....	12
F. DRAINAGE CONTROL DURING CONSTRUCTION.....	13
G. CONSTRUCTION STORAGE UNITS.....	14
<b>III. MAJOR MODIFICATION PROCEDURES .....</b>	<b>15</b>
A. ADDING SQUARE FOOTAGE TO THE RESIDENCE (INCLUDING GARAGE).....	15
B. EXTERIOR ENCLOSURE .....	15
C. ADDING OR ALTERING THE ROOFLINE.....	15
D. ANCILLARY BUILDING.....	15
E. PLANNING PHASE.....	16
F. MAJOR MODIFICATION PROJECT APPLICATION CONTENTS .....	16
G. APPROVAL PHASE.....	17
H. CONSTRUCTION PHASE .....	18
I. COMPLETION PHASE .....	19
<b>IV. MISCELLANEOUS PROJECT PROCEDURES .....</b>	<b>20</b>
A. PLANNING PHASE .....	20
B. MISCELLANEOUS PROJECT APPLICATION CONTENTS .....	21
C. APPROVAL PHASE.....	21
D. CONSTRUCTION PHASE .....	22
E. COMPLETION PHASE .....	22
<b>V. FEES FOR NEW CONSTRUCTION &amp; MODIFICATIONS.....</b>	<b>22</b>
A. NEW CONSTRUCTION – SINGLE DWELLINGS .....	22
B. MAJOR MODIFICATION & ANCILLARY BUILDINGS.....	23
C. MISCELLANEOUS PROJECTS/SHED.....	23
D. FEE SUMMARY .....	24

<b>VI.</b>	<b>RESPONSIBILITIES.....</b>	<b>24</b>
A.	ARCHITECTURAL CONTROL COMMITTEE (ACC) .....	24
B.	OWNER/CONTRACTOR.....	25
C.	PROJECT MONITOR.....	27
D.	WOODMOOR IMPROVEMENT ASSOCIATION OFFICE STAFF.....	27
E.	WIA BOARD OF DIRECTORS .....	28
<b>VII.</b>	<b>DESIGN AND CONSTRUCTION GUIDELINES.....</b>	<b>28</b>
A.	HOME DESIGN CONCEPTS .....	28
B.	LOT SITING.....	29
C.	SETBACK DETERMINATIONS.....	29
D.	TOPOGRAPHY AND DRAINAGE.....	31
E.	UTILITIES.....	32
F.	FOUNDATIONS .....	32
G.	THE BUILDING .....	32
H.	MINIMUM LANDSCAPE REQUIREMENTS.....	37
I.	FENCING & ENCLOSURES .....	39
J.	TRELLIS AND LATTICEWORK.....	41
K.	OUTDOOR LIGHTING.....	41
L.	HOUSE NUMBERING.....	42
M.	COMMON AREAS .....	42
N.	FLAGPOLES.....	43
O.	FILLING ERODED LAND.....	43
P.	PLAYGROUND EQUIPMENT.....	44
<b>VIII.</b>	<b>SPECIAL STANDARDS FOR MULTIPLEX HOMES .....</b>	<b>45</b>
<b>IX.</b>	<b>GLOSSARY.....</b>	<b>46</b>
<b>X.</b>	<b>EXHIBITS .....</b>	<b>50</b>
<b>XI.</b>	<b>INDEX .....</b>	<b>61</b>

## PREFACE

This revision of the *Design Standards Manual* (DSM) approved by a resolution of the Woodmoor Improvement Association (WIA) Board of Directors governs any approval, disapproval, or other action taken by the Architectural Control Committee (ACC). No retroactive changes to height, appearance, or location of any building or structure approved under previous versions of these standards will be required; however, any modifications, additions, re-painting, re-roofing, and/or other changes to an existing building structure or lot will be bound by the provisions of the standards in effect at the time approval is requested.

Any gender references to “he”, “his”, or “him” are used in a generic sense and apply equally to “she”, “hers”, or “her”.

Changes to this manual may be initiated at either an Architectural Control Committee meeting or a WIA Board of Directors meeting through the following procedures.

- ◆ Any member of the Woodmoor community may *recommend* a change by presenting the recommended change at either a WIA Board of Directors meeting or an ACC meeting. Any member of the Board of Directors or ACC may then adopt the recommended change and submit the change as a formal motion in accordance with the following procedures.
- ◆ A change may be initiated in one of two ways:
  1. A motion may be made by an ACC member during a regularly scheduled ACC meeting. If seconded by another ACC member, the ACC will vote on the motion. A majority is required to pass the motion. If the motion passes, the motion becomes a formal Proposed Change, which the ACC Chairman presents at the next WIA Board of Directors meeting, with a verbal synopsis of arguments for and against the change.
  2. A motion may be presented by a WIA Board member during a regularly scheduled WIA Board of Directors meeting. If another member of the Board of Directors seconds the motion, the motion becomes a formal Proposed Change.
- ◆ The WIA Board of Directors may discuss the Proposed Change (whether initiated by the ACC or by a member of the Board of Directors) but a WIA Board of Directors vote is required to implement the Proposed Change and the vote will be held at the next scheduled WIA Board of Directors meeting.
- ◆ Proposed changes shall be published on the WIA website ([www.woodmoor.org](http://www.woodmoor.org)) five days preceding the vote. Amendments to the Proposed Change shall not require re-publication of the proposed changes. All approved changes will be published in the WIA newsletter and on the website.
- ◆ Amendments to the Proposed Change shall not delay the final vote on the Proposed Change if the five-business day rule and publication of the original Proposed Change have been accomplished.
- ◆ A Proposed Change shall be accepted by a majority vote of a quorum of the WIA Board of Directors, and shall become effective immediately unless stated otherwise as part of the Proposed Change. An Approved Change shall be published in the next Woodmoor Improvement Association Newsletter.

ACC approval of requests for construction or modifications does not assure design adequacy, construction quality, builder performance, or compliance with applicable governmental codes. Thorough preparation and pre-submittal coordination are essential. It is neither possible nor proper for the ACC in session to rework unacceptable proposals. Therefore, where time is important, it becomes even more incumbent upon the Owner/Builder to assure complete adequacy before ACC consideration.

## INTRODUCTION

Welcome to Woodmoor! We are pleased that you have chosen to live in this community. The DESIGN STANDARDS MANUAL (DSM) has been prepared in accordance with the covenants of Woodmoor and Colorado law.

The Woodmoor subdivision was established in the early 1960's. It is a community of custom homes nestled in a forested area along the Front Range, North of Colorado Springs. Through the years, the Woodmoor Improvement Association (WIA) has strived to enhance the overall character of the community by maintaining high standards of design, construction, landscaping, and fire safety, protecting the value of investments made by the homeowners, and protecting the environment. This is accomplished by the *Covenants*, conditions, and restrictions placed upon the use of the homeowner's property. The WIA maintains and enforces the Covenants. This manual provides the Rules and Regulations, pertinent Colorado Law and essential information required for the construction or modification of a home. The Design Standards Manual has been prepared in accordance with the Covenants of Colorado law pertaining to this community.

In addition to controlling and enforcing community standards, the WIA, through the ACC, will assist a property owner in matters that may not be covered in this publication. A property owner must submit an application to the WIA prior to initiating a modification that affects the exterior of a home or a major alteration to the landscaping is planned or desired. Please contact the Architectural Control Committee (ACC) for further guidance by calling the WIA offices at (719) 488-2693, or visit the WIA office located at 1691 Woodmoor Drive, Monument, CO 80132

## **DISCLAIMER**

**THE WOODMOOR IMPROVEMENT ASSOCIATION (WIA) AND ITS ARCHITECTURAL CONTROL COMMITTEE (ACC) ARE PRIMARILY CONCERNED WITH THE LOCATION, HEIGHT, FLOOR AREA, AND EXTERIOR APPEARANCE OF YOUR HOME AND OTHER IMPROVEMENTS TO THE PROPERTY, AND NOT THE INTERIOR PLAN OF THE HOUSE. ADHERENCE TO THE EL PASO COUNTY REGIONAL BUILDING CODE, RELATED SAFETY AND QUALITY REQUIREMENTS ARE ENFORCED BY LEGALLY APPOINTED BUILDING INSPECTORS AND NOT BY THE WIA. IT IS THE DUTY OF THE BUILDER AND OWNER TO ENSURE COMPLIANCE WITH THESE REQUIREMENTS.**

**IT IS THE PROPERTY OWNER'S RESPONSIBILITY TO ENSURE COMPLIANCE WITH THE WIA DESIGN STANDARDS AND LOCAL GOVERNMENTAL CONSTRUCTION LAWS, RULES, REGULATIONS AND STANDARDS. PERSONS/ENTITIES CONTRACTED TO PERFORM IMPROVEMENTS OR MODIFICATIONS ON THE PROPERTY ARE RESPONSIBLE TO THE PROPERTY OWNER TO FOLLOW THESE STANDARDS. THE PROPERTY OWNER IS RESPONSIBLE FOR ANY VIOLATION OR OMISSION ON THE PART OF PERSONS OR ENTITIES CONTRACTED TO PERFORM ANY OF THESE OPERATIONS ON THE PROPERTY.**

**APPROVAL OF ANY BUILDING MATERIALS FOR USE WITHIN WOODMOOR DOES NOT CONSTITUTE A RECOMMENDATION FOR SUCH USE NOR A WARRANTY OF QUALITY, IMPLIED OR OTHERWISE, BY THE ACC. WHILE THE WIA USES REASONABLE EFFORTS OF OUR STAFF AND VOLUNTEERS TO CONSISTENTLY AND FAIRLY INTERPRET AND APPLY THESE DESIGN STANDARDS, THE WIA DOES NOT ASSUME ANY RESPONSIBILITY FOR A BUILDER OR OWNER'S FAILURE TO COMPLY WITH THESE DESIGN STANDARDS, THE COVENANTS, OR ANY OTHER WOODMOOR RULE OR REGULATION.**

**THE PROPERTY OWNER WILL BE LIABLE FOR ANY DAMAGE RESULTING FROM DRAINAGE, AND NOT THE WIA.**

Copies of this *Design Standards Manual* are available to purchase from the WIA office or by mail or phone request to: Woodmoor Improvement Association; 1691 Woodmoor Dr., Monument, Colorado 80132. Phone: (719) 488-2693; Fax: (719) 481-8461. You can also access the publication, at no charge, from the WIA website at [www.woodmoor.org](http://www.woodmoor.org).

## **I. AUTHORITY**

The purpose of this document is to control construction, modifications, tree removal, and to establish landscaping requirements. The authority for this document is derived from the following:

### **A. GOVERNING DOCUMENTS**

1. Applicable Woodmoor Corporation *Declarations of Covenants, Conditions, and Restrictions* and amendments thereto (hereinafter referred to as the “*Covenants*”).
2. Amended *Articles of Incorporation* and *By-laws* of the Woodmoor Improvement Association (WIA).
3. Applicable provisions of the Colorado Common Interest Ownership Act, (Colorado Revised Statutes 1992, 38-33.3-101 et. seq. and any amendments thereto). The Colorado courts have confirmed the authority of the WIA to establish and enforce standards and interpretations of the *Covenants*, which are in the interest of the community and are free from caprice, arbitrary action and prejudice. The WIA Board of Directors cannot grant any variances to the *Covenants*, but variances to the Design Standards may be requested.

### **B. THE ARCHITECTURAL CONTROL COMMITTEE**

The Architectural Control Committee (ACC) has been designated the WIA's agent to exercise the aforementioned authority, establish standards and procedures, and furnish pertinent interpretation of the same, when required. These responsibilities are delegated to the ACC, subject to appeal to the final authority of the WIA Board of Directors. The WIA Board of Directors approves appointments of the other members of the ACC.

1. Committee members are required to attend three ACC meetings as an observer, prior to being recommended to the WIA Board for voting membership.
2. An ACC voting member must attend at least one scheduled ACC meeting in any consecutive two-month period to retain voting member rights. The Chairman may excuse a series of absences due to extenuating circumstances.
3. Each member of the ACC must sign the WIA Architectural Control Committee Conflict of Interest Statement form, which will be kept on file at the WIA business office.

## II. NEW CONSTRUCTION PROJECT PROCEDURES

This chapter describes the complete process for developing and submitting a new construction project application to the ACC, and the involvement of the ACC during the construction process. The entire process is divided into four phases: Planning, Approval, Construction and Completion. This chapter includes sections identifying the project application requirements, applicable filing and compliance fees, and requirements for staking-out the project.

### A. PLANNING PHASE

1. The Owner and Builder must be completely familiar with *Woodmoor Covenants* and the *Rules and Regulations and Design Standards*
2. A preliminary meeting with the WIA's Project Monitor is recommended
3. The Owner must have the project site accurately staked, as described below.

Before submitting an application for new construction to the WIA, the Owner should stake the following key features of the proposed project. In the event lot corners, lot lines, etc. have been plotted incorrectly and/or staked inaccurately, it shall be the responsibility of the Owner to correct same, even if that requires removing/relocating forms, foundations, driveway, etc.).

- a. Lot corners.
  - b. Lot lines (sufficient stakes are required to give an accurate representation of curved lot lines).
  - c. Foundation corners. In those cases where the nearest point on overhangs, decks, or other structural elements will be less than ten (10) feet from the setback lines, stakes will be placed to show the relationship between setback lines and the nearest point on the structural element.
  - d. Driveways and parking areas.
  - e. Mark with a colored ribbon trees proposed for removal that are four (4) or more inches in diameter when measured 4 ½ feet above the ground.
  - f. Notice sign furnished by the WIA; placed on the property in a visible location (not attached to a tree).
4. If the Owner desires to remove any standard dimension trees (see Glossary) before the project application is approved, the Owner must submit a Tree-Removal request to the WIA. If the WIA approves an application for new construction, all trees with any portion within thirty (30) feet of the new, approved structure may be removed by the Owner without further approval from the WIA, provided the removal is accomplished after the project application is approved by the WIA and prior to the WIA performing the final inspection of the project. If a tree or trees are not removed prior to the final inspection, then the owner must obtain permission from the WIA for any subsequent removal.
  5. The Owner must complete a WIA New Construction Project Application, including all pertinent information. The application must clearly convey the intended work and how the site will be affected. The ACC will not rework application details during the ACC meeting.

## **B. NEW CONSTRUCTION PROJECT APPLICATION CONTENTS**

No part of the application should be left blank; if a section is not applicable it should be annotated accordingly (e.g. “NA”). Responsibility for ensuring a complete project application rests entirely with the Owner; acceptance of the project application by the WIA does not imply the application will be approved by the ACC. The following must be included with the application form.

1. Comprehensive Site Plan no smaller than 1”:20’ scale. (See Example Exhibits p. 50)
  - a. Vicinity Map (may be on separate sheet).
    - i. Streets within a quarter mile.
    - ii. Location of property within Woodmoor.
    - iii. Outline adjacent properties, properties across the street(s), and adjacent common areas.  
Any scale that provides the information accurately and is readable is acceptable.
  - b. Dashed line identifying the limit of the area on the lot that will be disturbed by the project including, but not limited to, areas that will be used for temporary access during construction, material and excavation storage, etc.
  - c. Bold, solid lines indicating all proposed contours of the finished grade, in two-foot intervals, within the area that will be changed from the existing contours.
  - d. Light, dashed lines indicating the natural contours of the undisturbed and present lot topography, in two-foot intervals. Also identify any prominent rock outcroppings. This information may be provided on a separate sheet, if desired. However, if existing contours are put on a separate sheet, then the existing contours within the disturbed area must be included in the Site Plan, so the planned changes in ground terrain may be accurately determined.
  - e. All proposed terracing and retaining walls. The maximum height for retaining walls is 4’.
  - f. All existing and proposed drainage swales, ditches, culverts, and French drain, showing directions of flow.
  - g. Location of roof overhangs, cantilevers, patios, decks, trash enclosures, air conditioner compressors, outside tanks, fences, walls, walks or pathways, signs, gazebos, playground equipment, and other structures—planned or existing.
  - h. Boundary of vehicular area on the property, including driveway, turn-arounds, and parking areas.
  - i. Identify all standard dimension trees that are proposed for removal or moving if the entire tree is (a) more than thirty (30) feet from the proposed structure, or (b) more than five feet from the boundary of the designated vehicular area. If a standard dimension tree is to be moved to another location on the lot, identify the tree on the drawing and its proposed destination. The actual tree must also be clearly and prominently marked as the candidate for moving when the application is submitted to the WIA.
  - j. Label all temporary construction access routes to the property.

- k. Provide the reference elevation for the finished floor level, each level of the house and the garage floor.
  - l. Identify the location and elevation of the reference benchmark on, or adjacent to, the property. This reference must be protected and accessible to the Project Monitor during the entire project.
2. Floor plans drawn at ¼ inch = 1 foot scale. A project application with reversed plan drawings will be disapproved by the ACC.
  3. One architectural cross section through the building: one from front to rear. Cross sections shall be drawn at ¼ inch=1foot scale. All cross sections shall include vertical dimensions from one floor to another, and to the roof peak. A project application with reversed cross section drawings will be disapproved by the ACC.
  4. Exterior elevations drawn at ¼ inch=1foot scale of all sides of the structure. Indicate proposed finish material for exterior surfaces. Identify the natural, undisturbed grade line at the structure perimeter in a light, dashed line and the proposed finished grade line in a bold, solid line. A project application with reversed elevation drawings will be disapproved by the ACC.
  5. Color samples for all exterior paints and stains.
  6. Brochures with samples, or material samples of all siding and trim materials.
  7. Roofing material on the WIA approved roofing list, which is in effect on the date the application is accepted by the WIA, may be simply identified by specific brand, product name and color name. Any other roofing material must include a sample.
  8. Any project for which modular or pre-manufactured structures are proposed shall be marked "MODULAR" in bold letters no less than ½ inch high on each page of the floor plan drawings. Additionally, one copy of the manufacturer's publication for the proposed construction, including the manufacturer or local distributor name, address, and phone number must be included.
  9. If access to any Woodmoor Common Area is desired in support of the project, include an approved "Application for Common Area Use" form with the project package. (For rules regarding the Common Areas, see Section VII, page 42, M. COMMON AREAS).

### **C. APPROVAL PHASE**

This phase begins when the WIA office receives a complete project application. The application must be received a minimum of two weeks prior to a scheduled ACC meeting for it to be reviewed.

1. Owner submits one copy of the project application form with all supporting documents to the WIA with payment of applicable filing and compliance fees.
2. The WIA Notice Sign:
  - a. The Project Monitor will visit the project site to verify that the sign is posted in compliance with these Standards. Failure by the Owner to properly post the sign indicating proposed construction is a valid basis for disapproval of the project application.

- b. The WIA has a notice sign available for posting at sites for proposed new construction. The paper sign is available with no return obligation, but it is not weather-durable and must be mounted on a suitable support structure. (The sign may not be mounted on a tree).
  - c. The WIA notice sign must be prominently displayed at the lot of the proposed new construction, and be clearly visible from the street which will become the permanent vehicular access to the property. The sign must be posted at the property for at least seven days before ACC approval.
3. Upon receipt of the completed application, the Project Monitor will review it and inspect the staked lot prior to ACC consideration. The Owner is encouraged to accompany the Project Monitor on this visit.
4. Upon receipt of the complete application package, the WIA office will also send a project notification to owners of adjoining lots. Lot owners may submit either written comments to the ACC, or may attend ACC meetings to present their comments on the proposed work. Phone comments will not be accepted. Comments received after the ACC decision will not alter that decision.
5. The Owner will be notified of the ACC meeting date at which the project application will be considered. The Owner/Builder is encouraged to attend the meeting in order to clarify or resolve any questions ACC members may have about the project.
6. The ACC's primary concern is consideration of the proposal as it contributes to and enhances the community in style, compatibility with surrounding structures and environment, and as the work conforms to the standards set forth herein by and for the community. Any concerns from residents will also be considered, within the scope of the WIA *Covenants* and its *Rules and Regulations*.
7. A majority vote of an ACC quorum is required to approve or disapprove any action.
8. Application plans will be stamped by the ACC "SURVEY REQUIRED" if the proposed new home is sited two feet or less from the setback lines on one or more sides, or if there are other exceptional circumstances involved. A wet-stamped, LAND SURVEY PLAT, certifying the actual placement of footers must be provided to the WIA before pouring the foundation walls. An Improvement Location Certificate (ILC) will not be accepted. Work on the structure must cease if the survey shows that the building is not located in accordance with the approved plans.
9. If the application is approved, the WIA will give the Owner one copy of the approved Project Application.
10. If the project application is disapproved, the ACC will return to the Owner all but one copy of the application, marked to confirm the disapproval.
11. Disapproved plans may be resubmitted within sixty (60) days of the original submittal date without incurring additional application fees to the Owner. It is the Owner's responsibility to revise the plans in accordance with specific requirements established by the *Design Standards Manual, Covenants, Rules and Regulations* and the ACC. If a disapproved project application has not been resubmitted within sixty (60) days, the WIA will refund the compliance fees to the Owner and retain any non-refundable application fees.

12. Any ACC decision may be appealed by the owner, in person or in writing, within thirty (30) days to the WIA Board of Directors. In the case of an appeal, construction cannot begin until the Board renders a decision.
13. If an application is not approved or disapproved within thirty (30) calendar days of submittal of the complete project application package, the application is automatically approved as deemed under the *Covenants*. The thirty (30) day period begins the date the WIA office accepts the application package. The WIA office will annotate this date on all copies of the application form.

#### **D. CONSTRUCTION PHASE**

This phase starts with the approval of the application by either the ACC or the WIA Board of Directors. It ends when construction is complete, all trash and debris are removed and final grading is completed.

1. The Owner must comply with the following time limits:
  - a. Construction must be completed within one year after project approval.
  - b. Landscaping must be completed within 18 months after project approval.
  - c. An extension may be granted by the ACC upon formal request from the Owner. The extension request must be submitted before the required completion date.
  - d. If stated timelines are not met, twenty (20) per cent of the compliance fee is subject to forfeiture for every thirty (30) days the project remains uncompleted. After which time the compliance fee is exhausted, the matter will be referred to the WIA Covenants Enforcement Director for additional action.
2. Foundations and Footings:
  - a. Concrete foundation footers shall not be poured until the Owner has provided the WIA Project Monitor an opportunity, of at least two business days, to inspect forms placement and to validate that the location is consistent with the approved plans. The forms need not be completed prior to the Project Monitor review, but they must be sufficiently complete to establish the shortest distance of the footer to all property boundaries. If the Project Monitor is not called to inspect the footers prior to pouring them, 50% of the compliance fee will be forfeited.
  - b. If the foundation footers are to be poured in multiple pours, then provisions of this section shall apply to the first pour, and any subsequent pours as determined by the Project Monitor. This is necessary so that the complete location of the structure on the property, relative to all boundaries, can be fully observed by the Project Monitor.
  - c. If footers are not utilized in the foundation system, then the provisions of this section apply to the foundation walls, or whatever foundation system is initially placed on the site, for the permanent location of the structure.
  - d. The Owner must ensure that property boundary markers are not obscured during this time. This includes ensuring that excavation material does not prevent an accurate determination of boundaries and does not impede measuring the distance from boundaries to the proposed structure. The Owner is encouraged to provide stakes or other devices to make compliance readily apparent to the Project Monitor.

- e. The Project Monitor will document the results of the site visit; specifically noting whether the forms are located consistent with the approved plans, or if an accurate determination of the form location was not possible because of obstructions, obscured boundaries, or other causes. The documentation by the Project Monitor will be returned to the WIA office within one business day of the Project Monitor visit.
  - f. If the Project Monitor's review of the footer or foundation placement cannot validate placement of the structure on the site in accordance with WIA approved plans, then the Owner will be at risk of having to remove any work that is not sited per the approved plans.
  - g. Approved projects that have been marked "SURVEY REQUIRED" shall have the structure placement validated by a registered surveyor. The Owner must ensure the surveyor provides a Land Survey Plat, directly to the WIA office, certifying that:
    - i. The structure location is being sited as per the WIA approved plans, in which case the Owner may proceed with pouring all foundation walls without delay, or
    - ii. Provides details of how the structure varies from the WIA approved plans.
    - iii. In all cases, the land survey plat must be provided to, and approved by the WIA before any further construction beyond that of the foundation footers may proceed.
  - h. Changes: The Owner must obtain a Change Agreement Form, signed by both the Owner and the Project Monitor, for any proposed exterior changes to the approved plans in advance of their implementation. The Project Monitor will take one of the following actions on Change Agreement Forms:
    - i. Granting immediate approval.
    - ii. Consulting with one or more members of the ACC and then granting approval.
    - iii. Advising the Owner that the changes are too extensive and will need ACC consideration before approval.
  - i. The Project Manager will coordinate with the WIA office to check that notification of the approvals and inspections are given the owner.
3. The Owner must ensure that standards for orderliness and cleanliness of the construction site, as well as other responsibilities outlined in the Responsibilities section of the manual, are observed throughout all phases of construction. (See Section VI, p. 25 B, Owner/Contractor Responsibilities.)

## **E. COMPLETION PHASE**

The completion phase begins when either the Owner or the WIA request a final project review.

1. The Owner should request a final review when the project is fully completed in accordance with the approved project application. (The WIA reserves the right to initiate a final review if the Owner has not requested a review by the project expiration date.)
2. During the final review site visit, the Project Monitor will check that exteriors are completed, the site is clear of construction debris, and the final grade is established.
3. The Project Monitor will present completed inspection reports to the WIA office and report the results of the inspection to the ACC.

4. If the ACC authorizes a refund, then the compliance fees will be refunded in the amount directed by the ACC to the person(s) who originally submitted the fees. Any change in recipient of the refund will require a notarized letter to the WIA office from the person(s) who submitted the fees designating the new recipient. Any refund of the compliance fee may also be rolled over for use towards the required landscaping fee.
5. Any project changes from the approved plans without an ACC approved change form will be grounds for withholding a portion of, or the entire compliance fee.
6. After the ACC has approved a refund of any or all of a compliance fee (construction, landscape or other), the WIA will send notification to the Owner, as identified on the approved project application, of the availability of the refund. Any refundable compliance fee that has not been claimed by the Owner within twelve (12) months of the refund approval, will be considered abandoned, and will be retained by the WIA.
7. If the WIA receives a request for an HOA Statement on behalf of a prospective buyer before the final construction and/or landscape compliance has been determined; the HOA Statement will outline any incomplete requirements and outstanding compliance issues.

## **F. DRAINAGE CONTROL DURING CONSTRUCTION**

The standards for drainage control are listed in this manual, in Section VII, Page 30, D. 1-7 Topography and Drainage.

Woodmoor has seen increased cases of property damage resulting from inadequate drainage control during construction. Generally this damage occurs to properties adjacent to the construction site, and is primarily caused by property owners failing to adhere to the following standards during construction.

1. Property owners are responsible for controlling drainage from their property, during and after construction. This is particularly critical during construction when the disturbed ground quickly sheds water and offers little resistance to soil erosion. Unfortunately, it is during construction that property owners have often failed to comply with the drainage standards. The WIA emphasizes that every property owner undertaking construction must focus attention on potential drainage problems on both their own lot and the lot(s) onto which their land drains, and incorporate the measures needed to ensure drainage problems do not occur.
2. As part of the overall construction approval and compliance process, drainage will be monitored by the Project Monitor and will be reported to the ACC. If the Owner fails to adequately correct drainage problems, the ACC may withhold construction compliance fees to encourage compliance.

## **G. CONSTRUCTION STORAGE UNITS**

An enclosed container for storage of construction tools and supplies may be kept on a construction site until the house is framed and enclosed, with the following conditions:

1. The unit is no larger than 100 square feet in footprint and no more than six (6) feet high from floor to ceiling.
2. The unit may be kept on the site no more than 120 days, unless extended by the ACC.
3. The unit must be placed within the designated disturbed areas.
4. The unit will be used for storage only. Habitation or office use is not allowed.
5. The unit must be enclosed, locked and secured when the crew is not on-site.
6. Vandalism, graffiti or other unsightly conditions of the unit shall constitute grounds for immediate removal.

### **III. MAJOR MODIFICATION PROCEDURES**

This chapter describes the complete process for developing and submitting a Major Modification Project application to the WIA, and the involvement of the WIA during the application and construction process. The chapter is divided into sections that correspond to the four phases of the project: Planning, Approval, Construction and Completion.

Any one of the following conditions is sufficient to dictate that a project be classified as a Major Modification Project:

#### **A. ADDING SQUARE FOOTAGE TO THE RESIDENCE (INCLUDING GARAGE)**

This must involve adding floor space in any quantity, no matter how small, by altering an exterior surface of the structure. However, increasing the volume of the house without increasing the floor space, such as by adding a bay window, which increases interior volume, but does not add floor space, will not be a basis for classifying a project as a Major Modification. Also, adding square footage, while not altering an exterior wall (such as adding an interior bridge or loft) does not constitute a Major Modification.

#### **B. EXTERIOR ENCLOSURE**

Enclosing an existing deck or patio such that the area of the patio or deck is substantially shielded on all sides from the effects of outdoor temperature variations, will classify the job as a Major Modification. This criterion does not require that the house heating system heat the enclosed area, nor does it require that the covering be completely watertight; it is sufficient to simply add walls (whether of structural material, glass, or other such materials) such that the area becomes mostly sheltered from the exterior weather elements. However, enclosing areas under decks or stairways to create a secure outdoor storage area, with no access to the house interior from the planned enclosed storage area, and with no windows in the storage area, shall be considered a Miscellaneous Project.

#### **C. ADDING OR ALTERING THE ROOFLINE**

Roof alteration is a Major Modification because it has the potential for changing the house height, which is strictly controlled by WIA *Covenants*. Putting a skylight in an existing roof or adding a roof fan or exhaust stack does not; in itself make a project a Major Modification. The structural portion of the roof must be altered, or the existing rooflines changed. Constructing a new structural roof above an existing roof is considered a Major Modification.

#### **D. ANCILLARY BUILDING**

An ancillary building shall not exceed 530 square feet and 14 feet in height. Such building shall comply with the same standards that apply to the house on the property as to setbacks. Siding materials, colors and roofing shall match those on the existing house. Architectural accents on the house shall be repeated on the building to reflect coordinated construction. The ancillary building shall not be used for living quarters or an office.

## **E. PLANNING PHASE**

1. The Owner should be completely familiar with the Woodmoor Covenants and the *Rules and Regulations*.
2. A preliminary meeting with the WIA's Project Monitor is recommended.
3. The Owner must accurately stake the project site as described below before submitting an application to the WIA:
  - a. Foundation corners.
  - b. If the nearest point on overhangs, decks, or other structural elements will be less than ten (10) feet from the setback lines, stakes will be placed to show the minimum distance from the setback line and the structural element.
  - c. Boundaries of driveways and parking areas.
  - d. Lot corners and lot lines, providing sufficient stakes to give an accurate representation of curved lot lines. The owner is responsible for assuring the accuracy of the property boundaries.
4. If a Standard Dimension Tree (see Glossary) is proposed for removal or moving, in conjunction with the approved project, such trees should be identified if any part of the tree is (a) more than thirty (30) feet from the proposed new structure or (b) more than 5 feet from the boundary of the designated vehicular area. The tree(s) must be clearly identified by marking with colored ribbon. The tree(s) must be marked when the application is submitted to the WIA and remain marked until removal is accomplished. The tree location must also be identified on the project plan and labeled, "Remove Tree".
5. Owner completes a WIA Major Modification Project application, including all pertinent information. The application must clearly convey the intended work and how the site will be affected. (See Section III; page 16 F. Major Modification Project Application Contents). The Architectural Control Committee will not rework application details during ACC meetings.

## **F. MAJOR MODIFICATION PROJECT APPLICATION CONTENTS**

The Owner is responsible for ensuring a project application is complete; acceptance of the project application by the WIA does not imply the application will not be rejected by the ACC for lack of complete project information.

In addition to completely filling out the Major Modification Project application form, the Owner must provide sufficient information to totally describe the proposed project so that the WIA can validate that the project is within the constraints of the *Covenants and Rules and Regulations*. Detailed, scaled plans, with accurate dimensions and clear depiction of the proposed work, are typically required to meet these criteria. The following list is provided to guide the Owner in creating a complete project application package.

1. Floor plans drawn at ¼ inch = 1 foot scale. Reversed plan drawings will not be accepted.
2. Explicit descriptions of exterior colors and finishes of structures and fences, including brand name, color number, and name of all exterior colors. Samples and specifications of exterior materials shall also be submitted.

3. Location of new overhangs, cantilevers, patios, decks, garbage and trash enclosures, fences, walls, walks, pathways, signs, and other structures.
4. Boundaries of new driveways and parking areas, indicating type of finished surface.
5. The location of any Standard Dimension Trees (see Glossary) that are to be moved or removed.
6. If the existing land surface will be altered by cut or fill, a plan must be included that identifies the current land contours (2 foot intervals) as dashed lines, and the proposed contours as bold, solid lines.
7. Existing and proposed drainage swales or ditches, proposed culverts and outflows from the property.
8. Dotted lines on a plan of the entire property showing any temporary construction access onto the property, and the limits within the property of land that will be disturbed by the project activity.
9. Clearly identify any proposed access onto the property—temporary or otherwise—that will not be directly from a public road.
10. If a survey map is available that depicts the property as it currently exists, a copy of it should be provided, neatly annotated to identify the location of the proposed work relative to existing structures and the property boundaries.

#### **G. APPROVAL PHASE**

1. This phase begins when the WIA office receives a complete Major Modification Project Application. The Owner submits one copy of a Major Modification Project Application form to the WIA, (See Section III, page 16 F, Major Modification Project Application Contents), with all required supporting documentation, applicable filing fees and compliance fees.
2. Upon receipt of the complete application package, the WIA office will send a project notification to owners of adjoining lots. Anyone may either submit written comments to the ACC or may attend ACC meetings to present their opinion regarding the proposed work. Phoned comments will not be accepted. Written comments received after an ACC decision will not alter an ACC decision.
3. The WIA Project Monitor will review all Major Modification Project applications. Depending on the nature of the project, the Project Monitor may conduct a visit of the staked lot prior to the ACC consideration of the application. The Owner is encouraged to accompany the Project Monitor on this visit.
4. The WIA will notify the Owner of the ACC meeting date at which the project application will be considered. The Owner and builder are encouraged to attend the ACC meeting to resolve any questions about the project from the ACC members.
5. The ACC's primary concern is consideration of the proposal as it contributes to and enhances the community in style, compatibility with surrounding structures and environment, and as the work conforms to the standards set forth herein by and for the community. Any concerns within the scope of WIA *Covenants*, and its *Rules and Regulations* that are presented during the meeting will also be considered.
6. A majority vote of an ACC quorum is required to approve or disapprove any application.

7. Application plans will be stamped by the ACC “SURVEY REQUIRED” if the proposed modification will be less than two (2) feet from a setback boundary and no survey map of the property in its present state has been provided with the application. (The requirements of this survey are covered in Section II, Page 12, D. 2g, Construction Phase)
8. If the application is approved, the WIA will give the Owner a copy of the approved application. The Owner may then proceed with the project as approved.
9. If the application is disapproved, the WIA will return all but one copy of the disapproved application, to the Owner. The Owner may then request return of compliance fees and any refundable application fees.
10. Disapproved applications may be resubmitted to the WIA within sixty (60) days of the original submittal date without incurring additional application fees, unless any refundable fees have been previously refunded for this project. It is the Owner’s responsibility to revise plans in accordance with specific requirements established by the WIA *Covenants*, and *Rules and Regulations*, and the ACC. If a disapproved project application has not been resubmitted to the WIA within sixty (60) days, then the WIA will refund the compliance fees to the Owner and will retain any non-refundable application fees.
11. Any ACC decision may be appealed by the Owner, in person or in writing, within thirty (30) days of the ACC decision to the WIA Board of Directors. In the case of an appeal, any item of the project that is being appealed cannot begin unless the WIA Board of Directors has granted approval.
12. Any application that does not receive an initial approval or disapproval from the WIA within thirty (30) calendar days of the date that the complete project application package is accepted by the WIA will be deemed approved under the *Covenants*. (See Article V of the *Covenants*). This acceptance date of the complete project application package will be annotated on the forms, by the WIA office.

## H. CONSTRUCTION PHASE

This phase starts with the approval of the project application by either the ACC or the WIA Board of Directors. It ends when construction is complete, all trash and debris are removed, and final grading is completed.

1. The Owner must ensure that standards for orderliness and cleanliness of the construction site, as well as other responsibilities outlined in the Responsibilities section of this manual, are observed. (See Section VI page 25 B. 1-13 Owner/Contractor).
2. If new foundations are involved, as part of the major modification project, the Owner will follow the same procedures for foundation inspections as specified in Section II, page 11, D.2 Foundations and Footings.
3. The Owner must obtain written approval from the Project Monitor (a Change Agreement Form) signed by the Owner and the Project Monitor for any proposed exterior changes in advance of their implementation.
4. The Owner must complete the project within one year of the project approval date. An extension may be granted by the ACC, upon receipt of a written request and sufficient justification from the Owner. The extension request must be received by the WIA prior to the one-year completion deadline. Justification must demonstrate conditions clearly beyond the anticipation and control of the Owner, and that a conscientious effort to complete the project quickly is evident.

## I. COMPLETION PHASE

This phase begins when either the Owner or the WIA requests a Final Project Review. The WIA Project Monitor accomplishes the Final Project Review. The Owner requests the Final Project Review when the work complies with the approved application. The WIA retains the prerogative to request a Final Project Review if the project deadline has passed and the Owner has not requested the Final Project Review.

1. The Owner must contact the WIA Office and request the Final Project Review. The Owner may be present during the review, although this is not necessary unless physical circumstances of the project site necessitate the Owner's presence in order to accomplish a complete review.
2. In general terms, the Final Project Review verifies, among other things:
  - a. Exteriors are completed.
  - b. The site is clear of construction debris.
  - c. The final grade is established.
  - d. Re-landscaping to meet Woodmoor requirements has been met.
  - e. The WIA project deadline has not been exceeded.
  - f. Any changes were approved prior to implementation.
3. The Project Monitor will give a completed Final Project Review report to the WIA office and will report the results of the Final Project Review to the ACC.
4. When the ACC concludes that compliance fees are to be refunded, the compliance fees will be refunded in the amount directed by the ACC to the person who originally submitted the fees. Any change in the recipient of the refund will require a notarized letter from the person who submitted the fees to the WIA office, designating the new recipient.
5. Any project changes from the approved project application, without prior written approval of the WIA, will be grounds for withholding a portion, or the entire compliance fee, and for initiating possible covenant violation action.
6. Any refundable compliance fee that has not been claimed within 12 months of the refund approval date will be considered abandoned and therefore retained by the WIA.

#### **IV. MISCELLANEOUS PROJECT / PROCEDURES**

This chapter describes the complete process for developing and submitting a Miscellaneous Project application to the WIA, and the involvement of the WIA in the Miscellaneous Project process. The chapter is divided into sections that correspond to the four phases of the project: Planning, Approval, Construction and Completion.

A. Miscellaneous Project covers any work that does not fit the criteria for classification as a New Construction project or a Major Modification project.

1. Projects which can be approved by ACC Administrator with NO FEE:
  - a. Repaint house or change trim color (Earth tones)
  - b. Re-Roof house – must be ACC 50 year or lifetime approved roof, the list can be found at [www.woodmoor.org](http://www.woodmoor.org) or in the WIA office
  - c. Change out windows and doors including storm door and garage doors, no change in size, materials, and location
  - d. Fence maintenance or deck maintenance (if there is no change in size, materials, or location)
  - e. Driveway resurfacing - no changes in footprint
  - f. Flagpoles
  - g. Basketball hoops – portable or in-ground
  - h. Snow fences (Nov. 1 to April 30)
  - i. Conduct a business on residential property – see covenants for approved businesses
  - j. Install or relocate playground equipment
  - k. Hot Tubs/Spas – on existing approved pad
  - l. Pods & dumpsters – can be approved for up to a two (2) month time period unless extended by the ACC or appropriate staff member.
2. Projects which require submittal to the ACC – No fee
  - a. Alter drainage and grading property
  - b. Install or alter a fence or wall
  - c. Modify or build a new deck
  - d. Enclosures

- e. Alter a driveway footprint
- f. Sheds
- g. New cement pad for hot tub/spa
- h. Awnings
- i. Siding material, i.e. stucco, HardiPlank

#### **A. PLANNING PHASE**

1. The Owner shall be completely familiar with Woodmoor *Covenants* and the *Rules and Regulations*.
2. Define all details of the project and obtain relevant color samples, material and texture samples, create drawings that clearly show the specific details of the intended project. Identify on a plot plan the physical location of the project on the property relative to other structures on the property and relative to the property setbacks.
3. Owner prepares the project application. Applications for sheds, new or modified decks, fences, enclosures playground equipment and business on residential property must be received a minimum of two weeks prior to a scheduled ACC meeting for it to be reviewed.

#### **B. MISCELLANEOUS PROJECT APPLICATION CONTENTS**

Provide all required and relevant information on the Miscellaneous Project Form. Attach any supplemental information that enhances the description of the project, including drawings, photographs, catalogs, material samples depicting color and texture. The ACC will not rework application details during the ACC meeting

#### **C. APPROVAL PHASE**

This phase begins with the acceptance of a completed Miscellaneous Project application by the WIA Office.

1. The Owner submits a completed original copy of a Miscellaneous Project Application to the WIA Office (see Section IV, p. 21 B., Miscellaneous Project Application Contents) and all required supporting documentation. (Note: Tree removal requests require only the original Tree Evaluation Request – Removal Form.) The application must be received 2 weeks prior to the ACC meeting.
2. Upon acceptance of the application, the WIA office will initiate a notification to adjacent property owners when warranted by the type or location of the proposed work. The ACC will accept written comments received prior to the ACC meeting, or verbal comments by those who attend ACC meetings, regarding the proposed work. Comments phoned to the WIA will not be considered by the ACC.
3. The Owner will be notified of the ACC meeting date at which the plans will be considered. Owners are encouraged to attend the ACC meeting to answer questions ACC members may have about the project.

4. At the ACC meeting, the ACC's primary concern is consideration of the proposal as it contributes to and enhances the community in style, compatibility with surrounding structures and environment, and as the work conforms to the standards set forth herein by and for the community. Any written or vocal concerns available from residents during the meeting will also be considered. Technical correctness of the application will be considered. A majority vote of an ACC quorum is required to approve or disapprove any action.
5. If an application is approved, the ACC will give the Owner a signed copy of the approved application and the project may commence.
6. If an application is disapproved, the ACC will give the Owner a signed copy of the application that indicates the ACC disapproval, with a brief, written statement as to the reason for the disapproval.
7. Any ACC decision to disapprove an application may be appealed by the Owner, in person or in writing, to the WIA Board of Directors within thirty (30) days of the ACC decision. In the case of an appeal, work on the project cannot begin unless the Board of Directors has approved the project.
8. If an application is not approved or disapproved within thirty (30) calendar days of the application being accepted by the WIA, the application is automatically approved as drawn (See Article V of the *Covenants*). The thirty (30) day period runs from the date the WIA accepts the project application. In the event of a cancelled ACC meeting, the ACC may have telephone or email conferences to review and vote on the application.

#### **D. CONSTRUCTION PHASE**

This phase begins when either the ACC or the WIA Board of Directors approves the application. It ends when project is completed in accordance with the approved application, and all trash and debris are removed.

1. The Owner must complete the project within six months of the project approval date. An extension to the completion deadline may be granted by the ACC in unusual circumstances if requested by the Owner in writing with suitable justification. The extension request must be submitted to the ACC prior to the completion deadline.
2. The Owner must obtain written approval from the ACC for any proposed project changes in advance of their implementation
3. The Owner is responsible for maintaining WIA standards of job-site orderliness, as well as other responsibilities outlined in the Responsibilities Section of this manual.
4. During the project the WIA Project Monitor may visit the job site to validate the project is in compliance with the approved application.

#### **E. COMPLETION PHASE**

This phase begins when the project is completed and any disturbed areas restored to their original state.

1. The Owner must contact the WIA confirming the project is completed.
2. The WIA may send the WIA Project Monitor to visit the job site to validate the project has been completed in accordance with the approved project application.

**V. FEES FOR NEW CONSTRUCTION & MODIFICATIONS**

**A. NEW CONSTRUCTION – SINGLE DWELLINGS**

1. New home construction filing fee - \$2000.00 includes landscaping

**B. MAJOR MODIFICATION**

1. Ancillary Buildings may not exceed 530 square feet

- a. Compliance Fee - \$250

2. Additions

- a. Additions less than 530 square feet
    - (1) Compliance Fee - \$250

- b. Additions over 530 square feet
    - (1) Compliance fee - \$250

**C. MISCELLANEOUS PROJECTS - SHED UP TO 120 SQUARE FEET**

1. No Filing or Compliance Fees
2. Miscellaneous Project – General maintenance – no ACC approval is required, see page 20.
3. Miscellaneous Project – Projects requiring submittal to the ACC, see p. 20-21.

**D. Fee Summary**

Type of Project	Description	Compliance Fee
New Construction	New Home	\$2,000
Major Modification	Ancillary Building Maximum size 530 sq. ft.	\$250
Major Modification	Additions less than 530 sq. ft.	\$250
Major Modification	Additions – more than 530 sq. ft.	\$250

**VI. RESPONSIBILITIES**

Opinions or suggestions offered by the WIA staff or Project Monitor are advisory only. If such information is material to the project, the Owner/Builder should obtain documented confirmation from the ACC.

**A. ARCHITECTURAL CONTROL COMMITTEE (ACC)**

The Architectural Control Committee members are volunteers who are appointed by the WIA Board of Directors to review proposed projects to check compliance with WIA *Covenants and the Rules and Regulations* of the WIA. ACC authority includes, but is not limited to, the following powers:

1. Evaluate applications for compliance with WIA standards, with special attention given to:
  - a. Contribution and enhancement to the community in style

- b. Compatibility with surrounding structures and environment
  - c. Conformance to the standards set forth herein, by and for the community.
2. Check compliance with WIA *Covenants* and *Rules and Regulations*:
  - a. Approve or disapprove construction and landscaping plans.
  - b. Approve or disapprove requests for tree removal in conjunction with a new construction project.
3. Oversee Project Monitor activities regarding construction, landscaping, tree removal and conformance to established standards within Woodmoor.
4. Recommend enforcement actions to the WIA Board of Directors, if required, to obtain compliance with the Design Standards.
5. Authority is given to the ACC by the WIA Board of Directors to:
  - a. Make all decisions that apply the *Covenants* to new construction, setbacks for new construction, additions, fencing, ancillary structures, roofing, and exterior color choices.
  - b. Make all decisions with regard to application of the *Rules and Regulations*.
  - c. Make decisions by Board-sanctioned policies, where applicable.
  - d. Approve waivers, not in conflict with the *Covenants*, and excluding setback waivers, which are in conformance with the intent of the *Covenants* and the *Design Standards Manual*, provided that the notification of affected property owners has been made and that no objections have been presented or delivered prior to the conclusion of ACC considerations. If owner objections are received, the matter may be referred to the WIA Board for decision. (The owner notification provisions of this sub-paragraph, and the procedures to follow in the event such objections are received, apply equally to the ACC's approval of playground equipment within setbacks as specified within WIA *Rules and Regulations*, Part I, Use of Property, Section O, Playground/Sports Equipment.)
  - e. The WIA Board retains the right to enact policies with regard to these issues, to revoke or revise said policies, and to hear and act on appeals of ACC decisions.

## **B. OWNER/CONTRACTOR**

The Owner and Owners Agent shall:

1. Be familiar with the Woodmoor Corporation *Covenants*, the WIA *Rules and Regulations*, including the *Design Standards Manual* (this document), and applicable laws and building codes.
2. Check that contractors and subcontractors are complying with the *Covenants*, *Design Standards Manual*, *Rules and Regulations* and applicable building codes.
3. Select a house plan appropriate for the lot (i.e., avoids adapting a lot to a house plan through extensive grading, cut or fill).
4. Prepare and submit to the WIA a complete project application

5. Obtain the following for new construction projects:
  - a. Regional Building Department permits
  - b. All utility hook-ups, including water and sewer (Woodmoor Water & Sanitation District)
  - c. Fire District permit
  - d. Driveway access-permit from the County Department of Transportation
  - e. Obtain approval of the site plan and any re-platting, by County Land Use Department
6. Accurately stake and mark lot boundaries prior to construction by clearly identifying the boundary line on all sides of the lot. Provide a clear line of sight from the lot line to the foundation. Maintain lot boundary markers during construction.
7. Check footings and foundation location for conformance with approved plans.
8. Provide a land survey plat to the WIA certifying the actual placement of the foundation walls with respect to the closest approach to each property line, if the new construction plans have been stamped "Survey Required". The survey is due to the WIA office immediately after the footers have been formed. Construction may proceed without delay if the survey shows full compliance with the approved plans. If the structure location varies from the approved plans, obtain ACC approval of the new location before continuing with construction.
9. Check that contractor and subcontractors comply with the following:
  - a. Dump excess concrete and clean concrete trucks only into the excavation for the garage or foundation, or into a sump pit dug expressly for this purpose. No other locations on the site or elsewhere in Woodmoor are permitted. In particular, dumping in or along public roadways is not permitted.
  - b. Confine construction debris and other trash-to-trash collection bins. Remove trash and tree slash from the site during the construction period as needed to minimize unsightliness.
  - c. Confine building materials, soil and debris within the property boundaries, and within the designated "disturbed area".
  - d. Provide sanitation facilities at the site during construction.
  - e. No noise-producing construction, on any project regardless of size, shall begin before 7:00 a.m. (10 a.m. on Sunday or legal holidays) or continue after 7:00 p.m.
  - f. Unnecessary noises, such as loud radios, are prohibited.
  - g. No dogs or other pets may run loose at the construction site.
  - h. Confine all traffic to the lot on which the project is being built and to the adjoining road. All parking shall be to one side of the street and shall not block access to other properties in the area. Parking on blind spots or other potentially hazardous portions of streets may also be restricted. Repairs for any damage caused by a contractor or a subcontractor to surrounding lots, or to WIA common areas, shall be the responsibility of the Owner who

hires the contractor.

- i. Maintain all building set-backs, elevations, heights, construction materials and colors as shown on the plans approved by the ACC. Any changes must be approved in advance by the Project Monitor or the ACC as a Change Agreement.
  - j. If parking on neighboring lots or encroaching on neighboring lots for utility service is planned, obtain advance written permission from the owner of the neighboring property and file it with the WIA. If access to a neighboring property in a utility easement is planned, notify said owner in writing and file a copy of the notification with the WIA.
  - k. Fill and compact, within 24 hours, all excavation of public streets or common access areas. Any subsequent settlement shall be filled within another 24 hours. Complete permanent pavement repairs within one month of excavation.
10. Initiate the required Change Agreements for proposed changes. All changes affecting exterior appearance must be approved, in writing, by the ACC Project Monitor or the ACC before the changes are incorporated into the project.
  11. Check that construction and landscaping are accomplished in accordance with approved plans.
  12. Check that construction is completed within one (1) year of approval of the plans by the ACC, or obtain an extension from the ACC before the one (1) year approval expires.
  13. Call for a final inspection of the project before expiration of the time limit.

### **C. PROJECT MONITOR**

The WIA Project Monitor will have the authority, at the direction of the ACC, to perform the following functions:

1. Review each new construction application and report findings to the ACC.
2. Perform one on-site review with the Owner as required. Provide one meeting with an owner, up to a maximum of one hour, at no cost to the Owner, in advance of submitting plans for approval.
3. Review approved projects for completion of construction and landscaping agreements. Assist the Owner/Builder and Contractor by providing guidance as to WIA standards, when requested, and serve as a communication link between the Owner or Contractor and the WIA.
4. Review foundation forms prior to the pouring of footings or foundations.
5. Observe ongoing construction to check conformity with approved plans and WIA standards.
6. Receive, and when appropriate, approve routine Change Agreements that are authorized by the ACC for Project Monitor approval. Refer to the ACC any Change Agreements beyond approval authority. In all cases, approved changes shall conform to the *Design Standards Manual* and *Covenants*.
7. Check that house numbers have been appropriately installed both on the building, and at the entrance to the lot, as required by the Fire Code, prior to certifying satisfactory completion of the building project.
8. Perform appropriate final construction and landscape review (see Section II, Page 12, E.,

Completion Phase).

#### **D. WOODMOOR IMPROVEMENT ASSOCIATION OFFICE STAFF**

1. Receive applications for approval of construction and/or landscaping plans from applicants and any revisions thereof.
2. Forward all original and revised new construction plans to the Project Monitor for review prior to scheduling them for review by the ACC.
3. Schedule applications for review by the ACC.
4. Receive all filing fees and compliance fees in connection with an application, and disburse that portion of refundable fees authorized by the ACC.
5. Notify adjacent property owners of proposed construction.

#### **D. WIA BOARD OF DIRECTORS**

1. Exercise discretion over the design review process and establish rules and regulations.
2. Establish requisite fees for building applications and publications.
3. Serve as arbiter on behalf of the WIA at large with respect to appeals concerning ACC decisions and/or actions.
4. Levy fines and retain fees for non-compliance with the *Covenants* and agreements.

### **VII. DESIGN AND CONSTRUCTION GUIDELINES**

This chapter describes the general Woodmoor design philosophy as well as the requirements and restrictions imposed upon all exterior works performed on a lot. Overall, Woodmoor seeks to maintain "...harmony of exterior design and location in relation to surrounding structures and topography..." while avoiding repetition of architectural themes.

#### **A. HOME DESIGN CONCEPTS**

1. The home shall adapt to the existing natural grades of the site with as little earth grading as possible. Therefore, the house design must conform to the site; rather than the site being modified to conform to the house design (see Section VII, Page 30, D.1 Topography and Drainage).
2. Homes with simple, box-like straight walls and roofs will not be approved. Custom exterior features shall be incorporated to add interest and variation to the appearance (e.g. bay windows, decks, offset rooms, offset garages, varying the height of roof lines, roof lines with ridges in more than one direction, large roof overhangs, porches, covered entryways, offset chimneys, stairs, cantilevers, wing walls, natural stone, brick and natural woods). Walks, stairs, terraces, patios, exterior paved areas, fences, walls, etc. will be unobtrusive, natural in appearance, and an integral part of the architectural design of the overall project. Blank, uninterrupted wall surfaces shall not exceed 250 square feet. Doors, windows, architectural treatments, and dimensional stucco may be used to reduce large wall expanses.
3. The home design shall consist of predominantly one style of architecture, appearing as the same building from all sides.

4. No home may be built that substantially duplicates any existing building within sight of the proposed home, or within the same filing, or no more than three (3) duplicate homes be built within all of Woodmoor. A duplication of a building design is considered to be a plan which satisfies the following criteria:
  - a. The footprints of the buildings are alike or substantially alike.
  - b. The building elevations are substantially alike when considering doorways, windows, rooflines, gables, garage placement, decks, porches, and trim (the addition or deletion of an extra garage to a home that otherwise duplicates another home is still considered a duplication of design); and
  - c. The same materials are used for corresponding portions of the exterior of the building.

**B. LOT SITING**

Setbacks: The size of the setback boundary varies by lot location within Woodmoor.

1. Setback boundaries run parallel to property lines. Where side setbacks intersect front or rear setbacks, the more restrictive setback distance shall take precedence.
2. Setback standards: no part of any dwelling, auxiliary building, or other structures may be closer to the property line than:

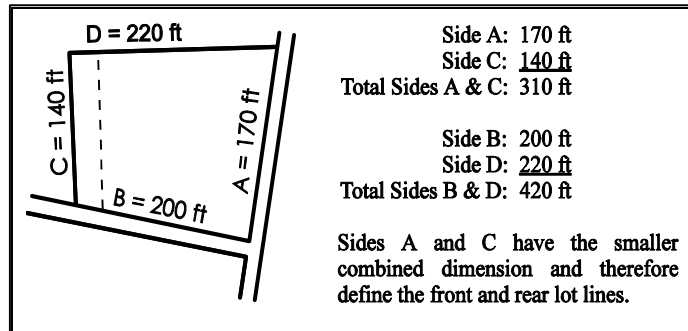
LOCATION	FRONT	REAR*	SIDES*
Woodmoor, North of Hwy 105	40 feet	40 feet	20 feet
Woodmoor, South of Hwy 105	40 feet	40 feet	15 feet
Lake Woodmoor Filing	15 feet	0 feet	15 feet

\*Notwithstanding any setback distances specified above, no side or rear setback from a public road shall be less than the twenty-five (25) foot setback required by El Paso County Department of Transportation, unless an appropriate variance is obtained from the Department of Transportation and presented to the WIA.

**C. SETBACK DETERMINATIONS**

Setbacks do not relate to any particular orientation of a house, thus the “front” of the house need not be facing the “front” of the lot. While the majority of lots have front, side, and rear lot lines that can be readily defined, there are unusual situations, which require special consideration. Where there are unusual circumstances, or where the guidance given in this section does not lead to an obvious determination of setbacks, the ACC, in consultation with the owner, shall designate setbacks after considering the lot shape, dimensions, terrain, and orientation with respect to roads and adjoining lots.

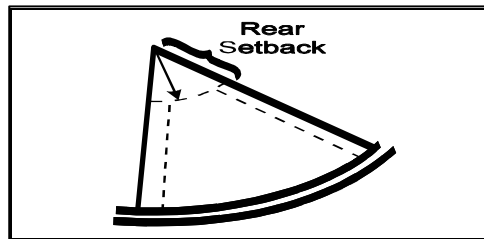
1. Lots with four sides:



**Figure 1: Example of lot bordering two roads.**

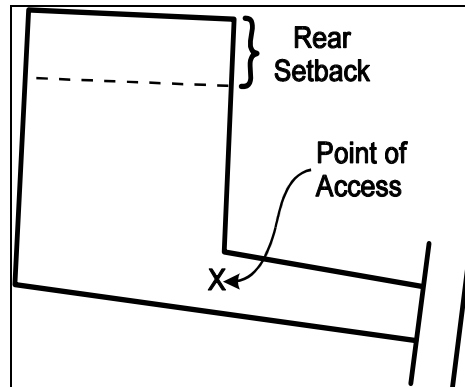
- a. If only one of the four sides fronts a road, that side will be designated the “front” of the lot.
  - b. If two sides border roads, the front shall be the side (Side A in Figure 1) which borders one road, the length of which, when added to the length of the directly opposite side (C), is less than the sum of the lengths of the other sides (B+D). Other sides that border public roads will have 25-foot setbacks in accordance with El Paso County requirements.
  - c. The rear setback shall be at the opposite side of the lot from the front.
  - d. Side Setback: the side setback shall designate all boundaries that are not front or rear.
2. Lots with three sides.

**Figure 2: Example of lot with three sides.**



- a. Front Setback: If one side of the lot borders a street, that will be the front of the lot and the front setback will be applied.
  - b. Rear Setback: For three sided lots with road frontage, the rear of the lot shall be determined by intersecting the two sides of the lot not on the road. The rear setback shall be set as an arc from the rear corner equal to the rear setback distance for the filing. The arc will adjoin the side setback lines. (See Figure 2 above).
  - c. The sides are the remaining boundaries.
3. Flag Lots

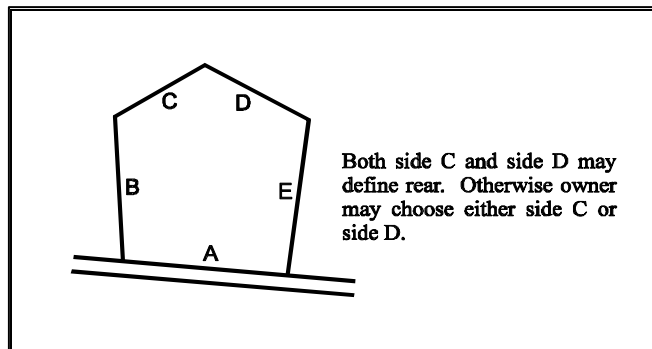
Flag lots have an access from the road. Determine a point where the access meets the main portion of the lot. The front lot line adjoins the road, the point of access and the main portion of the lot. The rear setback is opposite from the front. (See Figure 3 below).



**Figure 3: Example of “Flag” lot.**

Side Setbacks: All sides not defined above as the front or rear lot line shall be considered to be side lot lines and used for determining side setbacks.

4. Lots With More Than Four Sides



**Figure 4. Example of Lot with Five Sides**

- a. The front is the side along the street.
- b. Rear setback: A lot line which most nearly parallels the front line (Figure 4, sides C or D) shall be used to determine the rear setback. If two lot lines are close to satisfying this requirement, the owner, in consultation with the ACC, may choose one of these lines to be the rear.
- c. All remaining sides not designated front or rear will determine side setbacks.

**D. TOPOGRAPHY AND DRAINAGE**

- 1. Cutting and filling will be limited to not more than four (4) feet, zero (0) inches, unless topography or architectural considerations warrant an ACC waiver and will be blended into the adjacent ground levels through the use of terraces not more than four (4) feet high, by retaining

- walls or by surface grading. (See Section V, Page 32, G.2 Height Limitations).
2. Retaining walls will be of natural rock (mortared or dry laid), brick, railroad ties, treated timbers, natural-appearing concrete block, or stucco-veneered concrete, if the latter matches the house. Retaining walls shall not extend more than six (6) inches above the retained material and shall have vertical exposure of no more than four (4) feet.
  3. Special attention shall be given so that the natural drainage is not affected to the detriment of neighboring properties. Runoff of water beyond the property boundaries shall not be diverted from its natural course. The WIA has no responsibility for any pollution, erosion, or any surface drainage.
  4. Erosion control is the Owner's responsibility. No mud, silt, construction material runoff or erosion of bare soil will be permitted to cross the property boundaries. Pollution of streambeds and drainage areas is not allowed.
  5. Surface drainage direction and velocity shall be controlled and slowed by proper placement of landscape elements, ditches, culverts, diversions and other appropriate devices. All drainage areas with a slope greater than 15 percent or with sides greater than 15 percent are to be lined with native stone and stabilized with aggregate if necessary.
  6. Finished grade is achieved when disturbed areas are restored to their natural contours, the contours of graded areas visually match the approved plan, and soil has been smoothed to a uniform surface which is free of clumps greater than three (3) inches in their longest dimension. The finished grade will drain as intended in the approved drawings without retaining runoff in surface irregularities. Surface irregularities caused by vehicle tires must be removed.
  7. Protection of the environment must be provided by preservation of natural rock formations and other scenic features, minimum clearing of trees, restoration of disturbed areas to their natural condition or to an enhanced state, minimization of projection above the natural tree line, and protection of adjacent property by providing drainage control. The Owner must select a house plan that is specifically designed to fit the lot – not restructure the lot to fit the house. Extensive grading of a site or construction of large pads to make flat sites on sloping lots is prohibited.

## **E. UTILITIES**

Where utilities are underground, services shall be brought underground from the point of utility company connection to the structure. If any utility meter is attached to the exterior of a building, it shall be painted to blend with adjoining surfaces, recessed in the wall, and covered, boxed in, or otherwise located to be as inconspicuous as practicable, consistent with accessibility.

## **E. FOUNDATIONS**

1. Foundations must not be exposed more than eight (8) inches between the siding, stucco, brick, stone or other exterior building surface and grade. All exposed concrete or block will be finished to blend with the color of adjoining exterior building surface or trim. Where the grade requires it, exceptions must be approved by the ACC.
2. Exposure of metal window wells will be limited to four (4) inches above the ground and the outside exposed portion will be painted to blend with the siding or trim.

NOTE: Many problems have occurred in Woodmoor due to underground springs which cause flooding of basements and crawl spaces. It is recommended that footings be poured and perimeter drains be installed on all residences, even where not required by Regional Building Authority. Where springs exist, it is recommended the drains be day-lighted or pumps be installed if appropriate. THE OWNER IS RESPONSIBLE FOR DRAINAGE DAMAGE.

**F. THE BUILDING**

Variation of detail, form, rooflines and the house position within an overall design concept shall be used. Only one residence shall be built on a lot.

1. Minimum Size
  - a. Footprint. The footprint for each home shall be a minimum of 1400 square feet. The footprint is equal to the land area contained within the building foundation, excluding the garage and any porches.
  - b. Finished floor square footage. Each dwelling shall have a minimum of 1800 square feet of finished floor space. A maximum of 200 square feet of the garage or porch can be included in the total 1800 square feet.
2. Height Limitations
  - a. The WIA has imposed strict controls on the maximum heights of buildings in accordance with Article V, Section 1 of the *Covenants*, but has no responsibility for ensuring privacy or the view from neighboring properties. Neighboring lot owners must recognize that each lot owner has the right to build on their own lot within the limits of the *Covenants* and the *Design Standards Manual*. The only way for an Owner to ensure retention of view or privacy is to purchase the adjacent property.
  - b. The height of each home is limited in two ways: a maximum height measured on one side elevation of a building, and an average height measured on the remaining sides.

**Figure 5: Illustration of determining height.**

\* Maximum height on one side is: 34' 4"

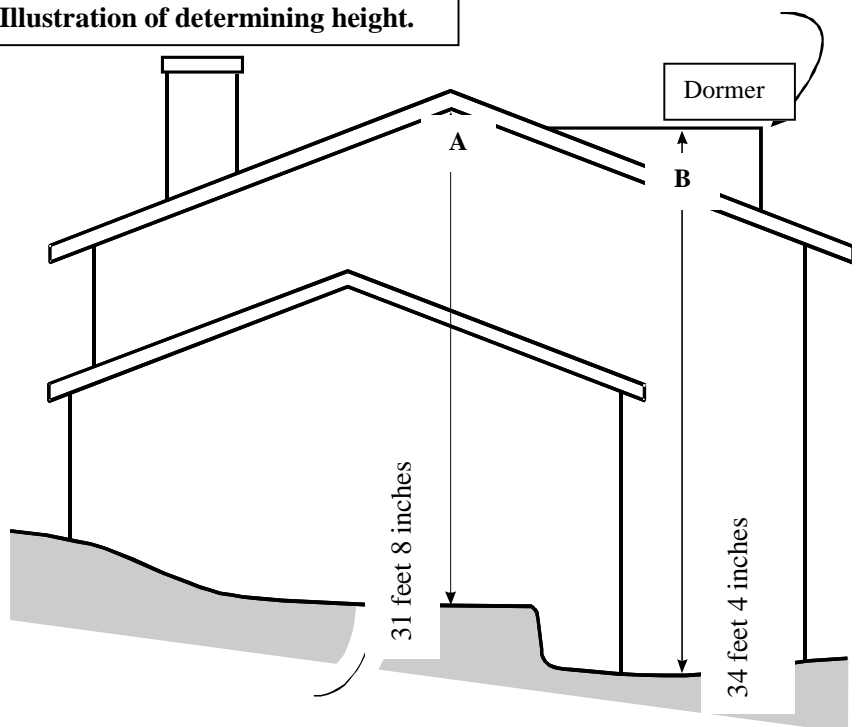
\* Maximum height on other three sides:

- Side 2: 29' 0"
- Side 3: 31' 6"
- Side 4: 26' 9"

\* Average: 29' 1"

◆ Maximum height is within allowable 36 foot, 0 inches limit.

◆ Average height is within allowable 30 foot, 0 inches limit.



Height B (34' 4" is greater than height A (31' 8"), therefore height B is considered to be the height observed for this side of the house.

New Grade

- c. Heights shall be determined by viewing the house from the side in each direction. Vertical dimensions shall be measured from a horizontal projection from the highest points along the structural ridgeline, directly below to the ground level adjacent to the house as it will be when re-grading of the ground is completed after the house has been finished. Where the ground slopes, or where there are several points along the roofline where a measurement may be made, the greatest such vertical dimension shall be considered the height on that side of the house.
  - d. The greatest height measured against any one of the sides of the house shall not exceed thirty-six (36) feet, zero (0) inches.
  - e. The greatest heights measured against each of the remaining sides of the house, shall be added together and averaged. The value of the average height of these remaining sides shall not exceed thirty (30) feet, zero (0) inches.
  - f. No slabs will be allowed to be placed on fill to raise the general elevation of the structure (see Section VII, Page 30, D.1 Topography and Drainage).
3. Exterior Walls
- a. Natural wood, fiber cement, stone, stucco, and brick of approved texture and color are acceptable siding materials. Where concrete is used, it must be covered or colored to minimize its visibility. Other manufactured exterior wall materials, not specifically disallowed below, may be considered for approval by the ACC on a case-by-case basis.
  - b. The following exterior wall materials are not allowed:
    - i. Asphalt siding
    - ii. Asbestos siding
    - iii. Pressed hardboard siding
    - iv. Aluminum or other metal siding
    - v. Vinyl siding
    - vi. Smooth plywood
    - vii. Raw concrete block
    - viii. Glass block (may not be used for walls, but may be used in place of windows)

- c. Blank, uninterrupted wall surfaces shall not exceed 250 square feet. In addition to windows and doors, architectural treatments may be used to reduce large wall expanses, such as shadow lines, trim, or variation in wood patterns, or tasteful introduction of other materials.
4. Exterior Colors and Finishes
- a. Approval of colors will be restricted to those that blend with the natural surroundings. Combinations of grays, greens, browns and olives preserve the natural beauty of the Woodmoor area and therefore are preferred. Garish tones or vivid colors will be disapproved except for very limited applications in accent areas. Other colors found in nature such as muted reds, blues, and off-white will be considered on a case-by-case basis.
  - b. Any exterior repainting or refinishing must be approved by the ACC. The type of finish is largely a matter of personal choice, except that reflective or shiny finishes will not be approved. Exterior wood shall not be left unfinished.
  - c. Preservative stains must have a minimum of ten (10) percent pigment. A light color wood such as fir or pine will be approved only if stained or painted to blend or harmonize with the natural surroundings. Darker woods such as cedar or redwood may be finished in a natural color but a sample must be provided for approval.
  - d. All exposed metal such as skylights, frames, stacks, vents, gutters, downspout, flashings, flues, air handling equipment, etc., must be finished to blend with the house. Metal windows and doors, including storm doors and windows, and all metal greenhouses or any other metal framing are to be anodized or otherwise finished to eliminate the raw metal appearance and blend with the decor. Specific applications of copper may be left untreated if approved by the ACC.
5. Roofs
- a. Pitched roofs will be of man-made or composite tiles or shingles that provide the visual appearance of natural-material roofs. A list of approved materials is available at the WIA office. Other materials may be approved on a case-by-case basis if they meet appearance and performance standards set by the WIA. These standards include:
    - i. All materials are required to have a minimum 50-year warranty.
    - ii. Underwriters Laboratories (U.L.) Class A fire rating.
    - iii. Materials are to exhibit texture and dimension that produce a significant shadowing effect.
    - iv. Colors must be approved by the ACC.
  - b. Due to the risk of wildfires, wood shakes or shingles will not be approved for new construction. Replacing existing wood roofs with wood shakes or shingles will not be permitted. Routine repairs of wood roofing that do not involve more than 15 percent of the roof area are permitted.
  - c. Pitched roofs are strongly recommended in view of the heavy periodic snows and rains.

d. Built-up roofs, elastomeric roofing membranes (no reflective or light colors), felt, tar or other weatherproofing layer and gravel (if needed) may be authorized for flat or lower pitched roofs, but the roof must offer minimum visual exposure from adjoining lots and roads. Aggregate will be of harmonizing earth tones.

6. Chimneys

Each chimney or vent used in conjunction with any fireplace or any heating appliance, in which solid or liquid fuel is used, shall be maintained with a spark arrester.

7. Decks

Decks shall be designed to create the feeling of permanency, strength and unity with the overall architectural design concept. If a deck is supported by pillars or posts, such supports must be not less than 6" x 6" in cross-section, if one or more of the supports equals or exceeds six (6) feet in height. Views of large unfinished spaces under decks or buildings are recommended to be minimized by appropriate screening walls, plantings, or lattice.

8. Driveways

- a. Driveways and vehicle parking areas must be clearly marked on project plans. Additional vehicular traffic areas may be designated by submitting changes of the property plans to the ACC for approval. Driveways must be surfaced with road base, cement or asphalt.
- b. To permit access of fire equipment, the minimum width of driveways shall be not less than twelve (12) feet. The minimum unobstructed vertical clearance along the driveway shall be not less than thirteen (13) feet, six (6) inches.
- c. For shared driveways, further details are provided in Section VII, page 42, *M.2 Common Driveways*.

9. Storage

- a. Design provision should be made for storage of seasonal items, recreational equipment and vehicles, and other possessions so as to ensure that the surrounding area does not constitute a visual nuisance to the neighboring owners or detract from the natural beauty of the Woodmoor area.
- b. Ancillary Buildings and Sheds
  - i. Only one ancillary building or shed can be located on the property.
  - ii. Applications for a shed shall be accompanied by a non-refundable \$50.00 fee and a refundable compliance fee of \$250.00. Application for an ancillary building shall be accompanied by a non-refundable \$250.00 and a refundable compliance fee of \$1 per square foot.
  - iii. At least ten (10) days before the ACC considers the project for approval, the WIA office shall notify all neighboring properties, in writing, of the proposal.

- iv. The shed shall not exceed one hundred twenty (120) square feet in floor space and not exceed fourteen (14) feet in height. The shed must be framed with a textured material and cannot be made of rubber or plastic material. The ancillary building shall not exceed five hundred thirty (530) square feet in floor space and fourteen (14) feet in height.
  - v. The shed roof shall match the house roof material (in texture, pattern and color) and the house roof slope. If the house has a metal, slate or tile roof, the shed can use an ACC approved 50 year shingle that closely matches the color of the house roof. The ancillary building must have the same ACC approved roof as the house, as well as the same roof slope.
  - vi. The shed/ancillary building siding shall comply with the same standards that apply to the house on the property, and the siding materials and colors shall match those on the existing house. On sheds only, if the home is stucco, brick or stone, textured siding material may be of other approved exterior wall material, but must be painted the same color as the stucco, brick or stone on the home. Architectural accents on the house shall be repeated on the shed to reflect coordinated construction. The shed cannot be constructed past the front façade of the home.
  - vii. All sheds must be securely attached to a solid concrete foundation to ensure permanence against the high winds characteristic of the Palmer Divide environment.
  - viii. The property owner shall grant the WIA Project Monitor full access to the shed to allow verification of the completed project as approved by the ACC.
  - ix. The shed must be completed within 6 months of the ACC approval date or the ACC approval is cancelled. The ancillary building must be completed within six months of the ACC approval date or the ACC approval is cancelled. An extension may be requested from the ACC Committee.
10. Energy Conservation and Solar Applications: Energy conservation is encouraged; related construction is expected to conform to the standards of appearance and design that will permit it to be integrated as tastefully and inconspicuously as possible.
- a. Active and passive solar applications must blend in with the overall architectural design and concept of the house and not appear as an uncoordinated addition that detracts from the original approved design. Active solar panels shall be flush-mounted on the roof unless this seriously hinders performance. If roof panels are raised, they must be finished in all aspects, to include enclosed ends and painted to blend with the style and color of the house.
  - b. So-called “earth homes” will require meticulous attention to:
    - i. Site selection to avoid massive grading
    - ii. Design
    - iii. Site adaptation
    - iv. Landscaping to meet Woodmoor standards

## G. MINIMUM LANDSCAPE REQUIREMENTS

1. Landscaping is a major element in achieving the appearance standards desired for Woodmoor. Most Woodmoor home-sites are on gently sloping ground - some open and covered with wildflowers and natural grasses, others with ponderosa pine and scrub oak. The natural environment is ecologically fragile and is difficult to replace where disturbed. Landscaping and re-vegetation are required to preserve this natural state. Landscaping completed in accordance with a WIA Landscaping Agreement will enhance the attractiveness and value of the property.
2. The ACC encourages landscaping to enhance the appearance of the home, to offer protection from cold north winds, to allow solar heating in winter, and to provide shading in summer. It is recommended that evergreen trees should protect the north, west and east of the home and outdoor spaces, while the south should not have evergreens blocking wintertime warmth.
3. The amount of landscaping required varies from heavily wooded sites to wide-open sites. Homes on heavily wooded sites are enhanced by foundation plantings. As trees become less numerous, addition of shrubbery becomes increasingly important. In relatively open areas a reasonable combination of trees, shrubs, lawn and gravel are necessary. Even architectural designs with many breaks and shadow lines require landscape support. Homes with flat walls will require more foliage to break up the austerity. Service areas and areas under decks, as well as those around transformers or meters, may require coverage in the absence of integral screening.
4. Any landscaping that results in a change to the topography or drainage of the lot shall be submitted to the WIA as a miscellaneous project. Trees and shrubs may not be planted in easements.
5. Suitable landscaping and satisfactory restoration of all disturbed areas and drainage patterns are basic requirements of any project. The required landscaping (see Section VII, page 38, H.11 Landscape Categories) must be completed and inspected in the first growing season after completion of the building or within 18 months of the date of approval of the construction plan. Failure to do so may result in forfeit of the compliance fee, and subject the property to a lien.
6. The nature of our soil and the difficulty of maintaining it free from erosion dictate that we pay special attention to the restoration of all disturbed areas and drainage patterns. For this reason it is required that at the minimum, all disturbed areas be brought back to their former state through reseeded with El Paso Natural Seed Mix at the rate of six (6) pounds per thousand (1000) square feet. Growth in 80% of the disturbed areas must be visible when inspected.
7. Clear cutting or removal of all trees on lots is not permitted. Owners may remove trees located within thirty (30) feet of their structure (home) and within five (5) feet from the designated vehicular area (driveway) without approval from the WIA.
8. Owners wishing to thin or cut evergreen trees thirty (30) feet beyond their structure (home) or five (5) feet from the designated vehicular area must receive approval from the Director of Forestry. They are encouraged to use the tree spacing guidelines in "*Creating Wildfire Defensible Space*", Colorado State Forest Service/CSU Booklet No. 6.302 or Woodmoor's "*Protecting Your Home from Wildfires With Defensible Space.*" (Copies are available from the WIA office.)

- a. Tree Removal/Request Permit must be approved before any evergreen trees larger than four (4) inches in diameter, measured at a height of four and one half (4.5) feet above the ground, may be cut. Disapproved requests may be appealed first to the Director of Forestry and then to the WIA Board of Directors.
  - b. Trees to be removed during a new construction or major renovation project can be approved by the ACC as part of the project application. Such trees must be clearly marked when the application is accepted by the WIA and will remain marked until removed, which must occur prior to the project final inspection. These trees cannot be removed until the ACC approves the entire project. Appeals on any ACC disapproval go to the WIA Board of Directors. If one or more marked trees approved in the construction or renovation permit are not removed before the final project inspection, they may not be cut until the Owner obtains new approval on a Tree Evaluation Request/Removal Permit.
9. Since we live in a semi-arid mountain climate with extremely limited and costly water supplies, the ACC recommends that all homeowners design their landscape in accordance with xeriscape principles, using native shrubs and plants that are drought tolerant. Large expanses of blue-grass sod are discouraged.
  10. Owners should consider wildfire safety in planning and implementing any landscaping. Refer to CSU Bulletins No. 6.303 “Fire-resistant Landscaping”, No. 6.302 “Creating Wildfire-Defensible Zones”, and No. 6.305 “Fire Wise Plant Materials”.
  11. Specific Landscape Standards. The minimum required landscape planting by lot categories I through III are outlined below.

**Category I:** Lots with more than twenty (20) standard dimension trees (defined in the Glossary) remaining after the completion of the approved construction.

- ◆ Two (2) deciduous trees with trunk diameter of not less than one (1) inch.
- ◆ Ten (10) five- (5) gallon shrubs.
- ◆ Eight (8) one- (1) gallon shrubs.

**Category II:** Lots with (6) to twenty (20) standard dimension trees remaining after the completion of approved construction.

- ◆ Five (5) deciduous trees with trunk diameter of not less than one (1) inch.
- ◆ Two (2) evergreen trees not less than five (5) feet tall.
- ◆ Ten (10) five- (5) gallon shrubs.
- ◆ Eight (8) one- (1) gallon shrubs.

**Category III:** Lots with five (5) or fewer standard dimension trees remaining after the completion of approved construction.

- ◆ Seven (7) deciduous trees with trunk diameter of not less than one (1) inch.
- ◆ Six (6) evergreen trees not less than 5 feet tall.
- ◆ Ten (10) five- (5) gallon shrubs.
- ◆ Eight (8) one- (1) gallon shrubs

## H. FENCING & ENCLOSURES

Traditionally, the Woodmoor community has discouraged the use of any fences to preserve the open nature of the community. The construction of any fence or section of wall must be approved by the ACC prior to construction.

1. Location
  - a. A decorative wall or pillars of stone, brick, stucco or split rail/dowel may be approved on one or both sides of driveway entrances or exits. These may not exceed four (4) feet in height and shall be limited to a total length not to exceed ten (10) feet on each side of the driveway. Any deviations desired from the aforementioned length may be approved by the ACC on a hardship case basis when safety is an issue. A retaining wall may also be approved along the lot front. These are the only walls or fences allowed at the lot front. One column of not more than 7' high and 3' wide including lighting is allowed on each side of the driveway. All other walls or fences are restricted to the lot sides or rear.
  - b. No decorative fence may encroach upon any easement.
  - c. Enclosures may be built as an extension of the house, if constructed of the same material as the house, with the limitation that they may not exceed six (6) feet in height, and may not enclose an area of more than two hundred (200) square feet. The enclosure must have three walls, two of which attach to the house. They are considered part of the building structure subject to the same setback restrictions as the house itself. If the house has masonry siding, an enclosure constructed of wooden siding painted to match the house, or matching masonry is required. If the house has non-masonry siding, the enclosure must be constructed of the same material, style and color as the house siding. (Ex. If the house siding is vertical, the enclosure siding must be vertical. If the house siding is horizontal, the enclosure siding must be horizontal). Finished edges must be flat, not dog-eared or pickets.
  - d. Perimeter fences are not allowed.
2. Construction
  - a. A rustic appearance is required with a split-rail or dowel fence of two or at most three rails. Gates must be of like appearance and the design and materials approved by the ACC. Pickets, chain link, metal and plastic fences are not allowed.
  - b. A split-rail or dowel fence for purposes of these standards is defined as including the following characteristics:
    - i. Construction is entirely of split natural timber or dowel except for small discreet hardware fastening components such as nails, bolts, or screws.
    - ii. A maximum of three horizontal rails are permitted, spaced no closer than one (1) foot centers. Vertical posts will be spaced evenly and separated by at least five (5) feet.
    - iii. The wood shall not be painted or stained, and must remain a natural color. It may be protected by a clear sealant.

- iv. Any section of such fence that lies within a side or rear setback is limited to four (4) feet in height. Fences that are not in the setback are limited to five (5) feet in height.
- v. The fence may not extend beyond the front facade of the house or between the house and the front of the lot defined by the front 40' setbacks and may not be built in the easements.
- c. A wire mesh, 14 or 16 gauge galvanized wire, approved by the ACC (not chain link or plastic) may be attached to the inside of the fence. Mesh is not permitted to extend above or beyond the top rail of the fence. For confining a dog, invisible electric dog "fences" buried below the ground are encouraged in lieu of conventional fences. A sample of the proposed lining must be provided to the ACC for approval.
  - i. The lining must have a mesh with at least one (1) square inch openings, be 14 or 16 gauge, and must be galvanized. Metal chain-link fencing is not permitted.
  - ii. Plastic mesh is not an approved lining material.
- d. Snow fences of a natural subdued color (bright colors not approved) are permitted on lots with prior approval of the ACC. Snow fences must be removed at the end of the snow season (November 1 through April 30). They must be applied for annually by filling out a Miscellaneous Project Form, and marking the area where the fence will be placed on a plot plan.
- e. Underground electronic fences are covered in Policies, Procedures, Rules and Regulations of Woodmoor Improvement Association Parts I, II, III and IV with Introduction to Part V p. 6 E. Fences, Paragraph 5.

## **J. TRELLIS AND LATTICEWORK**

Trellis material has been added to the Design Standards manual as an approved material in the following cases.

- a. A trellis is defined as a frame of latticework used as a screen or support for climbing plants. As with fences, construction of any trellis must be approved by the ACC prior to construction and should be open in appearance.
- b. Trellis construction may be of wood or plastic (vinyl) lattice panels. These are available in 4'X8', 2'X4', 8'X2' and 8'X3' sections. Wrought iron panels could also be used.
- c. Color will be determined by where the panel or panels are used. Redwood or cedar is preferred in a garden setting, deck or patio. If the panels are attached to the house, they may be painted the same color as the house.
- d. Use of these panels is confined to the following:
  - i. As part of a landscape plan - a freestanding support for climbing plants with the height limited to 4 feet, the length limited to 8 feet, or as otherwise approved by the ACC. If an arbor is planned, two panels of not more than 8 feet in height with a connecting arch may be used.

- ii. As a windbreak on one side of a patio or deck only, not to be used as an enclosure. The height may not exceed 8 feet.
- iii. To camouflage a small area used for garbage can storage or small compost pile. The area may not exceed 20 square feet and the lattice not more than 4 feet in height.
- iv. As under the deck latticework, it is recommended by the Forestry Director that wire mesh be placed behind such lattice to prevent debris being blown under the deck, creating a fire hazard.

## **K. OUTDOOR LIGHTING**

Very little light is required to illuminate a considerable area in Woodmoor. Therefore, careful consideration to placement and intensity of outdoor lighting is required by all residents to avoid unwanted illumination of other properties. Outdoor lighting must be positioned so that it does not interfere with vehicular traffic, and must either be shielded or be sufficiently dim so it does not disturb neighbors.

## **L. HOUSE NUMBERING**

The Woodmoor-Monument Fire Protection District Fire Code requires that house numbers shall be placed on all buildings in such a location and position as to be plainly visible and legible from the street or road. An additional identifying set of house numbers at the road end of a driveway is required. These requirements are critical for rapid identification in an emergency. Address numbers shall be:

1. A minimum of five (5) inches high and each number must be one-half inch wide for all house numbers mounted on the house;
2. A minimum of three (3) inches high for house numbers at the end of the driveway. They cannot be attached to a tree.
3. Contrasting color, or reflective material; easily visible both day and night
4. Placed on the street named in the address and visible in both directions

## **M. COMMON AREAS**

1. Common areas or green belts are found throughout Woodmoor and are controlled by the WIA.
  - a. Common areas are not to be used for access to construction sites in Woodmoor. However, there are situations that may require an exception to this policy. In such instances, application must be made for use of a common area for construction access. A deposit in the amount of \$1,000.00 must be made by the owner, to secure compliance with the following conditions:
    - i. Use cannot commence until the ACC and the Director of Forestry and Common Areas have reviewed the application and granted permission for use. The ACC may impose conditions on the use of a common area in addition to those listed below, on a case-by-case basis.

- ii. The common area may be used only for access to and from a site; the WIA Project Monitor will delineate the route across the common area. No storage of construction materials is permitted, including soil, sand or gravel. No parking on the common area is permitted, unless such parking has been explicitly requested in the application and approved by the ACC.
  - iii. No alteration in the grade of the land is permitted in a common area. It is prohibited to disturb the soil in a common area to improve access to a site.
  - iv. At the end of the project, the common area must be restored to its former condition, including removal of soil materials deposited by erosion of the construction site, replacement of soil eroded away from the common area, and establishment of native grasses as an effective ground cover. Restoration shall be completed no later than three months after completion of the construction project.
- b. An appointed representative of the ACC may refund the compliance deposit at the discretion of the ACC, upon completion of the construction project and verification of restoration. The ACC must be satisfied that the restoration is 100% complete. If a WIA employee or consultant performs verification, the cost of such a site inspection will be deducted from the compliance deposit. The WIA reserves the right to retain all or a portion of any compliance deposit, including applicable construction and landscaping compliance fees, for the purpose of repairing an inadequately restored common area, or as a fine for non-compliance with the conditions of the use permit.
  - c. Permanent use of the common area for specific approved purposes, when other alternatives are not available, will only be undertaken as a result of a signed formal agreement (e.g. License for Underground Utilities) between the WIA and the Owner.

## 2. Common Driveways

- a. A residential lot that does not have direct access to a public road will use the platted common access driveway. This driveway, between the street and the property, shall be considered a common driveway. In the event more than one property meets the above condition, access to the common driveway by all adjacent lot owners is permitted and a separate or additional driveway to the street will not be approved.
- b. Property owners adjoining both a street and a common driveway must receive approval prior to using a common driveway.
- c. The WIA is not responsible for the construction or maintenance of common driveways. It is the responsibility of the property owners using the common driveway to construct and maintain the common driveway.

## N. FLAGPOLES

- 1. One flagpole may be located on a property such that it does not encroach on setbacks or easements.
- 2. Flagpole colors shall be a white, a non-reflective “brushed metal” finish, or a subdued earth-tone color. A polished ball atop the flagpole is permitted provided its diameter is not more than 150 percent of the greatest diameter of the pole. Other ornamental figures are permitted atop the pole provided that the largest dimension of the figure is not more than 150 percent of the largest diameter of the pole.

3. Flagpoles shall not be greater in diameter than six (6) inches. The flagpole shall be no higher than 25 feet nor shall it extend above the highest ridge of the house, whichever is less.
4. Noise caused by the rope or hardware banging against the pole is a nuisance to neighbors. Flagpole owners must ensure this does not occur by modifying the pole, if necessary, to prevent this nuisance. Night lighting of flagpoles must comply with outdoor lighting standards. (See Section VII, p. 41, K Outdoor Lighting)
5. All flagpoles must meet the criteria listed above and be preapproved

#### **O. FILLING ERODED LAND**

1. Some undeveloped lots in Woodmoor have sustained significant erosion damage by drainage diverted from developed areas to these undeveloped properties. As a consequence, the lot topography is considerably changed by the altered pattern, and the lot owner faces increased building costs and more constrained options for home design. With approval, the owners of such properties may restore the eroded terrain to its natural level without being limited to the maximum fill of four feet.
2. Gullies, ravines, etc. that occur by natural drainage patterns, rather than diverted drainage from adjacent construction, are not included in this policy. Clear evidence of drainage rerouting as a result of the development of Woodmoor is essential to invoke this policy.
3. Where a Woodmoor lot has sustained erosion caused by construction near or adjacent to the lot, the ACC may allow the eroded area to be filled, without consideration of the four-foot maximum limit of fill material. The fill shall only raise the eroded area to a level that most nearly approximates the land topography had the erosion not occurred. Drainage patterns, velocity and quantity across the lot boundaries must remain unaltered.
4. This procedure shall be implemented by written request, submitted from the Owner to the WIA office. Submitted documents must include sketches and descriptions of the area to be filled, and adequately identify the drainage situation before the fill is applied, the location and amount of fill desired, and the proposed drainage situation on the property after fill is applied. Owners of all adjacent properties shall be notified in writing of the request and given no less than seven calendar days from the date of mailing to comment on the proposal prior to the WIA acting on the request. Following the notification of adjacent property owners, and allowing time for their response, the ACC shall review the request for the WIA Board of Directors and render a final decision to approve or disapprove the request. The owner may appeal disapproval by the ACC to the WIA Board of Directors. A disapproved request may be resubmitted to the WIA for reconsideration if new or different information is incorporated into the request.

#### **P. PLAYGROUND EQUIPMENT**

1. Playground equipment includes all types of non-vehicular equipment used outdoors for recreation that are left outdoors for more than 24 hours.
2. Playground equipment in Woodmoor requires WIA approval through the ACC. However, residents, as described below, may use playground equipment meeting the criteria of "Temporary Playground equipment", without obtaining ACC approval.
3. Regardless of whether playground equipment is temporary or not, if any re-grading of the property is desired for its installation, approval to re-grade the property must be obtained in advance from the WIA.

4. Playground equipment is not a “building” and may therefore be approved for location in the setback, although the ACC will endeavor at all times to preserve the open space of the setbacks wherever possible.
5. Temporary Playground equipment is playground equipment that complies with all of the following conditions:
  - a. The equipment requires no more than a half-day to set up or remove.
  - b. The resident typically does the set-up and removal.
  - c. The equipment is stored indoors, or out of sight, for at least seven (7) consecutive months in any twelve (12) month period, during which time it is not used outdoors at all.
  - d. When in use, the equipment is not permanently anchored to the ground.
  - e. Total weight of the fully configured equipment is less than five hundred (500) pounds when in use. If the equipment contains water, the water weight is included.

## **VIII. SPECIAL STANDARDS FOR MULTIPLEX HOMES**

Multiplex homes have been accepted into the Woodmoor Corporation development even though they may have different requirements than single residential homes in other areas of the development. Owners of multiplex homes are individually members of the WIA and are bound by the terms of the *Woodmoor Articles of Incorporation, Bylaws, and Covenants* in accordance with the provisions of acceptance into the Woodmoor development. Changes to, or repairs and maintenance of multiplex units, general common elements, or limited common elements as defined by applicable multiplex documents, shall be in accordance with said Declarations, subject to all provisions of the *Covenants and Rules and Regulations* that may apply.

There is a separate manual for Design Standards for Multiplex Homes. Please request one from the Woodmoor Improvement Association office during regular business hours.

## IX. GLOSSARY

- Ancillary Building** A small building, separate from the principal residence, which does not exceed five hundred and thirty (530) square feet in area and is limited to one story, not to exceed fourteen (14) feet in height. The ancillary building materials and overall architecture must reflect the primary building, i.e. siding material (Stucco if the house is all stucco, horizontal siding if the house has horizontal siding, vertical siding if the house has vertical siding, the material must match the house), roof pitch to match the house and approved roofing material that is on the house. If the house has cedar shake roofing, the house roofing must be changed to an ACC approved roofing material, and that material must be used on the ancillary building as well. Prefabricated or portable buildings are not allowed. This building must be custom built on the site. It cannot be in the setbacks, or in front of the front façade of the house. Architectural accents on the home shall be repeated on the ancillary building to reflect coordinated construction.
- Approval Phase** Phase begins with the submission of a complete application to the WIA office and ends when approval of the plans by the ACC as evidenced by the chairman's stamp and signature.
- Architectural Control Committee (ACC)** The Woodmoor Improvement Association's designated committee, which exercises delegated authority, establishes standards and procedures, effects enforcement thereof, and furnishes pertinent interpretation of the same to the Board of Directors when required. These responsibilities are delegated to the Architectural Control Committee (ACC), subject to appeal to the Board as the final authority of the WIA. The chairman of the ACC is an elected member of the Board of Directors of the WIA, and the other members are appointed and approved by the WIA Board of Directors.
- Bench Mark** An easily located reference point, which is assigned a convenient base elevation, such as 100 feet. All other lot elevations are expressed relative to the benchmark elevation.
- Building** A structure having a roof, supported by columns or walls the term shall also include the term "structure".
- Certified Plot Plan** A drawing scaled 1 inch = 20 feet, which locates and identifies property boundaries, easements, topography contours at two foot intervals with respect to a bench mark, all existing structures on the property, and the compass direction North. The Certified Plot Plan shall be produced, stamped and signed by a Colorado licensed Professional Land Surveyor.

<b>Change Agreement</b>	A formal request initiated by the Owner, or the Contractor acting as agent for the Owner, for any proposed change to plans affecting exterior design or structure.
<b>Common Driveway</b>	A private lot that does not have access to a county road will be granted use of the common access driveway. This driveway, between the street and the property, shall be considered a common driveway and must be approved by the ACC.
<b>Completion Phase</b>	Phase starts when the Construction Phase ends and this phase ends when the project has been inspected and approved as to compliance with the construction agreement with any landscaping agreement.
<b>Compliance Fee</b>	A fee paid when submitting an application, which may be refunded or retained. Compliance fees guarantee that the project will proceed in accordance with the approved design.
<b>Concrete Pads</b>	No concrete pads are allowed in the setbacks unless they are part of an approved driveway.
<b>Construction Phase</b>	Starts with initiation of the overall construction process (establishing access, cutting trees, excavating, etc.). The phase ends when the Project Monitor has completed the final inspection.
<b>Disturbed Area</b>	Area designated during construction phase which is clearly marked on the plot plan and designates areas where existing vegetation or topography will be disturbed, graded, etc., to include areas where excess dirt or other materials will be stored. This area must be restored at the completion of construction
<b>Easement</b>	An area that is reserved, conveyed, or dedicated for a specialized or limited purpose without the transfer of fee or title. This may include, but is not limited to, utility and drainage access, trails, planting, solar access easements, or open space easements.
<b>Fence</b>	For the purposes of differentiating a fence from a wall, a fence is a structure supported above the ground by posts.
<b>Filing Fee</b>	A non-refundable fee, paid when submitting an application for a project. This fee offsets the administrative expenses of processing the application, monitoring the construction and enforcing the <i>WIA Rules and Regulations</i> , including the <i>Design Standards Manual</i> .
<b>Finished Grade</b>	Achieved when the land contour visually matches the approved drawing contours, soil has been smoothed to a uniform surface, which is free of dirt clumps greater than three (3) inches in their longest dimension. A finished grade will drain as intended in the approved drawings without catching water in surface irregularities. Surface irregularities caused by vehicle tires are to be restored.

<b>Footprint</b>	The land area within the building foundation, excluding garage area.
<b>Landscape Category I</b>	Lots with more than twenty (20) standard dimension trees remaining after the completion of approved construction.
<b>Landscape Category II</b>	Lots with six (6) to twenty (20) standard dimension trees remaining after the completion of approved construction.
<b>Landscape Category III</b>	Lots with five (5) or fewer standard dimension trees remaining after the completion of approved construction.
<b>Lot Line</b>	A property line dividing a specific lot from others or from a street.
<b>Major Landscape Change</b>	Any landscaping that proposes to significantly change the grade, contour or topography of the lot, the addition of ponds, or the proposed removal of trees four (4) inches or greater in diameter measured 4½ feet above the ground.
<b>Perimeter Fence</b>	A fence directly along, or parallel to and within three (3) feet of, all of the property line, with openings only at access points to the property.
<b>Planning Phase</b>	Phase begins with the owner/builder's initial concept and ends with submission of plans for approval.
<b>Pre-approval Inspection</b>	Performed by the Project Monitor after submittal of a construction application to accomplish an on-site evaluation of the proposed project and the application.
<b>Preliminary Meeting</b>	A meeting with the ACC's Project Monitor (PM) during the Planning Phase.
<b>Railing</b>	A barrier or support required for safety, or to assist the mobility of handicapped individuals. Railings are finished and sturdy. Railings are typically found on balconies, raised decks, and stairways. Additionally, railings may be placed at ground level, along walkways, if specifically to aid the physically handicapped. The provisions that relate to fences and walls do not restrict the placement or use of railings.
<b>Retaining Wall</b>	The material being retained by the wall, yielding a maximum vertical exposure of six (6) inches, covers a special application of a wall in which one side of the wall has a maximum vertical exposure of four (4) feet.

<b>Setback</b>	Boundaries around the perimeter of each lot on which buildings are prohibited and other structures are very restricted. The setback boundary extends vertically up and down from the surface of the ground, thus restricting the intrusion of eaves, overhangs, decks, cantilevers, porches, chimneys, steps, patios and concrete slabs other than driveways, underground projections of the basement and the like.
<b>Shed</b>	A small building, separate from the principal residence, which does not exceed one hundred and twenty (120) square feet in floor space and 14' in height. The shed cannot be made of rubber or plastic material. The shed roof shall match the house roofing and house roof slope and have approved roofing material. If the house has a metal, slate or tile roof, the shed can have an ACC approved 50 year shingle that closely matches the color of the house roof. If the house is all stucco, brick or stone, shed siding material may be of other approved exterior wall material, but must be painted the same color as the stucco, brick, stone or siding on the home. If the siding is vertical on the house, the siding must be vertical and the same width as the house. If the siding is horizontal on the house, the siding must horizontal and the same width as the house. Architectural accents on the home shall be repeated on the shed to reflect coordinated construction. It must be behind the front façade of the home, and cannot be in the setbacks. The shed siding must be made of textured material.
<b>Site Plan</b>	A plan of the lot (scale 1 inch = 20 feet) based upon the Certified Plot Plan, identifying: mandatory front, rear and side setbacks, limit of disturbed area, original land contours and altered land contours, benchmark, proposed structures and other improvements to the property, elevation of the finished floor and garage floor with respect to the benchmark, the minimum distance from each property boundary to the proposed structure, and streets adjacent to the property. Also, a small-scale representation of the location of the lot within Woodmoor (typically a map showing the property location in relation to several nearby streets).
<b>Standard Dimension Tree</b>	Four (4) inches in diameter, measured four (4) feet, six (6) inches above the existing ground level.
<b>Structure</b>	Anything constructed or erected, the use of which requires more or less permanent location on the ground or attachment of something having a permanent location on the ground. Note: the Woodmoor standards for fences or walls are more restrictive than those of the County.
<b>Survey</b>	A Land Survey Plat that is prepared signed and wet-stamped by a registered surveyor.

<b>Wall</b>	A structure supported by the ground along its entire length that is substantially solid in appearance, and with the space between any posts being usually of the same material as the posts.
<b>Wall Expanse</b>	A blank exterior wall surface in a common plane consisting of essentially similar material and color, void of architectural features such as windows, doors, or trim. Wall expanses cannot exceed 250 square feet.

**X. EXHIBITS****CONSTRUCTION COMPLIANCE AGREEMENT**

For *all* projects.

**APPLICATION FOR NEW CONSTRUCTION**

For construction of a new home on lot.

**LANDSCAPING AGREEMENT**

For owner landscaping of an existing residence.

**APPLICATION FOR MAJOR MODIFICATION**

Generally used for adding (or removing) space to an existing house or garage.

**APPLICATION FOR MISCELLANEOUS PROJECTS**

For altering exterior features of an existing home (without changing total building area), adding or modifying a deck, changing house or trim color, re-roofing, adding fencing, playground equipment, adding storage building, modifying landscape or drainage, adding features to the lot without remodeling the house, etc.

**CHANGE AGREEMENT**

For altering an ACC approved application.

**ANTENNA REGISTRATION**

For registering an external house TV antenna

**TREE EVALUATION REQUEST – REMOVAL PERMIT**

For proposed tree removal not associated with new home construction.

**SITE PLAN SAMPLE**



**Woodmoor**<sup>™</sup>

Improvement Association  
1691 Woodmoor Drive  
Monument, CO 80132 Ph: (719) 488-2693

## CONSTRUCTION COMPLIANCE AGREEMENT

The undersigned, as owner or authorized agent of the owner (hereinafter called "Owner") of the property described below (the "Lot") agrees with the Woodmoor Improvement Association, a Colorado non-profit corporation (the "WIA") as follows:

1. Compliance with Documents. Owner has received, read and understood the WIA's Covenants, Conditions and Restrictions (the "Covenants") recorded against the Lot, the WIA's Design Standard regulations (the "Rules"), and any other agreements or documents which are listed below, all of which are called the "Operative Documents" and are incorporated herein by the reference. Owner covenants and agrees to comply fully, timely and completely with the Operative Documents and with the plans approved and all requirements imposed by the WIA's Architectural Control Committee (the "ACC"). The plans as approved by the ACC may be changed only after the approval of a written change request; no changes may be started prior to such approval.

2. Payment of Compliance Fee. Owner agrees to pay the compliance fee stated below (the "Compliance Fee"), together with any other sums reasonably required by the Operative Documents. Payment of the Compliance Fee by anyone other than Owner, for example the contractor and signature of this Agreement by that person shall be presumed to have been made with the agency, authority and knowledge of Owner. The Compliance Fee will be held by the WIA without interest to Owner; any interest, shall be paid to the WIA for its administrative and other expenses

3. Retention of Compliance Fee. The Compliance Fee will usually be retained by the WIA according to the following schedule:

100%	Extreme non-compliance: e.g. over height, setbacks, etc.
50%	Pouring foundation without monitor approval
50%	Pouring foundation without a required survey to WIA/ACC
15%	Major exterior changes without ACC approval: e.g. adding a deck, changing from cedar to stucco, etc.
5%	Other exterior changes without ACC approval: e.g. for each window removed, added or changed; each chimney omitted or added; stairs omitted or added; drive-way change; retaining wall; color change; adding or omitting a bump-out, etc.

The WIA reserves the right to change the above retention schedule in its discretion and may increase retention percentages for willful or injurious non-compliance or other violations. Owner agrees that the entire Compliance Fee may be retained by the WIA in its general funds as liquidated damages because actual damages will be difficult or impossible to calculate and because of the expenses and costs likely to be incurred by the WIA. The Compliance Fee may also be used in whole or in part to pay for any services provided by the WIA or for remedial services, including but not limited to trash removal, sanitary services, fencing, filling of unguarded excavations, restoring construction damage to the green belt, protecting uncompleted structures and similar services. In addition to retention of the Compliance Fee, the WIA may exercise any or all of its legal and equitable rights set forth in Paragraph 7 hereof or otherwise.

4. Payment of Project Monitor. The WIA will retain and pay its Project Monitor ("PM") for up to one hour of consultation with Owner, or the contractor. The PM's sole purpose shall be to explain any disapproval of submitted plans; any additional time spent by the PM in explaining the disapproval of submitted plans will be paid by Owner at the rate then in effect of the PM. Owner or contractor may retain the PM for additional architectural or design services at his regularly scheduled professional fee, and under such circumstances, the PM shall be working solely for Owner or contractor and not as agent or representative of the WIA. The PM will bill Owner or contractor directly for any services rendered in excess of the one-hour consultation paid from the Compliance Fee.

5. WIA Inspection. The Compliance Fee shall only be returned if a written application for refund is made to the WIA and Owner obtains an acceptable final written report by the WIA monitor. In his final report, the WIA monitor shall state that he has made a final inspection of the construction, that all details of the finished construction appear to conform to the WIA approved plans and specifications, or to any WIA approved change request. If the WIA monitor requires corrective action, which Owner fails or refuses to undertake, the entire Compliance Fee will be retained by the WIA, which may exercise its other rights also. Similarly, if any construction is pursued without inspections or approvals required by the Operative Documents, (for example, pouring foundation without prior approval of siting forms by the monitor), the entire Compliance Fee will be retained by the WIA. In the event of any disagreement between the Owner and the ACC monitor as to whether construction is in total compliance with the plans and specifications, the procedures of the Manual and the Rules shall be used in an attempt to resolve the dispute.

Owner shall be solely responsible for the compliance of the construction with the Operative Documents, even if Owner delegates or relies upon such contractors or professionals in the construction. For example, Owner is responsible for obtaining an accurate survey and staking of foundations and improvements. The review and approval of any aspect of the construction by the monitor or the ACC does not ensure quality of construction, compliance with law, or performance by any contractor, and Owner shall look solely to those contractors or parties performing such construction, and shall be responsible for the acts and omissions of such contractors and persons.

6. Procedure for Return. Owner has one year from the time of approval of plans and specifications by the WIA to complete all construction. If Owner does not apply for a refund of the Compliance Fee within that one-year period, the WIA will inform Owner by mail at his last known address. If no application for return of the Compliance Fee is made within 90 days after the notice has been mailed, by certified mail, return receipt requested, the WIA Project Monitor will make a final inspection and return all of his files and reports to the WIA office and the entire Compliance Fee shall be paid to the WIA for transfer to its general fund.

7. Enforcement Rights. The payment of the Compliance Fee to the WIA shall not prevent or impair the WIA's right to impose additional fines pursuant to the WIA's Rules and shall not bar the WIA from taking any legal or equitable action against Owner or other persons, including without limitation, obtaining an injunction or temporary restraining order without the deposit of a bond, to enforce the Operative Documents and decisions of the WIA. In the event that this Agreement or any obligation under the Operative Documents or the decisions of the WIA must be enforced by the WIA through legal proceedings or advice, the WIA shall be entitled to recover all of its costs and expenses of such enforcement including, without limitation, reasonable attorney's fees. Similarly, the Compliance Fee may be applied, in whole or in part, towards any costs and expenses of enforcement. No approval and no act or omission by the WIA, the ACC, the monitor or other representative shall waive any provision of the Operative Documents or constitute any estoppel or bar to enforcement of the Operative Documents.

**RELEASE OF CLAIMS. OWNER UNDERSTANDS AND AGREES THAT THE WIA IS A NON-PROFIT CORPORATION REPRESENTING ITS MEMBERS AND THAT THE ACC, THE MONITOR, AND THE WIA'S BOARD AND AGENTS ARE VOLUNTEERS ACTING WITHOUT COMPENSATION AND PROTECTED BY STATUTORY IMMUNITIES. OWNER, FOR HIMSELF, HIS CONTRACTORS, HEIRS, AGENTS, SUCCESSORS AND ASSIGNS WAIVES, RELEASES AND INDEMNIFIES THE WIA, THE ACC, THE MONITORS, AND THEIR SUCCESSORS AND ASSIGNS FROM ANY AND ALL CLAIMS, LOSSES AND DAMAGES RELATING TO THE APPROVALS, INSPECTIONS, STATEMENTS, AND CONSTRUCTION DESCRIBED IN THIS AGREEMENT. THIS RELEASE SHALL BE IN ADDITION TO STATUTORY IMMUNITIES FOR SUCH PERSONS AND ENTITIES. OWNER ASSUMES ALL RISKS AND RESPONSIBILITIES RELATING TO SUCH CONSTRUCTION.**

IN WITNESS WHEREOF, the undersigned have executed this Construction Compliance Agreement this \_\_\_\_ day of \_\_\_\_\_.

OWNER \_\_\_\_\_ OWNER \_\_\_\_\_  
(Print) (Print)

OWNER \_\_\_\_\_ OWNER \_\_\_\_\_  
(Signature) (Signature)

LOT NO. \_\_\_\_\_ FILING \_\_\_\_\_ ADDRESS \_\_\_\_\_

COMPLIANCE FEE \_\_\_\_\_ CONTRACTOR \_\_\_\_\_

WOODMOOR IMPROVEMENT ASSOCIATION,  
A Colorado Non-profit corporation by \_\_\_\_\_

Title: \_\_\_\_\_

ATTACHMENTS: APPLICATION FOR NEW CONSTRUCTION,  
LANDSCAPING AGREEMENT, OTHER: \_\_\_\_\_

STATE OF COLORADO)  
COUNTY OF EL PASO )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

By \_\_\_\_\_

Witness my hand and official seal.  
My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public



**Woodmoor**  
Improvement Association  
1691 Woodmoor Drive  
Monument, CO 80132

**APPLICATION FOR  
NEW CONSTRUCTION**

Owner's Name \_\_\_\_\_ Phone \_\_\_\_\_

Present Address \_\_\_\_\_  
Address of Proposed Construction \_\_\_\_\_

Legal Description Lot \_\_\_\_\_ Block \_\_\_\_\_ Filing Name \_\_\_\_\_

Builder's Name \_\_\_\_\_ Phone \_\_\_\_\_

Builder's Address

<b>Starting Date</b>	<b>Building</b>	Finished Space:	Garage Space:	<b>Total Footprint minus Garage</b> (Must be at least 1400 sq ft)
<b>Estimated Completion Date</b>	<b>Square Footage</b>	Unfinished Space:	Deck Space:	

**MATERIALS AND COLORS** : All exterior colors are to include manufacturer's name and product number, along with manufacturer's color chart. All materials will be in accordance with the design standards.

MATERIAL	BRAND / COLOR / PRODUCT NUMBER
ROOFING _____	_____
SIDING _____	_____
BRICK / STONE _____	_____
TRIM _____	_____
WINDOW FRAMES _____	_____
EXTERIOR DOORS _____	_____
GARAGE DOOR _____	_____
VENTS / GUTTERS _____	_____
RETAINING WALLS _____	_____

**FROM THE PLOT PLAN:** Number of Culverts: \_\_\_\_\_ Number of Foundation Drains: \_\_\_\_\_  
 Front Setback: \_\_\_\_\_ Rear Setback: \_\_\_\_\_ Left Setback: \_\_\_\_\_ Right Setback: \_\_\_\_\_

**REQUIRED SUBMITTALS**

- Application for New Construction (this form); 3 copies
- Certified Plot Plan; 3 copies
- Landscape Agreement; 3 copies
- Floor cross sections and architectural elevations
- Construction Compliance Agreement
- Site Plan; 3 copies
- Floor Plan; 3 copies
- A check for the Filing Fee
- A check for the refundable Compliance Fees

I/We hereby certify that I/We have read the Covenants, Rules and Regulations including the Design Standards, the conditions and restrictions recorded with the deed for this property and will fully comply with all provisions of each. I/We understand that approval of this application for new construction by the ACC does not assure construction quality or builder performance.

I/We agree that I/We are fully responsible for all contractors and subcontractors working on this project, the project will be completed in strict accordance with the plans approved by the ACC, any changes to the approved plan will be submitted to the ACC for approval prior to the changes being incorporated into the project. I/We understand that any changes implemented into the project without prior approval by the ACC will be subject to fines in accordance with the Compliance Fee Agreement.

OWNER SIGNATURE \_\_\_\_\_ CO-OWNER SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

AUTHORIZED REPRESENTATIVE \_\_\_\_\_ DATE \_\_\_\_\_  
(Written authorization from owner must be attached.)

SUBMITTAL DATE \_\_\_\_\_ RECEIVED BY \_\_\_\_\_

**NOTICE:** THE REVIEW AND THE APPROVAL OF THIS APPLICATION AND ACCOMPANYING DOCUMENTS BY THE ACC DOES NOT ASSURE THE QUALITY OF CONSTRUCTION OR THE PERFORMANCE OF THE CONTRACTORS AS THEY ARE NOT THE RESPONSIBILITY OF THE WIA OR ACC.



**Woodmoor**

Improvement Association  
1691 Woodmoor Drive  
Monument, CO 80132 Ph: (719) 488-2693

**LANDSCAPING AGREEMENT**

Owner/Builder Name \_\_\_\_\_ Phone \_\_\_\_\_

Owner/Builder Address \_\_\_\_\_

Address of Proposed Landscaping \_\_\_\_\_

Legal Description Lot \_\_\_\_\_ Block \_\_\_\_\_ Filing Name \_\_\_\_\_

**Landscaping Category:**      **1**    **2**    **3**    (circle one)

**Landscape Compliance Fee:**

**\$1,500.00 for Category I:** Lots with more than twenty (20) standard dimension trees (see *Design Standards Manual - Glossary*) remaining after the completion of the approved construction.

**\$3,000.00 for Category II:** Lots with less than twenty (20) but more than five (5) standard dimension trees (see *Design Standards Manual - Glossary*) remaining after the completion of the approved construction.

**\$5,000.00 for Category III:** Lots with more than five (5) or less standard dimension trees (see *Design Standards Manual - Glossary*) remaining after the completion of the approved construction.

The refundable landscaping fee is due at the time of the WIA final inspection of the home. Building compliance fees that are eligible and approved by the WIA for refund, can be rolled over and applied to the refundable landscaping fee. If the home is sold, and/or the owner of the property changes prior to the WIA final inspection, the refundable landscaping fee is due immediately and prior to the closing of the sale of the home. If payment of the refundable landscaping fee is not made, this amount due to the WIA will be provided to the Title Company when the Title Company requests the Homeowner's Association Statement.

The Owner/Builder may transfer to the new property owner entitlement to the Landscape Compliance Fee refund by sending a signed and dated notice to the WIA.

This fee is refundable upon completion of the required landscaping if the landscaping is completed and approved by the Project Monitor within eighteen (18) months of the application approval. **Failure to complete the landscaping within this time without obtaining an extension will cause the Landscape Compliance Fee to be retained.**

I have read and understand the landscaping section of the Design Standards Manual and concur with the purpose and intent of the section.

**BUILDER SIGNATURE** \_\_\_\_\_ **DATE** \_\_\_\_\_

**ACC APPROVAL** \_\_\_\_\_ **DATE** \_\_\_\_\_



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1691 Woodmoor Drive  
Monument, CO 80132 Ph: (719) 488-2693

**APPLICATION FOR  
APPLICATION FOR  
MAJOR MODIFICATION**

Owner's Name \_\_\_\_\_ Phone \_\_\_\_\_

Present Address \_\_\_\_\_  
Address of Proposed Construction \_\_\_\_\_

Legal Description Lot \_\_\_\_\_ Block \_\_\_\_\_ Filing Name \_\_\_\_\_

Builder's Name \_\_\_\_\_ Phone \_\_\_\_\_

Builder's Address \_\_\_\_\_

Starting Date	Proposed Remodeling					
Estimated Completion Date	Room Addition	Garage	RV Enclosure	Footprint Change	Finished Space	Other
Describe details of the Activity _____						
_____						

**MATERIALS AND COLORS:** All exterior colors are to include manufacturer's name and product number, along with manufacturer's color chart. All materials will be in accordance with the design standards.

MATERIAL	BRAND / COLOR / PRODUCT NUMBER
ROOFING _____	_____
SIDING _____	_____
BRICK / STONE _____	_____
TRIM _____	_____
WINDOW FRAMES _____	_____
EXTERIOR DOORS _____	_____
GARAGE DOOR _____	_____
VENTS / GUTTERS _____	_____
RETAINING WALLS _____	_____

**FROM THE PLOT PLAN:** Number of Culverts: \_\_\_\_\_ Number of Foundation Drains: \_\_\_\_\_  
 Front Setback: \_\_\_\_\_ Rear Setback: \_\_\_\_\_ Left Setback: \_\_\_\_\_ Right Setback: \_\_\_\_\_

**SQUARE FOOTAGE:** Finished Space: \_\_\_\_\_ Unfinished Space: \_\_\_\_\_ Garage: \_\_\_\_\_ Decks: \_\_\_\_\_ Other: \_\_\_\_\_

**REQUIRED SUBMITTALS**

- Application for Extensive Remodeling (this form)
- Floor Cross Sections and Architectural Elevations
- Construction Compliance Agreement
- A check for the refundable Compliance Fee
- Site Plan; 3 copies
- Floor Plan; 3 copies
- Certified Plot Plan; 3 copies
- A check for the Filing Fee

I/We hereby certify that I/We have read the Covenants, Rules and Regulations, including the Design Standards, the documents and agreements shown above, and the conditions and restrictions recorded with the deed for this property, and will fully comply with all provisions of each, which are incorporated herein by reference.

I/We agree that I/We are fully responsible for all contractors and subcontractors working on this project, the project will be completed in strict accordance with the plans approved by the ACC, and any changes to the approved plan will be submitted to the ACC for approval prior to the changes being incorporated into the project. I/We understand that any changes implemented into the project without prior approval by the ACC will be subject to retention and fines in accordance with the Construction Compliance Agreement.

**OWNER SIGNATURE** \_\_\_\_\_ **CO-OWNER SIGNATURE** \_\_\_\_\_ **DATE** \_\_\_\_\_  
**AUTHORIZED REPRESENTATIVE** \_\_\_\_\_ **DATE** \_\_\_\_\_

(Written authorization from owner must be attached.)

**NOTICE:** THE REVIEW AND THE APPROVAL OF THIS APPLICATION AND ACCOMPANYING DOCUMENTS BY THE ACC, AND PROJECT VISITS BY THE MONITOR, DO NOT ASSURE THE QUALITY OF CONSTRUCTION OR COMPLIANCE WITH GOVERNMENTAL CODES OR THE PERFORMANCE OF THE CONTRACTORS AS THEY ARE NOT THE RESPONSIBILITY OF THE WIA OR ACC.



**Woodmoor**

Improvement Association  
1691 Woodmoor Drive  
Monument, CO 80132 488-2693

Owner's Name \_\_\_\_\_ Phone \_\_\_\_\_

Present Address \_\_\_\_\_  
Address of Proposed Construction \_\_\_\_\_

Legal Description Lot \_\_\_\_\_ Block \_\_\_\_\_ Filing Name \_\_\_\_\_

Builder's Name \_\_\_\_\_ Phone \_\_\_\_\_

Builder's Address

Starting Date	Activity <input type="checkbox"/> Deck <input type="checkbox"/> Fence <input type="checkbox"/> Window <input type="checkbox"/> Patio <input type="checkbox"/> Repaint <input type="checkbox"/> Retaining Walls <input type="checkbox"/> Other
Estimated Completion Date	
Describe Activity in detail _____	

**MATERIALS AND COLORS:** All exterior colors are to include manufacturer's name and product number, along with manufacturer's color chart. All materials will be in accordance with the design standards.

**Material** **Brand / Color / Product Number Size**

**DECK/PATIO** \_\_\_\_\_  
If used, wire mesh lining must be 14 or 16 gauge galvanized wire and cannot extend beyond the top rail of the fence. The gate must be of like appearance and the design and materials approved by the ACC

**FENCE** \_\_\_\_\_

**WINDOW** \_\_\_\_\_

**RETAINING WALLS** \_\_\_\_\_

**REPAINT** \_\_\_\_\_

**OTHER** \_\_\_\_\_

Distance from the lot lines to the proposed new addition	Front:	Rear:	Left:	Right:
--	--------	-------	-------	--------

**REQUIRED SUBMITTALS**

- ✓ Application for Miscellaneous Projects (this form)
- ✓ Certified Site Plan showing addition (*For fencing, all easements must be shown on Site Plan*);
- ✓ Check for Submittal fee \$25.00 Shed Submittal fee \$50.00 Shed refundable fee \$250.00

I/We hereby certify that I/We have read the Covenants, Rules and Regulations including the Design Standards, the conditions and restrictions recorded with the deed for this property and will fully comply with all provisions of each. I/We understand that approval of this application for miscellaneous projects by the ACC does not assure construction quality or builder performance.

I/We agree that I/We are fully responsible for all contractors and subcontractors working on this project, the project will be completed in strict accordance with the plans approved by the ACC, any changes to the approved plan will be submitted to the ACC for approval prior to the changes being incorporated into the project. I/We understand that any changes implemented into the project without prior approval by the ACC will be subject to fines in accordance with the Compliance Fee Agreement.

OWNER SIGNATURE \_\_\_\_\_ CO-OWNER SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

AUTHORIZED REPRESENTATIVE \_\_\_\_\_ DATE \_\_\_\_\_

(Written authorization from owner must be attached.)

**NOTICE:** THE REVIEW AND THE APPROVAL OF THIS APPLICATION AND ACCOMPANYING DOCUMENTS BY THE ACC DOES NOT ASSURE THE QUALITY OF CONSTRUCTION OR THE PERFORMANCE OF THE CONTRACTORS AS THEY ARE NOT THE RESPONSIBILITY OF THE WIA OR ACC. Once the ACC approves the application, you have six months to complete the work, except in cases originating as a violation. Upon completion of the project, the owner of the property needs to contact the WIA so the compliance inspection can be performed. A WIA representative will enter the property on/or before the date of completion to either inspect the ongoing work and/or perform the final inspection.



**Woodmoor**  
Improvement Association  
1691 Woodmoor Drive  
Monument, CO 80132

**CHANGE AGREEMENT**

Owner's Name \_\_\_\_\_ Phone \_\_\_\_\_

Owner's Address \_\_\_\_\_  
Address of Proposed Change \_\_\_\_\_

Legal Description Lot \_\_\_\_\_ Block \_\_\_\_\_ Filing Name \_\_\_\_\_

The following change agreement between the Owner or his Authorized Representative, and a member of the Woodmoor Improvement Association Architectural Control Committee comprises the written record of approval, as required by the Covenants, of requested change(s) in currently approved plans for construction on the lot described above. As of November 1, 2002 there is in effect a fee collectible by Woodmoor Improvement Association (WIA) of \$25.00 for Change orders on approved construction plans.

OWNER'S SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

ACC REPRESENTATIVE APPROVAL \_\_\_\_\_ DATE \_\_\_\_\_



**Woodmoor**  
Improvement Association  
1691 Woodmoor Drive  
Monument, CO 80132

**Antenna Registration**

**Owner's Name** \_\_\_\_\_ **Phone** \_\_\_\_\_

**Property Address** \_\_\_\_\_

**Legal Description**      **Lot** \_\_\_\_\_      **Block** \_\_\_\_\_      **Filing Name** \_\_\_\_\_

**Woodmoor Improvement Association Antenna Policy - December 4, 1996**

The Telecommunication Act of 1996 changed the way that covenant controlled communities such as Woodmoor could deal with video antennas. The Federal Communications Commission (FCC) has issued rules regarding the new law and its application. Covered by the rules are antennas for television broadcast signals (TBS), multichannel multipoint distribution service (MMDS), and direct broadcast satellite services (DBSS). All other types of antennas such as ham radio antennas, CB antennas, etc. are fully restricted by the WIA Covenants.

Residents in covenant-controlled communities are allowed to have DBSS antennas less than one meter in diameter (39.37"), MMDS antennas less than one meter (39.37") in size or a TBS antenna. Homeowner associations can enforce reasonable restrictive covenants on these types of antennas, but cannot prevent, unreasonably delay or unreasonably increase cost of antenna installation, maintenance or use or preclude acceptable signal reception.

Exterior antennas, including satellite dishes, are generally considered unsightly and are discouraged in Woodmoor. However, if a homeowner chooses to have a satellite dish or other antenna installed, the owner is strongly encouraged to consider the impact on his neighbors and the community. It is highly desirable that where possible, antennas be sited so as to be unobservable from the street and or neighbors. If this is impossible, or the siting results in significantly impaired reception, other locations can be selected. However, in such cases, the satellite dish must be painted to blend with the surroundings or be concealed using approved landscaping techniques such as imitation rocks, shrubbery, etc. All exterior antennas must be grounded in accordance with UL specifications. Because of the frequent lightning storms and extremely high winds along the Front Range (at times in excess of 80 miles per hour), exterior antennas should not rise above the highest point of the roof. Because of these safety concerns, the WIA requires that all exterior antennas in Woodmoor be registered with WIA.

Homeowners who desire to install (either do-it-yourself or by vendor) satellite dish or other exterior antenna are required to pick up and complete a registration form from the WIA.

**Antenna Type:**

- Television Broadcast Signals (conventional antenna)
- Multichannel Multipoint Distribution Service (generally transmitted from Cheyenne Mountain)
- Direct Broadcast Satellite Services (signal transmitted from a satellite)

**Antenna Location:** (If mounted on the ground, describe where on the property it is located, including distances from property boundaries. If mounted on a structure, such as the house, describe where on the house.) \_\_\_\_\_

**Antenna Size and Maximum Height above Ground:**

**Antenna Color or Concealment Method:** (if exposed to view, identify the antenna color. If concealed from view, identify the items used to hide the antenna). \_\_\_\_\_

**Installed by:** (Owner, or name of company if commercially installed) Properly **grounded:** \_\_\_\_\_

**OWNER'S SIGNATURE** \_\_\_\_\_ **DATE** \_\_\_\_\_

**ACC REPRESENTATIVE APPROVAL** \_\_\_\_\_ **DATE** \_\_\_\_\_



**Woodmoor**<sup>™</sup>

Improvement Association  
1691 Woodmoor Drive  
Monument, CO 80132

**TREE EVALUATION REQUEST/  
REMOVAL PERMIT**

Date of Request: \_\_\_\_\_

Owner's Name \_\_\_\_\_ Phone \_\_\_\_\_

Property/Mailing Address \_\_\_\_\_

Legal Description Lot \_\_\_\_\_ Block \_\_\_\_\_ Filing Name \_\_\_\_\_

**Reasons For Request:**

- Dwarf Mistletoe Questions
- Possible Mountain Pine Beetle Infestation
- Defensible Space Thinning
- General Thinning Recommendations
- General Forest Health Evaluation
- Other Disease/Pests \_\_\_\_\_

Lot Conditions: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Recommendations: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Written Information Given To Owner: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**TREES TO BE CUT: # Live ("green") = \_\_\_\_; # Live ("green") w/MPB = \_\_\_\_; # Dead w/live MPB = \_\_\_\_**

**Date for Completing MPB Tree Removals:** \_\_\_\_\_ *[See explanation in Rule 4 on reverse side]*

**APPROVED? YES**  **NO**  **This approval is valid for \_\_\_\_ days or until \_\_\_\_/\_\_\_\_/\_\_\_\_**

**Tree Monitor (Signature):** \_\_\_\_\_ **Date of Evaluation:** \_\_\_\_\_

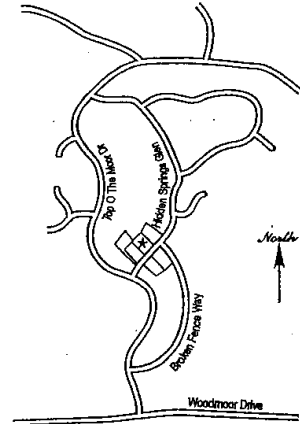
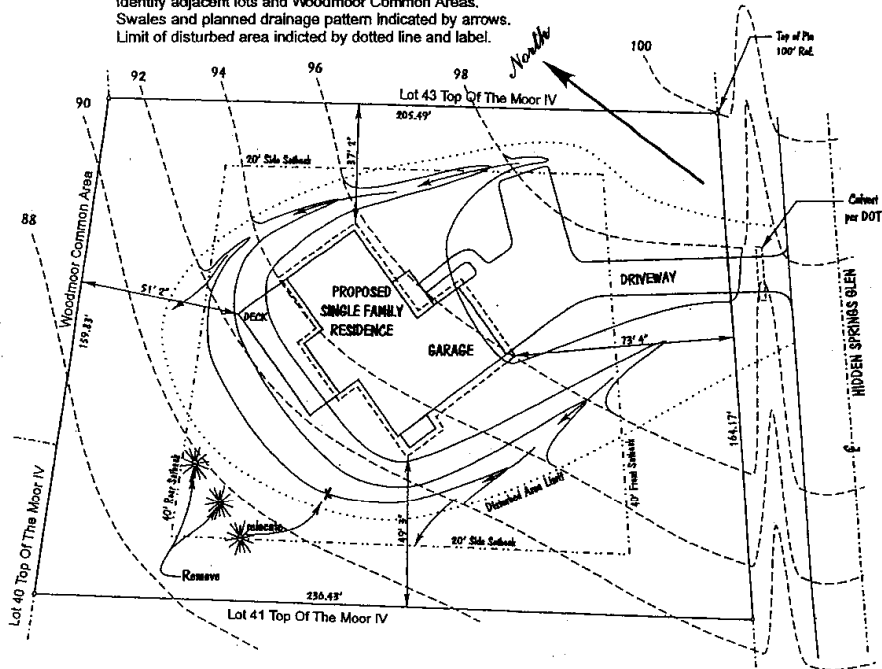
**DISCLAIMER**

WIA and its volunteer Tree Monitor have absolutely no liability for this report or from any conversation or communications. This report is for the WIA member/owner only and shall not be distributed. WIA shall recover its attorney's fees and costs to enforce and defend the report. The recipient's acceptance of this report constitutes agreement with the terms hereof.

### Site-Plan Sample

- Include:**
- Date drawing prepared.
  - Property legal description (lot and filing).
  - Lot line dimensions.
  - Setback boundaries, labeled to identify "front", "side", and "rear" setback.
  - Eaves as dashed lines.
  - Existing contours as dashed lines (2 foot intervals); identify the permanent reference point for elevations.
  - Finished contours as solid lines (2 foot intervals).
  - Shortest distance from structure (generally the eave lines) to all property boundaries.
  - Outline of driveway, parking areas and walkways.
  - Identify any "Standard Dimension Trees" outside the disturbed area that will be removed or moved.
  - Drawing stamped by a Colorado-registered Professional Surveyor, Architect or Engineer to certify accuracy.
  - Vicinity map showing location of property within Woodmoor (may be on a separate page).
  - Identify adjacent lots and Woodmoor Common Areas.
  - Swales and planned drainage pattern indicated by arrows.
  - Limit of disturbed area indicated by dotted line and label.

**Sample Plot Plan**



**Lot 42  
Top Of The Moor IV**

January 31, 2001

Scale: 1" = 20'



**XI - INDEX****A**

## ACC

- Preface · 3
- Project Monitor · 27
- ancillary building · 15, 36
- filing fee · 22
- Applications for
  - Antenna - 58
  - Change agreement - 57
  - major modification · 51-52, 55
  - miscellaneous projects · 56
  - new Construction · 51-54
  - tree removal · 59
- approval phase · 9, 17, 21
- architectural style · 28,
- Awnings - 20

**B**

- boundaries · 11, 16, 17, 25, 29 -31
- building size · 32
- building height · 33-34

**C**

## Change

- approval · 13, 27
- change agreement form · 57
- chimney · 28, 35

## Color

- ancillary buildings · 36
- change house colors · 20
- exterior · 9, 16, 34
- fences · 39-40
- sheds · 36

## Common Areas · 42--43

- driveways · 43

## Construction hours 26

- construction phase · 11, 18, 22

## Compliance Fees

- major modification & ancillary buildings · 23-24
- miscellaneous projects · 23-24
- miscellaneous projects/shed - 23-24
- new construction · 22, 24
- refund · 13, 19
- rolling over to landscaping fee · 13, 22
- unclaimed · 13, 19

- completion · 12, 19, 22
- construction storage units · 14
- contours · 8, 17, 32
- cross sections · 9
- culverts · 8

**D**

- Debris - 26
- decks · 35
- Design guidelines - 28
- decorative fence · 39
- disapproved
  - project application & refund · 10, 18
- disclaimer · 5
- Drainage · 13, 31
  - filling eroded land · 43
  - foundations · 32
  - landscaping · 37
- drawing scale · 8, 9, 16
- driveway · 36
  - alter · 20
  - width · 36
  - common · 43
- Dumpsters - 20

**E**

- earth homes · 37
- easement · 39-40
- elevations · 9, 26, 28
- enclosure 40
- energy conservation · 37
- erosion control · 31, 43
- extension of house · 15
- extension of time · 11, 18, 22
- exterior
  - add square footage · 15
  - altering roofline · 15
  - change agreement · 27
  - color · 34
  - design · 28
  - materials · 34
  - permission to paint · 20
  - walls · 34

**F**

## fee

- ancillary building/shed · 23-24
- landscaping · 22-23
- major modification · 23-24
- miscellaneous projects & ancillary buildings · 23-24
- miscellaneous projects - shed · 23-24
- new home construction · 22-24
- fence · 39-40
  - location · 39-40
  - miscellaneous project · 20
  - perimeter · 40
  - snow · 40
  - split rail · 40
  - underground electronic 41
  - walls · 39
  - wire mesh · 40
- filing fee · 22-24

finished floor space · 32  
 finished grade · 8, 32  
 flagpoles · 43  
 footprint · 32  
 foundation · 32  
   corners · 7, 16  
   inspection · 11, 19, 27  
   land survey plat · 25-26  
   survey required · 10

---

## **G**

grade  
   finished · 32  
 grading · 20, 32  
 green belts · 42

---

## **H**

height · 33  
   average maximum · 33  
   maximum · 33  
 hot tub · 20  
 house numbering · 27, 42

---

## **I**

inspection · 12, 27

---

## **L**

Landscape  
   Category I · 39  
   Category II · 39  
   Category III · 39  
   compliance · 13  
   requirements 37-39  
 landscaping  
   fees · 22-23  
 latticework · 41  
 lighting · 41  
   flagpoles · 43

---

## **M**

materials  
   prohibited · 34  
   roof · 35  
 metal  
   exposed · 35  
   siding · 34  
   window wells · 32  
 modular or pre-manufactured structures · 9

---

## **N**

new construction procedures · 7  
 noise · 26  
 notice sign · 9-10  
 notification of adjacent lots · 10, 17, 21  
 numbers - house · 27, 42

---

## **P**

patios · 8, 28  
 pets at construction site · 26  
 playground equipment · 44  
 pods · 20  
 project changes · 13, 19  
 Project Monitor · 27

---

## **R**

retaining walls · 8, 31  
 roof · 35  
   adding or altering roofline · 15  
   ancillary buildings · 15, 36  
   design · 28  
   fire rating · 35  
   materials · 9  
   re-roofing · 20  
   warranty · 35  
   wood shake · 35

---

## **S**

sanitation facilities · 26  
 setback · 29-31  
   foundation survey requirements · 10, 18  
   public road · 29  
   lots · 29  
 sheds · 36-37  
 sign  
   house numbers · 42  
 site plan · 8, 60  
 size of home · 32  
 slabs · 34  
 snow fence · 40  
 solar panels · 37  
 spa · 20  
 storage units for construction · 14  
 survey · 10, 18, 25  
 swimming pool · 44

---

## **T**

trash bins · 26  
 tree standard dimension · 7, 8, 38  
 trellis · 41

trees

clear cutting · 38

removal 7, 16, 38

---

## **U**

## **V**

vehicle parking area

design considerations · 36

---

## **W**

wall

retaining · 8, 31

WIA Board arbiter · 28

window wells · 32

windows · 15, 28, 34