

AMENDED AND RESTATED RESIDENTIAL IMPROVEMENT GUIDELINES, STANDARDS AND PROCESSES



November 9,
2022

Beacon Point Metropolitan District

These Amended and Restated Residential Improvement Guidelines, Standards & Processes ("Standards") have been adopted by the Board of Directors of the Beacon Point Metropolitan District to be read in conjunction with the Protective Covenants of Beacon Point to give direction to Owners before the construction, installation, erection, or alteration of any structure, attachment to any structure, or landscaping of any Lot within Beacon Point is made.

Amended and Restated Residential Improvement Guidelines, Standards & Processes

Date	Revision	Document Title
February 2008	NIA	Residential Improvement Guidelines for all Single-Family Detached Lots (NOW SUPERSEDED)
February 2015	Rev. 1	Filing 6 Single Family Detached Lots Disclosure (in re: Section 2.39(iii)) (NOW SUPERSEDED)
May 11, 2016	Rev.2	Amended and Restated Residential Improvement Guidelines, Standards & Processes (NOW SUPERSEDED)
March 13, 2019	Rev. 3	Update of Management Company Contact Information (NOW SUPERSEDED)
February 7, 2022	Rev. 4	(NOW SUPERSEDED)
November 9, 2022	Rev. 5	Update of Management Company Contact Information and ARC Request Form

Amended and Restated Residential Improvement Guidelines, Standards & Processes

Table of Contents

BEACON POINT METROPOLITAN DISTRICT AMENDED AND RESTATED	1
SECTION. 1. INTRODUCTION AND BASIS FOR GUIDELINES AND STANDARDS.....	1
1.01 Introduction.....	1
1.02.....	1
Basis for Guidelines and Interpretation.....	1
SECTION. 2. DEFINITIONS.	2
SECTION. 3. PROCEDURES FOR APPROVAL.	4
3.01 Who is subject to the procedures set forth in these Standards?	4
3.02 Conflicts with the Protective Covenants.....	4
3.03 Administration of the procedures set forth in these Standards.	4
3.04 Waiver, Amendment and Third-Party Benefit.....	4
3.05 Applications for Review.....	4
3.06 Review Fee.....	5
3.07 Drawings or Plans.....	5
3.08 Regulatory Compliance.....	6
3.09 Interference with Utilities.....	6
3.10 Accuracy of Information.....	7
3.11 Action by Board of Directors/ Management Company.....	7
3.12 Final Approval.....	7
3.13 Appeals.....	7
3.14 Owners Responsibility.....	7
SECTION. 4. SPECIFIC TYPES OF IMPROVEMENTS - GUIDELINES.	8
4.01 Accessory Buildings.....	8
4.02 Additions/Expansions or Reconstruction.....	8
4.03 Address Numbers.....	8
4.04 Advertising.....	8
4.05 Air Conditioning & Heating Equipment/Evaporative Coolers/Attic Ventilators.....	8
4.06 Antennae/Satellite Dish.....	8
4.07 Awnings and Overhangs.....	9
4.08 Barbecue/Gas Grills.....	9
4.09 Basketball Backboards.....	9
4.10 Birdbaths.....	9
4.11 Birdhouses and Bird Feeders.....	9
4.12 Cable/Satellite TV, Internet, Video Surveillance and Telephone Wiring, External Wiring.....	10
4.13 Carports.....	10
4.14 Chimineas/Smokers/Fire Pits/Outdoor Fireplaces etc.....	10
4.15 Clothes Lines and Hangers.....	10
4.16 Compost.....	10
4.17 Decks & Balconies.....	10
4.18 Dog Houses.....	11
4.19 Dog Runs.....	11
4.20 Doors.....	11
4.21 Drainage/Grading & Grade Changes.....	11
4.22 Driveways.....	11
4.23 Energy Devices.....	12
4.24 Excavation.....	12
4.25 Fences.....	12
4.26 Firewood/Wood Storage.....	13
4.27 Flagpoles/Flags.....	13
4.28 Gardens.....	13
4.29 Gazebos.....	13

4.30 Greenhouses.....	13
4.31 Hard Surfaces, Including Driveways, Patios, Front Porches, Stairways, Pads and Owner-Owned Walkways.....	14
4.32 Hot Tubs/Jacuzzis/Spas.....	14
4.33 Irrigation/Sprinkler Systems.....	14
4.34 Kennels.....	14
4.35 Landscaping.....	15
Irrigation.....	15
Front Yard.....	16
Side Yard.....	16
Rear Yards.....	17
4.35 Latticework.....	19
4.36 Lights and Lighting.....	20
4.37 Lot Owner and/or Contractor Representation.....	20
4.38 Painting.....	20
4.39.....	20
Patios.....	20
4.40 Paving/Paved Areas.....	21
4.41 Pipes.....	21
4.42 Play Structures/Playhouses/Sports Equipment.....	21
4.43 Playhouses.....	22
4.44 Poles.....	22
4.45 Pools.....	22
4.46 Rooftop Equipment.....	22
4.47 Roofing.....	22
4.48 Saunas.....	23
4.49 Seasonal Decorations.....	23
4.50 Security Window Bars.....	23
4.51 Sewage Disposal Systems.....	23
4.52 Sheds.....	23
4.53 Shutters.....	23
4.54 Siding.....	23
4.55 Signs.....	23
4.56 Skylights and Sky Tubes.....	24
4.57 Slopes.....	24
4.58 Soils/Drainage/Grading.....	24
4.59 Soil Preparation.....	25
4.60 Statues or Fountains.....	25
4.61 Sunshades.....	25
4.62 Swamp Coolers.....	25
4.63 Temporary Structures.....	25
4.64 Trash (Garbage) Containers, Enclosures and Pickup.....	26
4.65 Tree Houses.....	26
4.66 Underground Installations.....	26
4.67 Utility Equipment.....	26
4.68 Weathervanes.....	26
4.69 Wells.....	26
4.70 Wind Energy Systems.....	26
4.71 Windows and Window Tinting.....	26
4.72 Window Well Covers.....	26
4.73 Weather Vanes, Wind chimes, Directionals, etc.....	27
LANDSCAPING SUGGESTIONS.....	28
ATTACHEMENT A FENCE DETAILS.....	32
ATTACHMENT B ARCHITECTURAL REVIEW REQUEST FORM.....	33
COMMUNITY MAPS.....	35

**BEACON POINT METROPOLITAN DISTRICT AMENDED AND RESTATED
RESIDENTIAL IMPROVEMENT GUIDELINES, STANDARDS & PROCESSES**

SECTION. 1. INTRODUCTION AND BASIS FOR GUIDELINES AND STANDARDS.

1.01 Introduction.

Beacon Point is a community of distinct neighborhoods within a network of parkways and greenbelts connecting to centrally located schools, parks and neighborhood centers.

These Amended and Restated Residential Improvement Guidelines, Standards & Processes, referred to as the "Standards," have been adopted by the Board of Directors of the District in accordance with the Protective Covenants to give direction to Owners in preparing plans and designs that reinforce the appearance of the high-quality Beacon Point neighborhood. The Protective Covenants require approval from the Board of Directors of the District prior to the installation, construction, erection or alteration of any Improvement, including any structure, attachment to any structure, or landscaping of any Lot in Beacon Point. These Standards are intended to supplement and clarify the requirements of the Protective Covenants.

Due to unique characteristics on individual Lots and/or groups of Lots, certain additional special requirements, relating to house design, site planning, landscaping, fencing, or any other facet of modification, addition or alteration, may be imposed by the Board of Directors or, as appointed, their representative(s), during the review and approval process. Reference to the Board of Directors shall be inclusive of its designated representative(s) as it relates to the process.

These Standards are intended to provide the framework for design and development standards, which will allow for Owners, Contractors and the Board of Directors to make informed decisions related to all Improvements throughout Beacon Point.

The Board of Directors has designated its Management Company, Westwind Management Group, LLC as its designated representative under the Standards and Protective Covenants.

Contact information for the Management Company is as follows:

Westwind Management Group, LLC	Phone:	Email:
27 Inverness Drive East Englewood, CO 80112	303-369-1800 (ext. 120)	silvia@westwindmanagement.com

1.02 Basis for Guidelines and Interpretation.

- (a) **Protective Covenants.** The Protective Covenants is a document governing all properties within Beacon Point. The Protective Covenants are available at any time from the District and are also recorded in the real property records of Arapahoe County, Colorado. Each owner should review and become familiar with the Protective Covenants. Nothing in these Standards supersedes or alters the provisions or requirements of the Protective Covenants and, if there is any conflict or inconsistency, the Protective Covenants control.
- (b) **Governmental and Other Regulations.** Use of Property and Improvements must comply with

applicable building codes and other governmental requirements and regulations. Where the provisions of applicable City of Aurora standards are more restrictive than the provisions of these Standards, the City of Aurora standards shall be controlling. **For general information about the City of Aurora requirements, homeowners may write or call the City of Aurora Building Department at: 15151 East Alameda Parkway, Aurora, Colorado 80012, (303)739-7420, www.auroragov.org.**

Approval by the Board of Directors or its designee will not constitute assurance that Improvements comply with applicable governmental requirements or regulations or that a permit or approvals are not also required from applicable governmental entities.

(c) **Interpretation.** These Standards contain both rules and informational direction. Where the terms "shall" or "shall not" are used herein, it denotes a mandatory direction that may have penalties associated with its violation. Where the terms "preferred" or the phrase "the Board of Directors may permit" are used in a statement, the statement constitutes informational direction provided for the guidance and convenience of Owners and Contractors and shall not create any duty for the Board of Directors to approve or permit the design elements referred to in such statement, nor shall any Owner or Contractor rely in any manner upon the Board of Directors' potential approval of such design element, the approval of which shall remain within the Board of Directors' discretion in accordance with these Standards.

SECTION. 2. DEFINITIONS.

All initially capitalized terms contained in these Standards, as such terms are herein below defined, unless otherwise defined in the Standards or unless the context clearly requires otherwise, shall have meanings ascribed to such initially capitalized terms. Additionally, all initially capitalized terms contained in the Standards, and not otherwise defined herein, shall have the meanings ascribed to such initially capitalized terms in the Protective Covenants, unless the context clearly requires otherwise.

"Application" shall mean an application for review and approval by the Board of Directors, or its designee, as required to be submitted under the Standards and/or Protective Covenants. An Application shall use the form attached hereto as **Attachment B**.

"Beacon Point" shall mean the community governed by the Board of Directors of the District.

"Board of Directors" shall mean the Board of Directors of the District.

"Building Project" shall mean the total scheme of Improvement constructed or proposed to be constructed upon any Lot.

"Building Setback" shall mean the areas, measured from the Property line to any structure, which are unobstructed by structures from the ground upward, but which may include surface driveway areas or other similar surface Improvements.

"City" shall mean any official, agency or body of the government of the City of Aurora, State of Colorado.

"Common Areas" shall mean Property owned and maintained by the District for the benefit of all

Owners.

"Contractor" shall mean any person who has or will become the Owner of a Lot, or any person acting as an agent of the Owner of a Lot or a prospective Owner of a Lot, and seeking approval of an Application pursuant to and as required by the Standards.

"County" shall mean any official, agency, or body of the government of the County of Arapahoe, State of Colorado.

"District" shall mean the "Metropolitan District" under the Protective Covenants, and specifically Beacon Point Metropolitan District, a quasi-municipal corporation and political subdivision of the State of Colorado, and its successors and assigns.

"Improvement(s)" shall mean all exterior improvements, structure, and any appurtenances thereto or components thereof of every type or kind, and all landscaping features including, but not limited to, buildings, outbuildings, swimming pools, tennis courts, patios, patio covers, awnings, solar collectors, painting or other finish materials on any visible structure, additions, walkways, sprinkler systems, garages, driveways, fences (including gates), basketball backboards and hoops, swing sets or other play structures, screening walls, retaining walls, stairs, decks, landscaping, hedges, windbreaks, plantings, trees, shrubs, flowers, vegetables, sod, gravel, bark, exterior light fixtures, poles, signs, exterior tanks, and exterior air conditioning, cooling, heating, solar and water softening equipment, if any, or any other exterior change visible from any street or Lot or tract which is not expressly included in the foregoing.

"Lot" shall mean any area of the Property designated as a lot on any subdivision plat now or hereafter recorded in the real property records of Arapahoe County, Colorado. If any Lot is further subdivided in a manner permitted by the Protective Covenants, then upon such further subdivision, the term "Lot" shall mean each subdivided unit within such Lot that may be legally conveyed and is separately taxed and assessed as a distinct unit of real estate.

"Management Company" shall mean Specials District Management Services, Inc., Lakewood, Colorado, or any successor management company engaged and appointed by the Board of Directors.

"Owner" shall mean the record holder of legal title to the fee simple interest in any Lot or portion thereof.

"Property" shall mean any real property subject to the Protective Covenants and, as such, subject to these Standards.

"Protective Covenants" shall mean the Protective Covenants of Beacon Point, recorded on April 29, 2005, in the real property records of the Arapahoe County Clerk and Recorder at Reception No. B5060926, as the same has been amended by a First Amendment and a Second Amendment and as amended or supplemented from time to time in the future.

"Screened" shall mean that at least 50% of an area or object is hidden from the view of adjacent Properties.

"Standards" shall mean these Residential Improvement Guidelines, Standards & Processes, which are promulgated to interpret and implement the provisions of the Protective Covenants to clarify the designs

and materials that may be considered in design approval, state requirements of submission 12 procedural requirements, and specify Improvement requirements.

SECTION. 3. PROCEDURES FOR APPROVAL.

3.01 Who is subject to the procedures set forth in these Standards?

Any Owner and her/his Contractor desiring to undertake any modification, addition, or alteration relative to any Improvement within the Property is responsible for complying with the provisions of these Standards and initiating the reviews and obtaining the approvals required by these Standards before any such modification is undertaken. There are no exemptions or automatic approvals. Each Application will be reviewed on an individual basis in accordance with the Design Review requirements and processes set forth in Article 2 of the Protective Covenants. As is indicated in the listing of specific types of Improvements below, there are some cases in which advance written approval will not be required if the Standards with respect to that specific type of Improvement are followed.

3.02 Conflicts with the Protective Covenants.

In the event of a conflict between these Standards and the terms of the Protective Covenants, the Protective Covenants shall prevail.

3.03 Administration of the procedures set forth in these Standards.

The review procedures are described in the Protective Covenants, as supplemented by these Standards, and are administered by the Board of Directors or their appointed representative(s). Approval of any proposed modification, addition, or alteration of any Improvement is within the discretion of the Board of Directors or its designated representative(s) with regard to: design; harmony of external design with existing structures; and location in relation to surrounding structures, topography and finish-grade elevations. In accordance with the Protective Covenants, the Board of Directors of the District has appointed its Management Company to act on its behalf relative to enforcement, review and approval of Applications under the Protective Covenants and these Standards. The actions of the Management Company shall be deemed actions of the Board of Directors, subject to the right of appeal provided for in the Protective Covenants.

3.04 Waiver, Amendment and Third-Party Benefit.

The Board of Directors maintains the right, from time to time, and at its sole discretion, to waive, amend or modify these Standards. These Standards confer no third-party benefit or rights upon any entity, person, Lot Owner or Contractor.

Neither the Board of Directors nor its respective members, Secretary, successors, assignees, agents, representatives, employees or attorneys shall be liable for damages or otherwise to anyone submitting plans to it for approval, or to any builder by mistake in judgment, negligence or nonfeasance, arising out of any action of the Board of Directors with respect to any submission or for failure to follow these Standards. The role of the Board of Directors is directed toward applications for review and approval of use, site planning, appearance, architectural vocabulary and aesthetics. The Board of Directors assumes no responsibility with regard to design or construction, including, without limitation, the civil, structural, mechanical, plumbing, or electrical design, methods of construction, or technical suitability of materials.

3.05 Applications for Review.

Applications for review and approval as well as information regarding design review procedures can be obtained from the District's Management Company or the community's website at www.beaconpointco.com. The Applications for review must use the form attached hereto as Attachment B. All Applications for approval of a modification, addition or alteration to an Improvement, including all other related materials shall be submitted to the District's Management Company for review by, or on behalf of, the Board of Directors before work commences.

Once an Application submittal has been developed, one copy of a plan (minimum size 11" x 17") shall be submitted to the Management Company. The Application must contain the following information:

- (a) Project Approval Application Form (which may be obtained from the Management Company);
- (b) Lot, Block, Filing Number and Owner's name, address and telephone number;
- (c) Contractor and/or designers name, address and telephone number (if applicable);
- (d) Scale of 1 inch- 10 feet and north arrow;
- (e) All existing conditions, including house, walks, driveways, patios, decks, walls, plants, trees, drainage ways, property lines, and any easements;
- (f) All proposed improvements, including information (to the extent applicable) described in 3.07, "Drawing or Plans" below.

3.06 Review Fee.

The Board of Directors reserves the right to charge a fee to cover the cost of any engineering consulting or other fees incurred in reviewing any Application.

3.07 Drawings or Plans.

As a part of any Application, Owners are required to submit complete plans and specifications prior to commencement of any work on any Improvement (said plans and specification to show exterior design, height, materials, color, location of the structure or addition to the structure, plotted horizontally and vertically, location and size of driveways, general plan of landscaping, fencing, walls, windbreaks and grading plan, as well as such other materials and information as may be required). In most cases, the materials to be submitted will not have to be professionally prepared by an architect, a landscape architect or draftsman and a simple drawing and description will be sufficient. In the case of major modifications, alterations or additions to Improvements, such as room additions, structural changes, or accessory building construction, detailed plans and specifications, prepared by a licensed architect, may be required. Whether prepared by the Owner or a professional, the following guidelines should be followed in preparing drawings or plans.

- (a) In some instances, elevation drawings of the proposed Improvement will be required. The elevation drawings should indicate materials to be utilized in constructing or adding such Improvement. The drawing or plan should be done to scale and should depict the property lines of your Lot, all recorded easements and the outside boundary lines of the home as located on the Lot. If a copy of an improvement location certificate (survey) of the Lot is available, it should be

used as a base from which to draw.

- (b) Existing Improvements, in addition to your home, should be shown on the drawing or plan and identified or labeled. Such existing Improvements include driveways, fencing, walks, decks, trees, bushes, etc.
- (c) The proposed Improvements should be shown on the plan and labeled. Either on the plan or on an attachment, there should be a brief description of the proposed Improvement, including the materials to be used and the colors. (Example: Redwood deck, 10 feet by 12 feet with 2 inch by 4 inch decking. Natural stain.)
- (d) The plan or drawing and other materials should show the name of the Owner, the address of the home and a telephone number where the Owner can be reached.
- (e) The proposed Improvements must take into consideration the easements, building location restrictions, and sight distance at intersections.
- (f) Owners should be aware that most Improvements require a permit from the City of Aurora. The Board of Directors reserves the right to require a copy of such permit as a condition of its approval.

3.08 Regulatory Compliance.

It is the responsibility of the Owner and Contractor to obtain all necessary permits and to ensure compliance with all applicable governmental regulations and other requirements. Plans submitted for Board of Directors review shall comply with all applicable building codes, zoning regulations and the requirements of all governmental entities having jurisdiction over the building project or Property within Beacon Point. Regulatory approvals do not pre-empt the design review authority of the Board of Directors, and Board of Directors' approval does not incorporate any governmental approvals. Governmental approvals shall be the sole responsibility of the Owner and Contractor. Owner is requested to provide a copy of the permit to the Management Company once it is obtained by the governmental entity for which the permit was applied.

3.09 Interference with Utilities.

When making Improvements or modifying or altering existing Improvements, Owners are responsible for locating all water, sewer, gas, electrical, cable television, or other utility lines or easements. Owners should not construct any Improvements over such easement without the consent of the utility involved and Owners will be responsible for any damage to any utility lines. All underground utility lines and easements can be located by contacting:

Utility Notification Center of Colorado

1-800-922-1987

<http://colorado811.org/>

The Property, other than any portion of the Property owned by a political subdivision of the State of Colorado, shall be used only for residential, recreational, and related purposes as may be more particularly set forth in the Covenants, these Standards and any amendments thereto or hereto. The District, acting through the Board of Directors, shall have standing and the power to enforce use

restrictions contained in the Protective Covenants as if such provision were a regulation of the District. The District, acting through its Board of Directors and/or designee, shall have authority to make and to enforce standards and restrictions governing the use of Lots, including the homes thereon, and to impose reasonable user fees therefor. Land use standards constituting the initial restrictions and standards are explained in the Protective Covenants. These Standards shall not apply to any portion of the Property while owned by a county or other political subdivision of the State of Colorado. These Standards are independently amendable in accordance with the Protective Covenants and an amendment of the Covenants shall neither constitute nor require an amendment of these Standards. Each Builder (as defined in the Covenants) and Owner should review any use restrictions to ensure that Improvements are in compliance with these use restrictions.

3.10 Accuracy of Information.

Any person submitting plans to the Board of Directors shall be responsible for verification and accuracy of all components of such submission, including, without limitation, all site dimensions, grades, elevations, utility locations, neighbor acknowledgement and other pertinent features of the site plans.

3.11 Action by Board of Directors/ Management Company.

The Board of Directors, through its designee the Management Company, will regularly review all Applications submittals. The Board of Directors and/or Management Company may require submission of additional material and may postpone action until all required materials have been submitted. The applicant will be contacted by phone or e-mail, if possible, if the Board of Directors or Management Company feels additional materials are necessary or if they have any suggestions for modification to the Application.

3.12 Final Approval.

Notification of final approval of an Application constitutes a binding agreement between the Owner and the District. Deviation from the approved plans is prohibited, unless such proposed deviation has been submitted and has been expressly approved. During a design review session, assistance to the Owner may be offered by suggesting alternative design solutions. However, such suggestions shall not necessarily constitute an approved design solution and responsibility shall not be assumed for ensuring, or making any determination regarding, compliance of such suggested design solutions with applicable governmental regulations and other requirements.

3.13 Appeals

Within thirty (30) business days after notice of a decision, the Owner may file with the management company, or the Board of Directors, a written request to reconsider such decision. The Owner may also use the appeal form located on the District's website. Any such request for reconsideration shall include a statement of the basis for such request and technical design information supporting such request. The appeal may require additional information in connection with any request for reconsideration. The Owner's written request for reconsideration may include a request to personally address the Board of Directors at its next scheduled meeting, or in accordance with the appeal and hearing process set forth in the District's rules and regulations. Each case will be reviewed on its own design merits, and in light of the overall objectives of these Guidelines.

3.14 Owners Responsibility.

In accordance with the Protective Covenants, all maintenance of the home and Lot and all structures, parking areas, and other Improvements thereon shall be the sole responsibility of the Owner thereof, who shall maintain said Property in a manner consistent with the Standards and the Protective Covenants, provided that if this work is not properly performed by the Owner, the District may, at its sole option, perform it and assess the Owner; provided, however, whenever entry is not required in an emergency situation, the District shall afford the Owner reasonable notice and an opportunity to cure the problem prior to entry.

SECTION. 4. SPECIFIC TYPES OF IMPROVEMENTS - GUIDELINES.

4.01 Accessory Buildings.

Shall not be permitted.

4.02 Additions/Expansions or Reconstruction.

Approval is required. Additions, expansions or reconstruction of a home require submittal of detailed plans and specifications. In the event of damage to or destruction of structures or Improvements, plans must be submitted for the rebuild or reconstruction of the structure or Improvements within sixty (60) days of the damage or destruction. Upon approval, construction must commence within six (6) months.

4.03 Address Numbers.

Approval is required to replace or relocate existing address numbers.

4.04 Advertising

See Signs.

4.05 Air Conditioning & Heating Equipment/Evaporative Coolers/Attic Ventilators.

Approval is required for all air conditioning equipment, including evaporative coolers (e.g., swamp coolers) and attic ventilators. An explanation of the need for such equipment may be requested. No heating, air conditioning, air movement (e.g., swamp coolers) or refrigeration equipment may be placed or installed on rooftops or extended from windows. Ground mounted or exterior wall air conditioning equipment installed in the side yard shall be installed in a manner so as to minimize visibility from the street and to minimize any noise to adjacent property owners and must be Screened or enclosed with like materials which match the home, or with approved plant material.

4.06 Antennae/Satellite Dish.

Approval is required, notwithstanding any local or federal law, but in recognition of the necessity of compliance with applicable FCC rules and regulations, which became effective October 4, 1996.

NOTE: Approval of a satellite dish is in no way to be construed as a representation, guarantee, warranty, etc. by Beacon Point Metropolitan District or its designated representative(s) that reception signals will be adequate or will remain undisturbed by vegetation or Improvements to be located on surrounding Properties.

No more than two (without exceptions) satellite dishes/antennae may be installed on a Lot subject to the following conditions:

- (a) The satellite dishes/antennae are one meter or less in diameter.
- (b) To the extent feasible, the satellite dish/antennae should be placed in the rear or side yard in such a manner that it is Screened from adjacent street(s) and neighboring Properties, provided such location does not preclude reception of an acceptable quality signal.
- (c) The satellite dishes/antennae should be installed at the lowest possible placement, utilizing ground level sighting (unless a signal is unattainable).
- (d) The dish/antennae may be required to be painted to match the surrounding environment or Screened with a reasonable number of plantings to minimize its visual impact to surrounding areas.

All satellite dish lines running on the siding of the home are properly hidden so as not to look in poor condition. Lines should run parallel with all siding and with all trim boards and must be painted to match the siding that it is attached to.

4.07 Awnings and Overhangs.

Approval is required. Awnings may only be installed on the rear of a home. All awning material must be solid in color and complement either the trim or body color of the home. A swatch of the proposed awning material must be provided along with identification of the color on the home (body or trim) that is being matched. Pre-manufactured or removable awnings that retract (generally used on recreational vehicles) shall not be permitted. Also see Patio Covers.

4.08 Barbecue/Gas Grills.

NO barbecue grills, smokers, etc. shall be placed on decks or balconies or within 36" of flammable materials and must be maintained in the rear yard or within an enclosed structure and shall not be visible from the front of the home. All applicable governmental fire/smoke bans must be adhered to in all cases.

4.09 Basketball Backboards.

No basketball backboards shall be attached to any garage. Only one in-ground, sleeved or bolt-mount pole/backboard shall be permitted. Portable basketball backboards do not require approval for use if the following standards are met: 1) portable units cannot be placed in any public or private right of way, street, or sidewalk; and 2) must be stored out of sight when not in use.

4.10 Birdbaths.

Approval is not required if placed in the rear yard and if the finished height is no greater than five (5) feet above the ground, including any pedestal. Placement in front or side yards is not permitted. See **Statues and Fountains**.

4.11 Birdhouses and Bird Feeders.

Approval is not required if (1) the size is limited to one foot by two feet, (2) if mounted on a pole, it does not exceed six (6) feet in total height, and (3) if installed in the rear yard AND meet these requirements. No more than three birdhouses and three bird feeders shall be installed on

any Lot.

4.12 Cable/Satellite TV, Internet, Video Surveillance and Telephone Wiring, External Wiring.

Cable lines or other external wiring running from the cable box to the home must be properly buried. Cable lines must run parallel with all siding and trim boards and must be painted to match the existing color(s) of the home.

4.13 Carports.

Shall not be permitted.

4.14 Chimineas/Smokers/Fire Pits/Outdoor Fireplaces etc.

Approval is required for all permanent installations. Gas-fired fire pits are recommended. In all cases, chimineas and smokers must not create an unreasonable amount of smoke for adjoining Property Owners. Wood-fired fires shall not be located on decks and shall be no less than fifteen feet (15') from the home or any flammable materials. Wood fires shall be extinguished after use and shall not be allowed to smolder. All applicable governmental jurisdictional fire/smoke bans must be adhered to in all cases.

4.15 Clothes Lines and Hangers.

Only retractable clotheslines shall be permitted. Retractable clotheslines shall be located on the rear of the home, no more than twenty feet (20') in total length and shall remain retracted unless in use. Retractable clotheslines may not be mounted or attached to a lot fence. All use of retractable clotheslines must cease by sundown.

4.16 Compost.

Approval is required. Container must not be immediately visible to adjacent properties and odor must be controlled. Underground composting is not permitted.

4.17 Decks & Balconies.

Approval is required. The deck must be constructed of material that would be considered similar to the material of the residence or maintenance-free type decking products as may be previously approved and be located so as not to obstruct or greatly diminish the view or create an unreasonable level of noise for adjacent Property Owners. Maintenance-free type decking products may be used provided that the decking material is consistent throughout the front, side or rear elevation of a building and must be of a color that complements either the existing body or trim color only on the home. Owners are reminded that as with wood, some types of maintenance-free decking products may also require periodic maintenance for proper care and to retain the product's aesthetic conformity, including, but not limited to, fading, warping, etc. Decking that extends no greater than thirty (30") inches directly above the grade of the structure may utilize a lattice skirting provided the skirting is made of the same material as the deck, minimum (3/8") inches thick boards and stained or painted to match the remaining portion of the deck. Decks may not be more than 25% of the entire rear Lot of the home. Construction shall not occur over easements beyond the side plane of the home and must be set back a minimum of five (5) feet from the Property line. Construction of decks over a sloped area is discouraged. The applicant may also be required to plant vegetation for additional screening purposes. The deck

must be installed as an integral part of the home and/or patio area.

4.18 Dog Houses.

Approval is required for dog houses larger than ten (10) square feet. All dog houses must be located in a fenced back yard or dog run. Dog houses shall be installed at ground level, shall not be visible above the fence and shall match exterior of home (wood, brick, stone, etc.) Limit one dog house per Lot.

4.19 Dog Runs.

Approval is required. Dog runs must be located in the rear or side yard abutting the home and be substantially Screened from view by planting fast-growing or mature trees or shrubs. All dog runs shall be free-draining and shall not discharge urine or diluted waste onto abutting Properties. Dog runs will be limited to 200 square feet and fencing shall not be higher than 4 feet 6 inches.

When applicable, fencing materials for dog runs shall match the standard fencing options in the Standards. Dog runs may be painted to match the house, or left natural if sealed to prevent weathering. Tarpaulins and chain-link fencing shall not be permitted.

4.20 Doors.

Approval is NOT required for repair or replacement of an existing main entrance door and/or garage door to a home IF the material matches existing doors on the home. "Complementary colors" include the body color of the house. Approval IS required for repair or replacement of an existing main entrance door to a home if the material does not match the door being replaced.

(a) Storm Doors. Approval is required. Colors should be complementary to the color scheme of the home.

(b) Security Doors and Windows. Approval is required.

4.21 Drainage/Grading & Grade Changes.

The Protective Covenants require that there be no interference with the established drainage pattern over any Property. The "established drainage pattern" means the drainage pattern as engineered and constructed by the original developer or homebuilder prior (or in some cases, immediately following) conveyance of title from the homebuilder to the individual Owner. When performing any landscaping work or performing any work to maintain the established drainage pattern, it is very important to ensure that water drains away from the foundation of the house into the street and that the flow patterns prevent water from flowing under or against the house foundation, walkways, sidewalks, and driveways. A report may be required from a drainage engineer as part of the Application. Landscaping should conform to the established drainage pattern. Sump pump drainage should be vented at least six feet (6') from the property line, on the owner's property, to allow for absorption. Adverse effects to adjacent properties will not be tolerated and correction of such will be the responsibility of the offending Lot.

4.22 Driveways.

Approval is required for any changes or alterations to the existing driveway. Approval is required for the extension or expansion of driveways. Any approved driveway expansion shall not be

intended to promote or facilitate the parking or storage of any vehicle on the driveway or side yard. Driveways shall not be painted or stained or "top-coated" with a cement wash. If owners elect to caulk driveway cracks it must be with a medium-gray butyl, unless otherwise approved.

4.23 Energy Devices.

- (a) Solar. Approval is required in order to review aesthetic conditions. Non-glare or non-reflective finishes are preferred. Installations being made for energy-efficient measures may be further defined by State or Federal regulations. Block out screens are required for approval (i.e. rooftop solar panels). The Owner shall be responsible for eradication of any animals that may nest in, around or under such devices.
- (b) Electric Automobile/House Chargers/ Storage Batteries. Must be located within the home.
- (c) Generators. Approval is required for all types of stand-by power generators.

4.24 Excavation.

No excavation shall be made except in connection with construction approved as provided in the Protective Covenants. For the purposes of this Section, "excavation" shall mean any disturbance of the surface of the land (except to the extent reasonably necessary for approved landscape planting, or for repair of existing underground utilities) which results in a removal of earth, rock, or other substance a depth of more than 18 inches below the natural surface of the land.

4.25 Fences.

Prior to installing any fence, the Owner must first submit plans for such fencing to obtain approval, they must comply with the specific fence details for Beacon Point, and they must obtain any applicable permits from the City. Submission of a plan for a fence does not guarantee that an Owner will obtain approval of such fence. If a fence is approved, conditions may be imposed upon such approval relating to the design, location, or other matters. If the proposed fence is not an approved option, you are not permitted to construct it. See Attachment A.

- (a) Setbacks. No fencing may extend beyond the front corners of a house, as fencing is not permitted in front yards.
- (b) Wing Fencing. Interior wing fencing is fencing between Lots that tie into the side of the house (interior wing fencing). Corner Lot wing fencing or exterior wing fencing ties into the side of the house that faces a street or open space (exterior wing fencing).
 - i. Interior wing fencing. The wing fencing for all internal Lot fencing may either be the metal fence or the alternating picket fence.
 - ii. Exterior wing fencing. For all corner Lots that abut a street or open space, metal fencing is required along the exterior side Lot line and the wing fencing that tie into the house.
- (c) Metal fencing. All Lots at Beacon Point may utilize a metal fence along the side and rear Lot lines. The metal fence must match the style, height, and color of the installed perimeter fencing around the community. The metal fence is required for any portion of a Lot line that abuts a street or open space, and then metal fencing is required as exterior

wing fencing. Corner Lot fencing must comply with any local setback requirement per the City of Aurora.

- (d) Shadowbox Fence or Alternating Cedar Picket Fence. The 5' cedar alternating picket fence, stained natural (per Detail A from Attachment A) is permitted along interior side yards, abutting rear yards, and for wing fencing on Lots. Sealing is recommended in order to prolong the life of the fence and avoid unsightly aging. Natural stain is the only possible options. The Owner may be required to clean or replace fencing at the discretion of the Board of Directors or its representative(s). Gates installed in fencing must match the selected and approved fence style. Gates may be installed in Owner owned fencing but not in district owned fences.
- (e) Double Fencing. Is NOT permitted.
- (f) Staining. As noted in Attachment A, only natural stain (with not more than 50% pigment) shall be permitted. Approval is not required.

4.26 Firewood/Wood Storage.

Is NOT permitted.

4.27 Flagpoles/Flags.

Approval is required for any freestanding flagpole. Freestanding flagpoles shall be installed in an in-ground sleeve, shall not exceed fifteen (15) feet in height and shall be located in front or rear yards only, no more than ten (10) feet from the home.

Approval is not required for flagpoles mounted to the front of the residence provided that the height of the flagpole does not exceed the height of the roofline of the residence. Flag size cannot exceed five (5) feet in length and three (3) feet in width. Flags may not be illuminated without prior approval.

4.28 Gardens.

- (a) Flower. Approval is not required if no more than 100 square feet of the front or rear yard is created as a flower garden. All flower gardens must be weeded, cared for and carefully maintained. Flowers should not exceed three (3) feet in height.
- (b) Vegetable. Approval is not required if no more than 100 square feet of the rear yard is utilized and the plants in the garden do not exceed the height of the rear yard fence at its lowest point. Must be located in the rear or side yard and screened or substantially screened from view of adjacent Owners and the street. Vegetable gardens are not permitted in the front of a home or a side yard that is not enclosed by a fence.

4.29 Gazebos.

Approval is required. Must be similar in material and design to the residence, must be painted or stained the body or trim color of the residence and must comply with all existing set-back requirements. Roof material must match that of house, if applicable.

4.30 Greenhouses.

Shall not be permitted.

4.31 Hard Surfaces, Including Driveways, Patios, Front Porches, Stairways, Pads and Owner-Owned Walkways.

Owners are responsible for ensuring the proper condition of hard surfaces on their Property, including driveways and sidewalks (except for sidewalks along streets), such that surfaces are intact and free of excessive cracks, crumbling, and settling. Approval is required for any revisions or additions to hard surfaces:

- (a) Approved replacement or repair will be required if any displacements, cracks or portion of a crack are more than 6" long and is ½" wide or greater.
- (b) Approved replacement or repair will be required if any displacements or crack that result in an uneven surface of ½" or more on either side of the crack or next to a garage slab.
- (c) Approved replacement or repair will be required if any surface crumbling/spalling/pitting occurs, regardless of reason, that covers more than 50% of the surface area of the particular hard surface.

4.32 Hot Tubs/Jacuzzis/Spas.

Approval is required. Must be an integral part of the deck or patio area and of the rear yard landscaping. Must be installed in such a way that it is not immediately visible to adjacent property owners and that it does not create an unreasonable level of noise for adjacent Owners. In some instances, additional plant material around the hot tub may be required for Screening.

4.33 Irrigation/Sprinkler Systems.

Underground, automatic irrigation systems will not require approval. All yards of homes must have an underground automatic irrigation system installed with the landscape. The semi-arid climate makes watering necessary. It is recommended that watering be done in the early morning or evening. One of the most common tendencies is to over-saturate the Lot. We urge each Owner to conserve water and as a result minimize problems on their own Lots as well as on adjacent Owner's Lots caused by over-watering. This can be accomplished by watering at shorter cycles more often during the course of the day. The following are some facts to consider in selecting the type and location of the irrigation system you are going to use: A) Size and shape of areas to be watered. B) Type of turf or ground cover. C) Available water supplies and pressure. D) Environment of the area-wind, rain, temperature, exposure, and grades. E) Low spraying irrigation devices may help to minimize wasted water due to wind. F) Installation of an irrigation system directly adjacent to front sidewalks may eventually cause undermining and deterioration to concrete and paved areas. G) Type of soil and its ability to accept water. Local nurseries or do-it-yourself sprinkler stores have detailed information concerning the type and installation of irrigation systems. H) Drip irrigation systems are recommended for tree and shrub areas.

4.34 Kennels.

Breeding or maintaining animals for a commercial purpose is prohibited. See **Dog Runs**.

4.35 Landscaping.

Approval is required.

The Owner of each Lot shall install landscaping no later than 90 days after the issuance of a certificate of occupancy. All landscape plan submittals must clearly and professionally demonstrate, to scale, the proposed landscape installation. The plot plan of the residence and yard must be provided. All organic materials (plants, shrubs, trees, etc.), building materials (stone, wood, edging, etc.), must be clearly labeled in detail:

- (a) **Irrigation.** All landscaping shall include automatic irrigation. See **Irrigation.**

- (b) **Plant Material Location and Sizes.** Landscaping shall consist of trees, shrubs, ground covers, annual and perennial flowers, turf grasses, mulches and automatic irrigation. In the case of shade or ornamental trees (deciduous), plantings cannot be installed closer than six (6) feet from the property line. In the case of evergreen trees (conifer), plantings cannot be installed closer than ten (10) feet from the property line. Select a variety of plant species including deciduous and evergreen trees and shrubs. All plant material shall be installed in the following minimum sizes:
 - (i) Shade trees - 2½" caliper
 - (ii) Ornamental trees - 2" caliper
 - (iii) Evergreen trees - 6' height minimum
 - (iv) All shrubs – 5-gallon container
 - (v) Groundcover, annuals, and perennials - no restrictions

- (c) **Turf and Plant Material Regulations.** Refer to the Table A for turf, tree and shrub requirements.

Front Yard

Table A: Single-Family Front, Side and Rear Yard Landscaping Requirements

Plant Materials and Quantities	Requirements
<p>1. Turf</p>	<p>Maximum Turf per Lot Size: Standard (6,000-8,999 SF) - 40% max. Large (9,000-14,999 SF) - 40% max. Estate (15,000 plus SF) - 40% max.</p>
<p>2. Trees - Minimum of two: (1 Shade tree and either 1 ornamental tree or 1 evergreen tree)</p>	<p>Minimum Sizes: 2½ inch caliper - shade tree 2-inch caliper - ornamental tree 6-foot height - evergreen tree</p>
<p>3. Shrubs* per lot size:</p> <p>Standard (6,000-8,999 SF) - 16 Large (9,000-14,999 SF) - 26 Estate (15,000 plus SF) - 36</p> <p>*Thorny plants shall not be located within 20 feet of public sidewalks. Note: Perennials and ornamental grasses may be substituted for shrubs at 3 one-gallon perennial or ornamental grasses per one five-gallon shrub.</p>	<p>Shrubs – 5-gallon container Min. - Plant material shall conform with American Standard for Nursery Stock, Ansi Z60.1, current addition.</p> <p>Planting beds should be separated from turf by edging. All shrubs and ground covers shall be located within planting beds.</p> <p>Landscape fabric may be omitted under annuals, perennials and groundcovers.</p>

Side Yard

<p>Internal Side Yard – May be rocked, no plant material is required but mulches and needed for stability.</p>
<p>External Side Yard – All external side yards exposed to public view shall be landscaped with turf, shrubs and trees at a minimum rate of ten (10) shrubs and one (1) tree per forty (40) linear feet if side yard.</p>

Rear Yards

Rear yards there shall be no more than 45% turf. Artificial turf may be submitted for consideration or approval in rear yards only. Must submit sample of the artificial turf as part of the Application and review process. Mulch areas or planting beds in rear yards must have plant material cover the mulch at a rate of 50% coverage at installation and 75% coverage at maturity.

Rear yards at of corner Lots exposed to public view shall be landscaped according to Table A.

Rear yards of the following Lots in Beacon Point Subdivision Filing No. 6, recorded February 3, 2014, at Reception No. D4008394; 25708 E. Calhoun Place, 25718 E.

Calhoun Place,

25759 E. Calhoun Place, 25779 E. Calhoun Place, 25799 E. Calhoun Place, 25809 E.

Calhoun Place,

25829 E. Calhoun Place, 6655 S. Millbrook Court, 6634 S. Millbrook Court, 6613

S. Muscadine Court,

6602 S. Muscadine Court, 6601 S. Newbern Street; shall be landscaped with turf, shrubs and trees at a minimum rate often (10) shrubs and one (1) tree (location of the tree must be within ten (10') feet of the rear property line, per forty (40) linear feet of rear yard.

- (d) Treescapes. The area between the sidewalk and street must be planted with Kentucky bluegrass and have a tree planted every thirty (30) feet. If a tree in the treescape dies, it must be replaced in a timely manner. These trees are the property and maintenance responsibility of the Owner. These trees are the property and maintenance responsibility of the Owner. Deciduous overstory trees are required and shall not be less than 2.5" in caliper. No coniferous trees are permitted.
- (e) Soil Prep/Mulch.
- i. Compost - For landscaped areas being completed with sod/turf, soil preparation should be with a minimum of three (3) cubic yards per one thousand (1,000) square feet, and ten (10) pounds per one thousand (1,000) square feet of lawn area. These materials are to be tilled to a depth of six (6) to eight (8) inches into the soil. Acceptable organic matters include aged compost, wood humus from soft/non-toxic trees, sphagnum moss (excluding that from Colorado origin), or aged/treated manures.
 - ii. Mulch - Natural wood (organic) mulch has environmental advantages to plant material and its use is strongly encouraged. Organic mulches are typically bark chips, wood grindings or pole peelings. The

suggested minimum depth for mulch is three inches. Place mulch directly on the soil or on breathable fabric. Avoid using sheet plastic in planting areas. It is important to note that mulch should be covered by living plant materials. Inorganic mulches include rock and various gravel products. Stone or gravel mulch with harsh, unnatural or high contrast colors is prohibited, including the use of black granite, white marble and lava rock.

- (f) Landscape Materials. Deciduous trees, and evergreen trees provide summer shade or can be used as a windbreak. Evergreens provide good backdrops for displaying ornamental trees and contrasting flowers as well as providing a visual screen.
- i. Shrubs such as junipers may be used as specimens or in masses. Shrubs can also be used in combination with trees as windbreaks or to add color and texture to the landscape. Low growing, spreading shrubs may be used as groundcover treatment and present an attractive method of reducing water consumption.
 - ii. Ornamental trees such as flowering crabapples provide accent, color, and additional interest to the residential landscape and may be a more appropriate scale for small areas of a Lot.
 - iii. Groundcovers such as creeping mahonia play an important role in consolidating the surface of fine-grained soils to prevent erosion and sedimentation. They may be useful in place of a lawn, especially on steep banks where they will also require less water than turfgrass.
 - iv. Vines may be used as a groundcover or as a shading element over a trellis or as a screen when planted adjacent to a fence.
 - v. Garden flowers may be used as elements of seasonal color.
 - vi. Vegetable gardens may be integrated with planting beds and used ornamentally.
- (g) Xeriscape. Approval is required. All xeriscape plans must incorporate the installation of a properly functions irrigation system to help maintain the plantings. If owners desire to limit the amount of sod/turf in their front and rear yards, no greater than seventy percent (70%) of either the front or rear yard can be covered with non-living materials. The transition from traditional landscaped areas to a xeriscape area must be taken into consideration with the plan, including Lot boundaries of neighboring yards. In all cases if the treescape area of the Lot is being transitioned to xeriscape small rock or mulch material may not be utilized. The use of non-living materials such as mulch or rock can be an ideal replacement for turf areas and help provide landscape interest. Mulches modify the extremes of soil temperature, improve soil by producing humus, reduce evaporation loss, and reduce weed growth and slow erosion. Organic mulches are

typically bark chips, wood grindings or pole peelings. The suggested minimum depth for mulches is three inches. Place mulch on breathable fabric. Avoid using sheet plastic in planting areas. The most attractive xeriscaping will have a minimum seventy-five percent (75%) or more of non-living material areas covered with plants, typically shrubs and groundcover beds, after three years' growth. The use of sod, berms and/or various non-living materials to break up larger planting bed areas is encouraged. Inorganic mulches include rock and various gravel products.

Suitable aggregate of dark, earth tone colors may be used as an alternative mulch material.

- (h) Maintenance. All landscaped rock/mulch and bed planting areas along with all sidewalks, driveways and curb and gutters on or directly adjacent to a Lot/home must be kept weed-free at all times and all rock and/or mulch must be evenly spread in the bed so that any landscape weed barrier material or soil is not exposed. Low hanging branches must be pruned to a height of six feet. Suckers and water spouts must be pruned. Tree stumps must be removed in a timely manner. All landscaped turf areas must be kept regularly mowed (Every 7 to 10 days from May through September), trimmed, edged and kept weed free at all times. Turf areas that show bare spots must either be re-seeded or re-sodded. Proper maintenance is subject to the discretion of the Board of Directors. Properties obviously neglected and not maintained shall be cited.
- (i) Retaining Walls. Approval is required. New or old creosote treated timber railroad ties are prohibited. Rock or brick that complement the color of the house, are preferred materials for the walls. Retaining walls may be used to accommodate or create abrupt changes in grade. Such walls should be properly anchored to withstand overturning forces. Stonewalls should be made thicker at the bottom than at the top to achieve stability. To avoid destructive freeze-thaw action, all retaining walls should incorporate weep holes into the wall design to permit water trapped behind them to be released. Walls shall not be located so as to alter the existing drainage patterns, and shall provide for adequate drainage over or through (by means of weep holes) the wall structure.
- (j) Rockscapes. Approval is required. Boulders and cobbles present an attractive alternative landscape element if used sensitively within the overall landscape composition. Large expanses of rock mulch without substantial shrub or groundcover plantings are unacceptable.
- (k) Screening Views and Directing Winds. Plant materials can frame pleasant vistas such as views of the mountains. Less desirable views of adjacent land (e.g., highways) can be Screened with dense coniferous plantings, earth mounds, fences or walls. High velocity winds can be effectively directed by dense planting.

4.35 Latticework.

Approval is required for any type of trellis or latticework for all exterior use on a home or Lot. Lattice attached to any fencing may not be higher than the lowest point of the fence on the Lot.

Latticework is permitted on rear decks or trellises but shall NOT be permitted on the front elevation of the Lot/home.

4.36 Lights and Lighting.

Approval is not required for exterior lighting if it is installed in accordance with these Standards. Exterior lighting must be conservative in design and be as small in size as reasonably practical. Exterior lighting should be directed toward the ground and be of low wattage to minimize the glare to neighbors and other Owners. Lighting for walkways generally should be placed on wooden standards and lighting fixtures should be dark colored so as to be less obtrusive. The use of motion detector spotlights, high-wattage spotlights or flood lights, or ballasted fixtures (sodium, mercury, multi-vapor, fluorescent, metal halide etc.) require approval. The lumen output of LED or CFL bulbs shall not exceed the equivalent of a 60-watt incandescent bulb. For holiday lighting, see **Seasonal Decorations**.

4.37 Lot Owner and/or Contractor Representation.

Each Owner and Contractor represents, by the act of entering into the review process, that all representatives of such Owner or Contractor, including, but not limited to, Lot Owner and/or Contractor's architect, engineer, such Contractor's subcontractors and their agents and employees, shall be made aware by such Contractor of all applicable requirements and shall abide by the District's governance and standards with respect to approval of development plans and specifications.

4.38 Painting.

See attached Resolution of the Board of Directors of Beacon Point Metropolitan District Adopting Deemed to Comply Colors, as may be amended from time to time.

4.39 Patios.

Approval is required. Consideration for approval will include, but not be limited to size, color and location.

- (a) Patio Covers. Must be constructed of material consistent with the home and be similar or generally recognized as complementary in color to the colors on the house. Freestanding patio covers may be permitted as well as extensions of the roof.
- (b) Patio Enclosures. See **Additions and Expansions**.
- (c) Patios: Open. Approval is required. Open patios must be an integral part of the landscape plan and must be located so as not to create an unreasonable level of noise for adjacent property owners. In some instances, additional plant material around the patio may be required for screening. The patio and materials must be similar or generally accepted as a complementary color and design to the residence.
- (d) Patio Furniture. Approval is not required for patio furniture located on the front or rear porch or designed patio deck of a home, provided it is displayed in a manner not to be construed as unsightly or having the appearance of being stored. Approval is required

for all other locations. Furniture in the front of the home is to be limited to a minimum number of items and must remain on the connecting porch of the house. Such furniture is limited to standard porch chairs, small tables, etc. and the color must be complementary to the house color. Grills, lounge chairs and sofas are not permitted on the front porch of the home. No extension or addition of a porch or patio shall be done without prior approval from the Board. Consideration for approval will include, but not be limited to size, color and location.

4.40 Paving/Paved Areas.

Approval is required for all walks, patio areas, or other purposes and for all materials used, including concrete, brick, flagstones, stepping stones, pre-cast patterned or exposed aggregate concrete pavers. Paving may be used to define areas of intense activity and circulation patterns, such as patios, walks, and steps. Materials that can be used to create attractive patterns and textures are brick, flagstones, stepping stones, pre-cast patterned or exposed aggregate concrete paver. These materials are often more desirable than asphalt or poured concrete. It is suggested that paving materials be earth-tone colors. Sufficient slope should be maintained in all paved areas to insure proper drainage. Asphalt shall not be permitted.

4.41 Pipes.

See **Utility Equipment.**

4.42 Play Structures/Playhouses/Sports Equipment.

Approval is required. Consideration will be given to adjacent properties (a min. 5-foot setback from the property line is recommended for trampolines, swing sets, fort structures, etc.) so as not to create an undue disturbance. To minimize undue noise and visual impacts on abutting neighbors, trampolines, swing sets and play structures shall be centrally located in the rear yard. In some instances, additional plant material around the equipment may be required for Screening. Wood structures should be constructed of pressure treated or other weather resistant materials. All play and sports equipment must be maintained and is subject to the discretion of the Board of Directors. The use of multi-rainbow-colored cloth/canvas tarps is not permitted.

Approval will be based upon, but not limited to the following criteria:

- (a) Must be Screened by a fence, meaning all play and sports equipment must be in a fenced yard.
- (b) Should be located as close to the home as possible.
- (c) Should not unreasonably obstruct adjacent neighbor's corridor views and/or impact one owner greater than another with respect to its final placement.
- (d) Shrubs and/or trees equal to 3/4 the height of the play structure at planting may be required for screening purposes. Amount, size and location of vegetation will be at Board of Directors' discretion.

- (e) Use of the equipment should not create an unreasonable level of noise for neighbors.
- (f) Height of the structure at its highest point may not exceed twelve (12) feet. Structures should not exceed the height of the fence on the Lot at its lowest point. The size and location of the play structure will be based upon the overall size and dimensions of the Lot and the impact the adjacent neighbors.
- (g) Any roofs on the structure must be made of the same material as the structure itself. Any slides or other similar attachments on the structure must be of a neutral color.
- (h) Suggested type of play structure would include Tom's Treehouse by Playnix Toys or similar.

4.43 Playhouses

Approval is required. Must be an integral part of the landscape plan. Must not obstruct a neighboring Property Owner's view. Must be similar in material and design to the residence and painted or stained the body or trim color of the residence and must comply with all existing set-back requirements. Roof material must match that of the residence, if applicable. Height of the playhouse should not exceed the height of the fence on the Lot at its lowest point, unless otherwise approved by the Board of Directors. Should not unreasonably obstruct adjacent neighbor's corridor views and/or impact one owner greater than another with respect to its final placement.

4.44 Poles.

See **Flagpoles, and Utility Equipment.**

4.45 Pools.

Approval is required. Pools must be placed in the rear yard and be an integral part of the deck or patio area. They should be located in such a way that they are not immediately visible to adjacent property owners (i.e., Screened with plant material). Above-ground pools are prohibited. See Also **Hot Tubs and Jacuzzis.**

4.46 Rooftop Equipment.

Approval is required.

- (a) Wind Electric Turbines.
 - i. Horizontal Turbines shall be considered for approval only if they are small in size and roof mounted.
- (b) Vertical Turbines. All types to include roof mounted and free standing are not permitted.

4.47 Roofing.

Approval is not required for re-roofing with the same material and color as originally installed on the home or accessory structure. Approval is required for all changes to an

alternate roofing material, if not originally installed on a home either attached or detached or an accessory structure and must maintain an appearance that is similar to the surrounding homes. Owners wishing to change the roofing materials or color of the roof on their homes must receive approval. In the case of a neighborhood or Filing that primarily has one consistent roofing color, such as "weathered wood," requested changes to roof color selections will be discouraged.

4.48 Saunas.

See **Accessory Buildings.**

4.49 Seasonal Decorations.

Approval is not required, provided that such seasonal decorations are installed on a Lot, are consistent with the community standards, and are installed no more than thirty (30) days in advance of and removed no more than thirty (30) days after the holiday being recognized. Installation of seasonal decorations on any Property owned and/or managed by the District requires the prior written consent of the Board of Directors. Approval will be based upon, but not limited to, the distance between the proposed location for the seasonal decoration to the Owner's Lot, potential access concerns, and consistency with the community standards.

4.50 Security Window Bars.

Approval is required. Suggested Standards for application are: mount inside the home and match the existing muntin bar design in the glass. If the home's windows do not have a muntin bar design in the glass, window bars still must have the muntin bar design to match the existing homes in that particular filing. All bars must match the existing window frame color.

4.51 Sewage Disposal Systems.

Shall not be permitted.

4.52 Sheds.

Shall not be permitted.

4.53 Shutters.

Approval is required. Shutters should be of a similar material and of a color and design generally accepted as complementary to the exterior of the house.

4.54 Siding.

Any modification or change to siding material requires approval.

4.55 Signs.

Except as provided herein, signs no more than 36" by 48" in size each may be displayed on a Lot without approval. Notwithstanding the above, Commercial Signs may be displayed on a Lot in accordance with the following. Commercial Signs are defined as signs that carry a message making or intended to make a profit, or advertising for the same purpose. The following Commercial Signs may be displayed:

- (a) One for sale or for rent sign per Lot, no larger than four (4) feet in height and two (2) feet by three (3) feet in dimension.
- (b) Commercial signs must be installed at least ten (10) feet back from the public sidewalk.
- (c) Sold signs must be removed within twenty-four (24) hours after closing, unless otherwise required by law.
- (d) If work is actively being done on a Lot by a contractor engaged by the Owner of the Lot, one Commercial Sign of the contractor doing such work no larger than three (3) feet by two (2) feet may be displayed on the Lot during the time the work is being performed or sixty (60) days, whichever is less.

No sign may be placed on any Common Area owned or maintained by the District, unless first receiving written consent of the Board of Directors;

Signs for address numbers and name plates, must be approved.

No lighted signs will be permitted on any Lot.

Signs must be maintained in a neat and attractive manner at all times.

Signs may not be erected in the Common Areas. Signs in Common Areas will be disposed of by the District.

4.56 Skylights and Sky Tubes.

Approval is required. In no event will bubble-type skylights be approved.

4.57 Slopes.

In some cases, there may be relatively steep slopes on an Owner's Property. It is important to note that if slopes are not landscaped severe erosion and silting may occur. Therefore, it is recommended that the Owner landscape slopes as soon as possible after moving in. Slopes and banks should be planted with drought tolerant plants. Terracing, or surfacing with stone or other free draining materials can lessen erosion of slopes. Loose aggregate or wood chips are not recommended on slopes unless measures are taken to prevent erosion or displacement by wind and/or water. Slopes can also be seeded with ground covers, shrubs, and bushes to prevent erosion. Rock gardens are another technique to help prevent slope erosion and create a landscape amenity. Slopes given proper design treatment can become an attractive, interesting part of the landscape. Plans related to slopes should be integral to the overall landscape design submitted for approval.

4.58 Soils/Drainage/Grading.

Your home may be constructed on "expansive soils". The prime characteristic of expansive soils is that they swell when water is introduced. The soil, in essence, acts as a sponge. When this expansion takes place, extreme pressures are exerted on foundations and other man-made structures, which are placed in the ground. The result can be severe structural damage to your home.

It is our intent to remind you that a potential hazard exists when proper drainage is not maintained and/or when water is introduced to these "expansive soils" adjacent to your foundation.

Residents should investigate the existing drainage conditions and preserve and accommodate the drainage situation which exists on their particular site at the time they purchased their home from the builder or other previous homeowner. See **Drainage**. Minor drainage modifications may be made to your Lot providing you do not alter the engineered drainage pattern of the Lot existing at the time the Lot was conveyed to you from the builder or the previous homeowner. Grading can be used to create berm, slopes and swales which can define space, screen undesirable views, noise and high winds. It is suggested that berm slopes not exceed three (3) feet of horizontal distance to one (1) foot of rise or vertical height (3 to 1 slopes) in order to permit greater ease of mowing and general maintenance.

4.59 Soil Preparation.

Soil conditions may vary throughout the project. Individual soil testing is suggested for each Lot to determine the exact nature of the soil and the desired level of amendment needed such as mulch, sand and fertilizer to optimize plant growth. Local nurseries may offer assistance in determining the proper quantity and type of soil amendment. A general guide for amendment of all turf area soils is a minimum of three (3) cubic yards per one thousand (1,000) square feet, and ten (10) pounds per one thousand (1,000) square feet of lawn area. These materials are to be tilled to a depth of six (6) to eight (8) inches into the soil. Acceptable organic matters include aged compost, wood humus from soft/non-toxic trees, sphagnum moss (excluding that from Colorado origin), or aged/treated manures. Topsoil is not considered an acceptable organic matter.

4.60 Statues or Fountains.

Approval is not required if installed in the rear yard with a height not greater than five (5) feet, including any pedestal. Approval is required if the statue or fountain is proposed for the front or side yard. In such case, the statue or fountain should be located close to the main entrance of the house.

4.61 Sunshades.

See **Awnings- Cloth or Canvas and Patio Covers.**

4.62 Swamp Coolers.

See **Air Conditioning Equipment, Evaporative Coolers, and Rooftop Equipment.**

4.63 Temporary Structures.

The Protective Covenants prohibit certain types of temporary structures. However, during the actual construction, alteration, repair, or remodeling of a structure or other Improvements, necessary temporary structures for storage of materials may be erected and maintained by the Declarant, a builder, or a Person doing such work. The work of constructing, altering, or remodeling any structure or other Improvements shall be prosecuted diligently from the commencement thereof until the completion thereof. See also Section 4.01 "Accessory Buildings" and Section 4.53 "Sheds".

4.64 Trash (Garbage) Containers, Enclosures and Pickup.

Approval is required for any trash or garbage enclosure. Refuse, garbage, trash, lumber, grass, shrub or tree clippings, plant waste, compost, metal, bulk materials, scrap, refuse or debris of any kind may not be kept, stored or allowed to accumulate on any Lot except in sanitary containers or approved enclosures. No garbage or trash cans or receptacles shall be maintained in an exposed or unsightly manner (except that a container for such materials may be placed outside at such times as may be necessary to permit garbage or trash pickup.) Trash may be placed on the street for pickup after 7:00 PM the night before that such trash is to be picked up. Trash containers shall be properly stored the evening of pickup.

4.65 Tree Houses.

Shall NOT be permitted.

4.66 Underground Installations.

Approval is required.

4.67 Utility Equipment.

Installation of utilities or utility equipment requires approval. Pursuant to the Protective Covenants, pipes, wires, poles, utility facilities must be kept and maintained, to the extent reasonably possible, underground or within an enclosed structure.

4.68 Weathervanes.

Approval is required.

4.69 Wells.

Shall NOT be permitted.

4.70 Wind Energy Systems.

Approval is required. Installations being made for energy-efficient measures may be further defined by State or Federal regulations.

4.71 Windows and Window Tinting.

Approval is required, unless the windows are being replaced with the exact style and color as previously installed and approved on the home. The use of muntin bars for all replacement windows is optional, but in all cases shall be consistent with each side's exterior elevation. For instance, if the Owner is replacing their windows in the front of the home only (the front elevation), then all the windows must have or not have the muntin bars. Any muntin design except for the standard checkerboard shall first be submitted for approval. Any type of window material except for standard glass shall first be approved (glazed, opaque, glass blocks etc.). For window tinting and window replacement applications, only non-glare or non-reflective tints will be considered. A sample of the material shall be provided with the Application for approval.

4.72 Window Well Covers.

Window well covers which meet the following guidelines will be permitted without the need

for approval: Cover shall be made of either clear plastic or metal and be flush with the window well. Cover shall not extend more than 3 inches beyond the edge of the window well and no more than 2 feet up on the foundation. All other types of window well covers shall first be approved before installation.

4.73 Weather Vanes, Wind chimes, Directionals, etc.

Approval is required.

LANDSCAPING SUGGESTIONS

Suggested Plant List. For your convenience, the following list of shrubs, trees, flowers and grasses is provided:

Deciduous Trees

Autumn Blaze
Maple Autumn Purple Ash
Burr Oak
Canada Red Cherry
Downy Hawthorn
Ginnala Maple
Hackberry
Kentucky
Coffeetree
Lanceleaf
Cottonwood
Linden, American, or
Littleleaf Marshall Seedless
Ash Narrowleaf
Cottonwood Patmore Ash
Russian Hawthorn
Rocky Mountain
Maple
Shademaster Honey
Locust
Western Catalpa

Evergreen

Trees Bristlecone
Pine
Colorado Spruce Ponderosa
Pine
Pinon Pine
Austrian Pine

**Grasses

Big
Bluestem
Blue Grama Grass
Buffalo Grass
Feather Reed
Grass Fountain
Grass Prairie Cord

Broadmoor

Juniper Buffalo
Juniper Blue
Mist
Spirea Boulder
Raspberry Blue
Stern Willow
Indian Grass
Little Bluestem
Maiden Grass
Compact American Cranberry
Chokeberry
Curl-Leaf Mountain Mahogany
Creeping Mahonia
Hughes Juniper
Whitestem
Gooseberry
Golden

Currant Gambel Oak

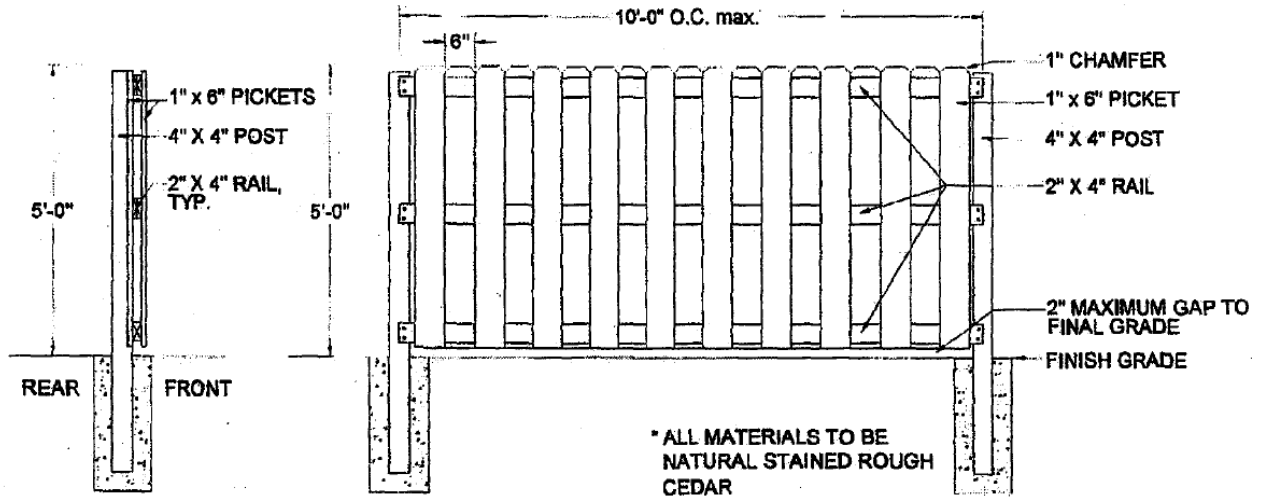
Isanti Dogwood
Kelsey's
Dogwood
Great Plains
Leadplant
Mountain
Box Mountain
Ninebark Mugho
Pine
Native
Potentilla
Red Coralberry
Red-Twig
Dogwood Rock
Spirea Russian
Sage
Saskatoon

Grass Fescue
Shrubs
American
Plum
Russet
Buffaloberry Blue
Chip Juniper Bar
Harbor Juniper

Serviceberry
Tall Blue
Rabbitbrush
Tall Western
Sagebrush
Threeleaf
Sumac
Tam Juniper
Waxflower

ATTACHEMENT A FENCE DETAILS

5' ALTERNATING PICKET FENCE



ATTACHMENT B ARCHITECTURAL REVIEW REQUEST FORM

ARCHITECTURAL REVIEW REQUEST FORM

Beacon Point Metropolitan District
27 Inverness Drive East
Englewood, CO 80112
303-369-1800 (ext. 120)

FOR OFFICE USE ONLY

Date Received _____
Crucial Date _____
Date Sent to Entity _____
Date Rcvd from Entity _____

HOMEOWNER'S NAME(S): _____
ADDRESS: _____
EMAIL ADDRESS: _____
PHONE(S): _____

My request involves the following type of improvement(s):

- Landscaping
- Deck/Patio Slab
- Roofing
- Drive/Walk Addition
- Painting
- Patio Cover
- Room Addition
- Basketball Backboard
- Fencing
- Other: _____

Provide a copy of your plot plan and describe improvements showing in detail what you intend to accomplish (see Section 3 of the Guidelines, Standards and Processes). Be sure to show existing conditions as well as your proposed improvements and any applicable required screening. Example: if you will be building a storage shed, be sure to indicate lot size, fence locations, dimensions, materials, any landscape or other screenings, etc. (see Section 4 of the Guidelines, Standards and Processes for requirement details for your specific proposed Improvement).

I understand that I must receive approval from the ARC in order to proceed with installation of Improvements if Improvements vary from the Standards or, are not specifically exempt. I understand that I may not alter the drainage on my lot. I understand that the ARC is not responsible for the safety of Improvements, whether structural or otherwise, or conformance with building codes or other governmental laws or regulations, and that I may be required to obtain a building permit to complete the proposed Improvements. The ARC and the members thereof, as well as the District, the Board of Directors, or any representative of the ARC, shall not be liable for any loss, damage or injury arising out of or in any way connected with the performance of the ARC for any action, failure to act, approval, disapproval, or failure to approve or disapprove submittals, if such action was in good faith or without malice. All work authorized by the ARC shall be completed within the time limits established specified below, but if not specified, not later than one year after the approval was granted. I further understand that following the completion of my approved Improvement the ARC reserves to right to inspect the Improvement at any time in order to determine whether the proposed Improvement has been completed and/or has been completed in compliance with this Architectural Review Request.

Date: _____ Homeowner's Signature: _____

ARC Action:

Approved as submitted

Approved subject to the following requirements:

Disapproved for the following reasons:

All work to be completed no later than: _____

ARC Signature: _____ Date: _____

COMMUNITY MAPS

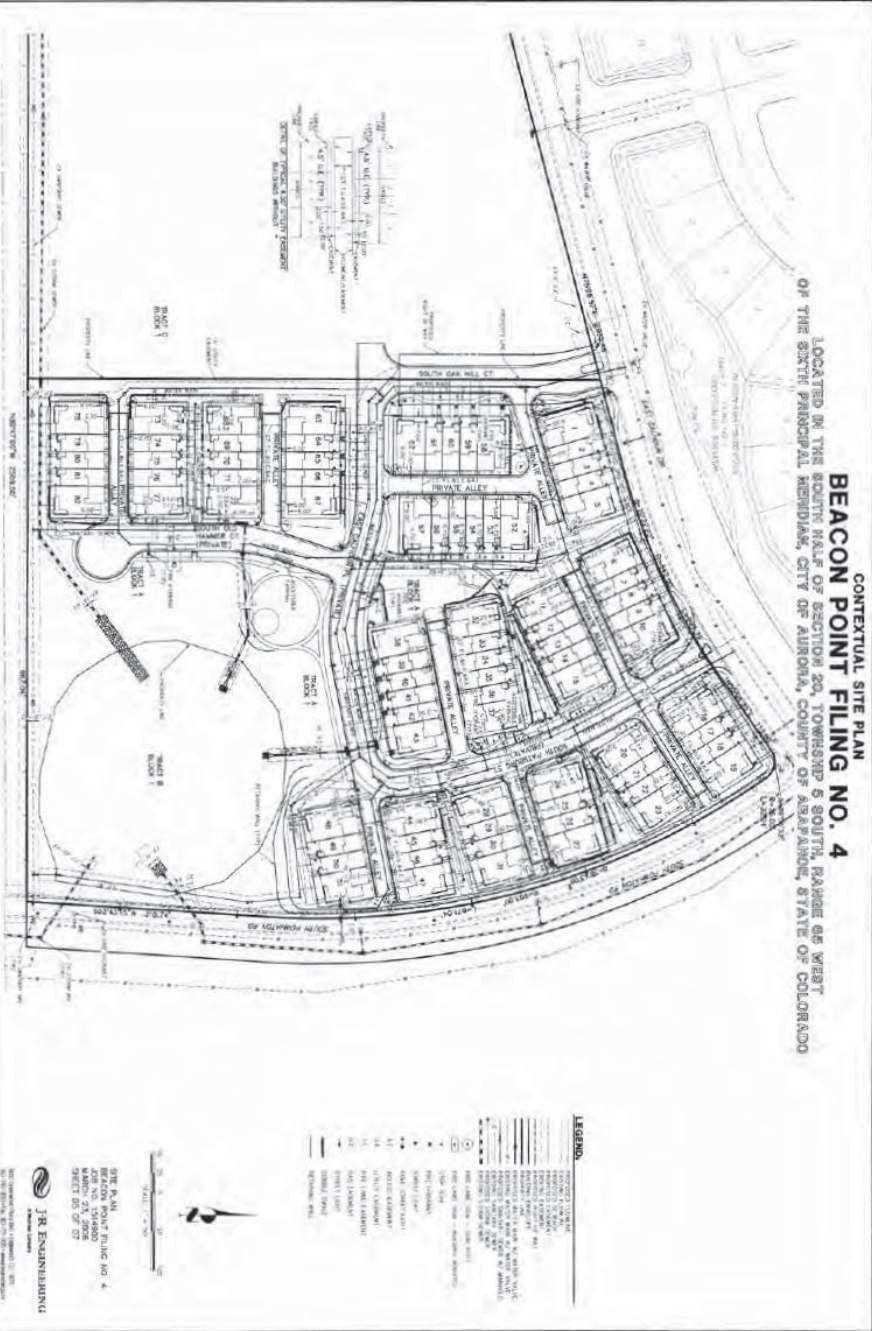


BEACON POINT



ADDRESS MAP

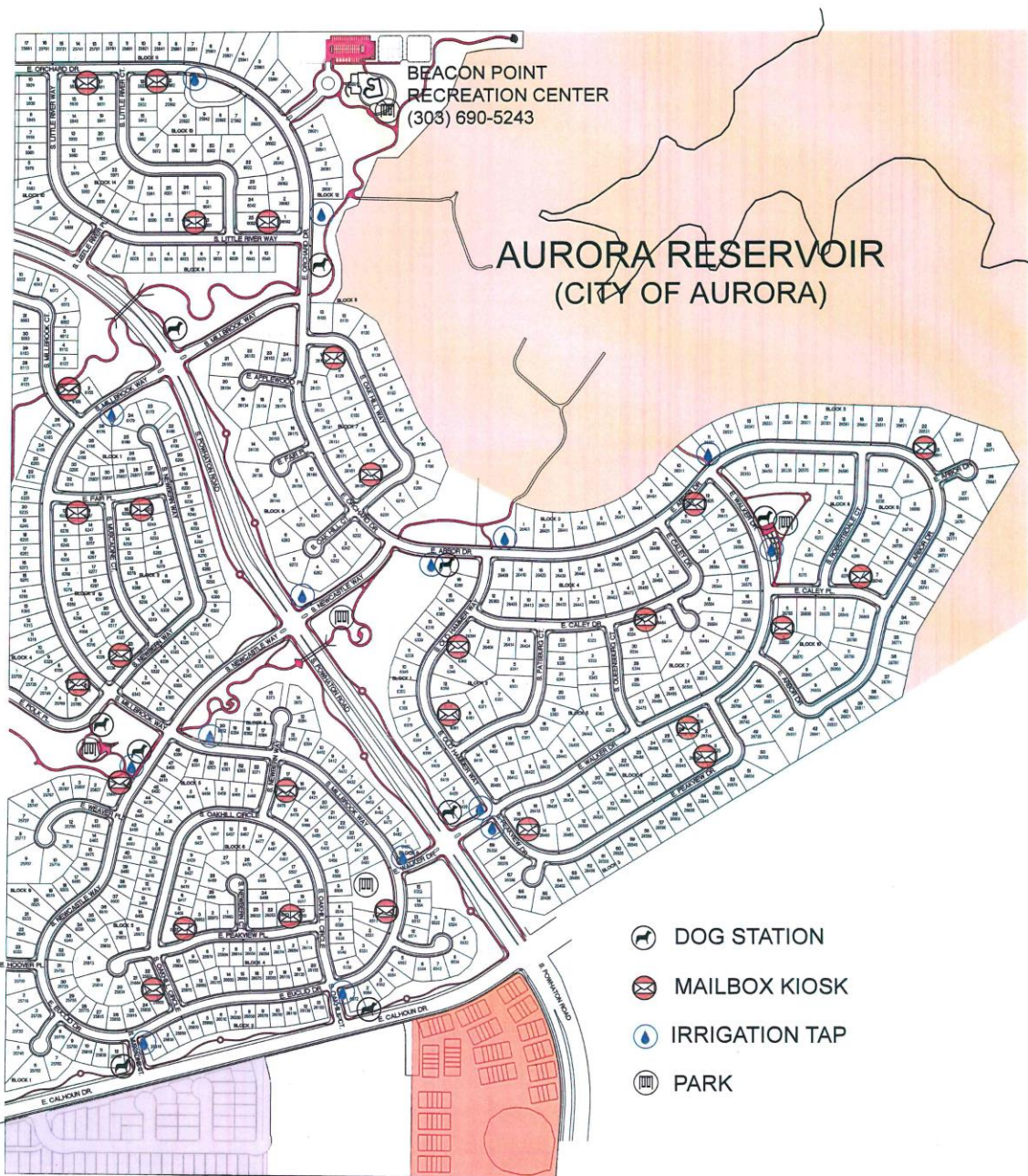
CONTEXTUAL SITE PLAN
BEACON POINT FILING NO. 4
 LOCATED IN THE SOUTH HALF OF SECTION 20, TOWNSHIP 5 SOUTH, RANGE 66 WEST
 OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO



BEACON POINT FILING NO. 4
 J.R. ENGINEERING
 1131 S. W. 15th Street, Suite 100
 Aurora, CO 80010
 PHONE: 303.733.1111
 FAX: 303.733.1112
 www.jrengineering.com
 THE PLAN FOR BEACON POINT FILING NO. 4
 WAS PREPARED BY J.R. ENGINEERING
 ON MARCH 23, 2016
 SHEET NO. 01 OF 02

Layers		Locate	Query
Drill-Down Information			
Parcel	Address	Owner	BEACON POINT METRO DIST
Assessor Tax Map	2071_0_0	Assessor Tax Map	2071_20-4
Jurisdiction	AURORA	Voting Precinct	335
Sales Tax	AURORA OUTSIDE RTD - 7.0%	Tax Area Group	0156
2010 DFRM Panel	http://gis.arapahoe.gov/Scanned/Maps/DFRMS/08005C0506k.pdf		
Subdivision			
BEACON POINT SUBDIVISION			
Census Tract	Census Tract 71.07		
Census Block Group	Block Group 2 (part)		
Census Block	Block 2038		
County Commissioner			
Rod Bockenfield			
Aurora Ward			
At Large - Brad Pierce			
Aurora Ward			
At Large - Barbara Cleland			
Aurora Ward			
At Large - Bob Legare			
Aurora Ward			





MAINTENANCE & SNOW REMOVAL RESPONSIBILITIES

BEACON POINT METROPOLITAN DISTRICT
c/o Special District Management Services, Inc. (303) 987-0835

 SIDEWALK SNOW REMOVAL PERFORMED BY BEACON POINT METRO DISTRICT

 BEACON POINT TOWNHOME ASSOCIATION
c/o TMMC Property Management (303) 985-9623

 BEACON POINT HOMEOWNER'S ASSOCIATION
c/o TMMC Property Management (303) 985-9623

