



ASPEN MESA ESTATES

DOCUMENTS

ARCHITECTURAL CONTROL and GUIDELINES

ARCHITECTURAL CONTROL

F. Architectural Control Committee. The Board of Directors of the Association shall appoint an Architectural Control Committee to ensure conformance with the Aspen Mesa Home Owners Association standards. Any modification of property within the subdivision boundaries will fall under the purview of the committee, including control of all phases of construction and landscaping. The Architectural Control Committee shall be composed of no more than five (5) members and no less than three (3) members. Members' terms shall extend for a period of one (1) year. Enforcement of architectural control violations shall be vested in the Association Board of Directors.

B. Architectural Control Procedures. The Architectural Control Committee or its designee will prepare, maintain, publish, and furnish on request by parcel owners, a dated document that:

- (1) advises the parcel owner on how to proceed with the planning, design, and approval of improvements to his parcel;
- (2) outlines in adequate detail the requirements of the Aspen Mesa Home Owners Association in order to get architectural approval;
- (3) failure of the Architectural Control Committee or the Association to prepare, maintain, publish, or furnish such a document shall not operate to waive the requirement for approval of structures.

C. Criteria for Architectural Control. The Architectural Control Committee shall have reasonable discretion in determining whether to approve or disapprove structures. This discretion shall be exercised with at least the following objectives in mind:

- (1) To direct the positioning, elevation, profile, and surface treatment of all structures so as to minimize their obstruction or diminution of quality of the principal views from each lot.
- (2) Preserve or enhance existing features of natural beauty such as trees, shrubs, topography, and natural landscaping.

- (3) To minimize the effect that improvements will have in destroying the visual continuity of the area and transition between improved and unimproved areas so that when viewed from across the valley, the subdivision does not appear as a patchwork of contrasting improvements.
- (4) Promote the design of structures so that their siting, form, and surface treatment harmonizes with the rustic and natural setting and with other structures on adjacent property.
- (5) Promote the use of new landscape materials that are indigenous to or existing in the area and which have low maintenance effort requirements so that natural and landscaped areas are not sharply contrasted, and well maintained and poorly maintained areas are not sharply contrasted.
- (6) Prevent landscaping or structural improvements from defining the boundaries of property ownership.
- (7) Promote the use of structural materials that have minimum maintenance requirements so as to assure a better appearing area under all conditions.
- (8) Promote the design and construction of improvements that incorporate the good visual, functional, and material quality elements possible so that each parcel will serve its owner better and enhance the value of adjacent property by its presence.
- (9) Consider the long term future effects of decisions on the nature of improvements allowed in the area.

D. Definitions.

(1) Structure. "Structure" as used herein shall mean any tangible thing above or below the surface of the ground which might affect the appearance of the property or the health or safety of any person including, by way of illustration and not limitation, any building, garage, porch, deck, shed, greenhouse, bath house, coop, cage, patio, swimming pool, tennis court, swimming or tennis cabana, stable, barn, fence, wall, sign, barbecue pit, tank, playhouse, treehouse, gazebo, pool, pond, excavation, pipe, pole, wire, or cable.

(2) Primary Structure. "Primary Structure" shall mean any enclosed structure which occupies more than 120 square feet in area or more than 1000 cubic feet in volume. The primary structures permitted on any lot shall consist of no more than one (1) single family dwelling house together with no more than two (2) non-dwelling unit unconnected enclosed structures such as swimming or tennis cabanas, garages, or greenhouses. No structure shall be erected or installed except concurrently with or after construction of the single-family dwelling house, and all primary structures shall conform in appearance with the dwelling house.

(3) Structure Requirements. No structure shall be built unless all of the following minimum requirements are met:

- (a) The interior living floor area, exclusive of accessory buildings, garages, porches, decks, and patios shall contain not less than 1,250 square feet.
- (b) Any multi-level dwelling unit shall have a minimum of 750 square feet of living area

on one (1) level.

(c) Any dwelling unit shall have a garage or carport of sufficient size to enclose one (1) full-sized automobile.

(d) Tar and gravel, architectural asphalt or composite, appropriate metal fire resistant roofing approved by Architectural Control Committee.

E. Approval of Structures.

(1) No structure shall be placed upon or permitted to remain upon any lot, or altered in any way which will change its exterior appearance without the prior approval in writing of the Aspen Mesa Home Owners or its designee, and the payment of applicable fees as outlined in the fee schedule posted on the Aspen Mesa Estates web site.

(2) The Architectural Control Committee may impose reasonable requirements with respect to information to be furnished and the form and manner of presenting the same in order to obtain approval for any structure, including, but not limited to, all landscaping for all primary structures. Two (2) sets of complete plans and specifications shall be submitted to the Architectural Control Committee, which plans and renderings of all sides of the structure shall be drawn to a minimum scale of one-quarter (1/4) inch equals one (1) foot, excepting site renderings which shall be drawn to appropriate scale to show location of all existing and proposed structures on the lot, all parcel lines, all existing and proposed contours and contour elevations; shall indicate materials and colors to be used; shall be accompanied by samples of materials and colors to be used upon request; shall be submitted in duplicate together with a fee of Two Hundred and Fifty Dollars (\$250.00) to be paid to the Architectural Control Committee to compensate it for the time and effort required for review prior to approval. The Architectural Control Committee will approve and initial all plans including any changes made by it and retain one (1) set. Actual construction shall conform to the plans.

(3) At least one (1) member of the Architectural Control Committee will physically visit the building site with any primary structure plans submitted for approval prior to approving or rejecting the request in order to assure a thorough and accurate review of the proposed improvements.

F. Approval or Disapproval. Any structure shall be deemed and considered disapproved unless approval is expressly given and is evidenced in writing executed by the Architectural Control Committee. Notwithstanding the foregoing, if the Architectural Control Committee fails to approve a structure and does not expressly indicate disapproval or affirmatively impose additional requirements or requests additional information be furnished in writing, within thirty (30) days after a written request for written approval, the structure shall be deemed approved. All written requests and written approvals or disapprovals shall be made either in person or through certified mail. Regardless of whether or not the Architectural Control Committee provides written approval for a structure, all fees must be paid before a structure shall be considered approved.

G. Fees

The following fees will be assessed for any project that is approved by the Architectural Control Committee:

1. A deposit of \$3000 is required for all new construction. This deposit is fully refundable upon the successful completion of the build.
2. A revegetation deposit is required for all new construction. This deposit is fully refundable upon the successful completion of the project.
3. A deposit of \$750 is required for all remodeling projects. This deposit is fully refundable upon successful completion of the project.
4. A revegetation deposit of \$750 is required for all remodeling projects. This deposit is fully refundable upon successful completion of the project.

ARCHITECTURAL GUIDELINES

Each parcel of property located in Aspen Mesa Estates has a distinct set of characteristics which require thoughtful consideration as to the design of a structure that would best serve that parcel.

These guidelines, as prescribed in the DEED RESTRICTIONS FOR ASPEN MESA ESTATES are for the purpose of aiding lot owners in planning and building of any new structure or any modifications to existing structures. It is the primary concern of Aspen Mesa Estates that the exterior of any structure meets the requirements set forth in the DEED RESTRICTIONS OF ASPEN MESA ESTATES so that the structure will contribute to the visual harmony of our subdivision. It is to be noted that both Aspen Mesa Estates and Eagle County have separate requirements to be met for any structure and that both will require that approval be obtained before work can proceed.

When designing a new home or remodel, consideration must therefore be given to its size, shape and form in relation to the surrounding homes, landscape and environment. Sometimes, a desired building design is simply not suitable for a particular area or location. For example, vast unbroken expanses of a wall or a large massive roof can be overwhelming if located within an area not obscured by trees or landscape.

The primary interest of the Architectural Control Committee is the exterior appearance of a structure including landscaping and how it impacts the surrounding area, the community and its environment.

Reducing the impact of large massive forms can often be achieved by receding or projecting a wall; using overhangs, porches, selective landscaping or openings such as doors and windows, with a sense of composition to the overall building form. In addition, changing direction or height of the roof line may create overall diversity and visual interest.

Attached are graphic and written guidelines to help the designer understand what is encouraged and allowed and what is discouraged and not allowed in Aspen Mesa Estates.

ARCHITECTURE

Structure

All primary structures, as defined in the Architecture Control Definitions, must be stick built, or equivalent (e.g. Structural Insulated Panels), on site. Modular and factory build homes are not permissible.

Roof Forms

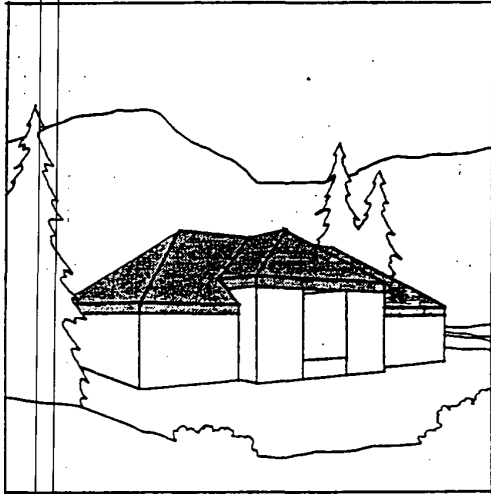
Roofs are a major factor in building design. The design of a roof and the materials used can provide a distinct character image for the building. The roof design should be consistent with the buildings size, shape and form and be compatible with the environment and surrounding buildings. Roofs should be used to provide an appropriate scale to the neighborhood. Some of the roof eaves should begin at a one-story level to retain a residential quality.

Some of the residential roof shapes that are encouraged include:

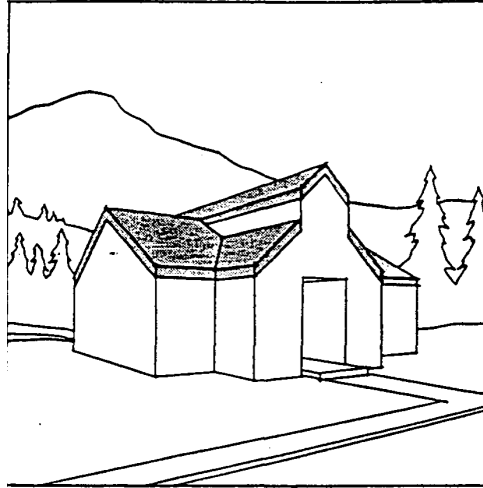
Full hip roof

Gable roof

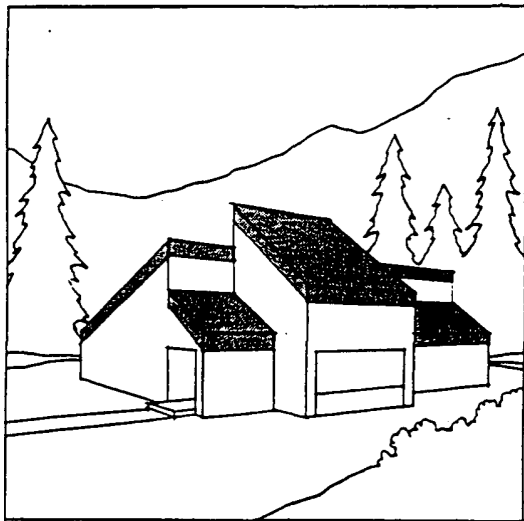
Joined shed roof



Full Hip



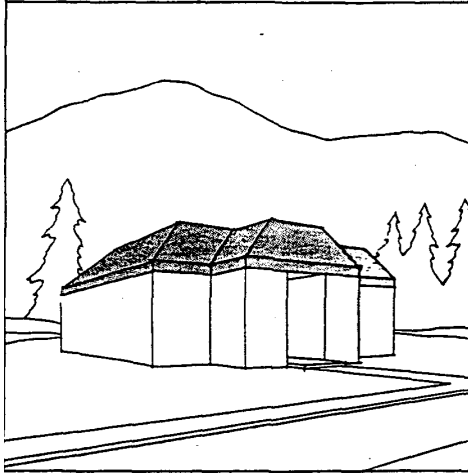
Gable



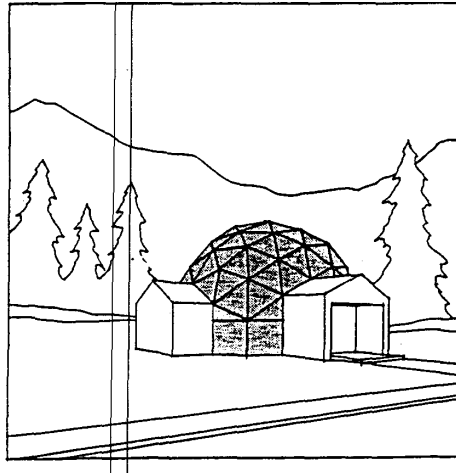
Joined Shed

The following roof forms are discouraged:

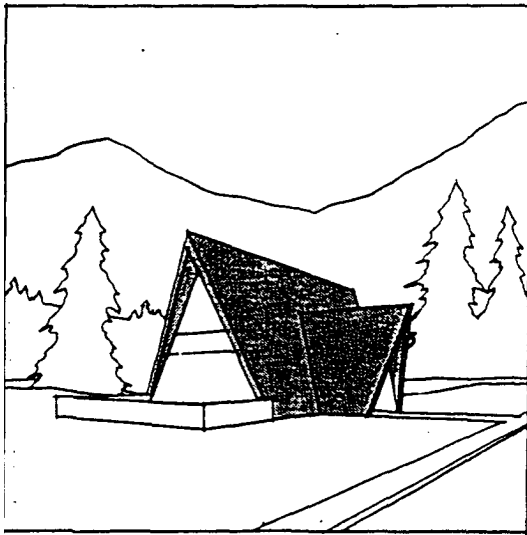
- Mansard roof
- Domed roof
- A-frame
- Octagonal roofs



Mansard



Domed



A-Frame

Materials

Roof materials that are thoughtfully chosen will enhance and support the character of the home. They will contribute to the cohesiveness of the neighborhood.

Encouraged roof materials:

Copper

Zinc

Asphalt composition shingles (high definition profile only)

Metal roofs

Gravel topped flat roofs

Color Palette

Muted, indigenous and subdued colors should be chosen that harmonize with the existing

environment and the color palettes of adjacent homes. Roof flashings, vents, hoods, and roof accessories should be a color that blends with the roofing. **Roof color and material must be approved by the A.C.C.**

ARCHITECTURE

Exterior Walls

Design Walls are another major contributor to the perception of a building. The materials and colors of the exterior siding should be selected with consideration of the sites native materials and adjacent structures.

Materials that are acceptable:

Solid wood siding

Log

Cultured stone

Natural stone

Stucco Composition asphalt shingles

Materials that are unacceptable:

Steel or aluminum siding

Plastic siding

Simulated stone, brick or wood

Plywood based siding

Recognizing the progressiveness of the building industry, the ACC will consider new materials that can be utilized effectively while maintaining the quality character of the neighborhood.

Color Palette

The building exterior should harmonize and complement the surrounding environment of both the site and neighboring buildings.

The color palette chosen should be drawn from the surrounding environment such as the earth-tones of summer and fall and the whites and greys of winter.

Subdued colors should predominate the main body of the home. The trim can be more colorful and contrasting to the main body. adding visual interest.

ARCHITECTURE

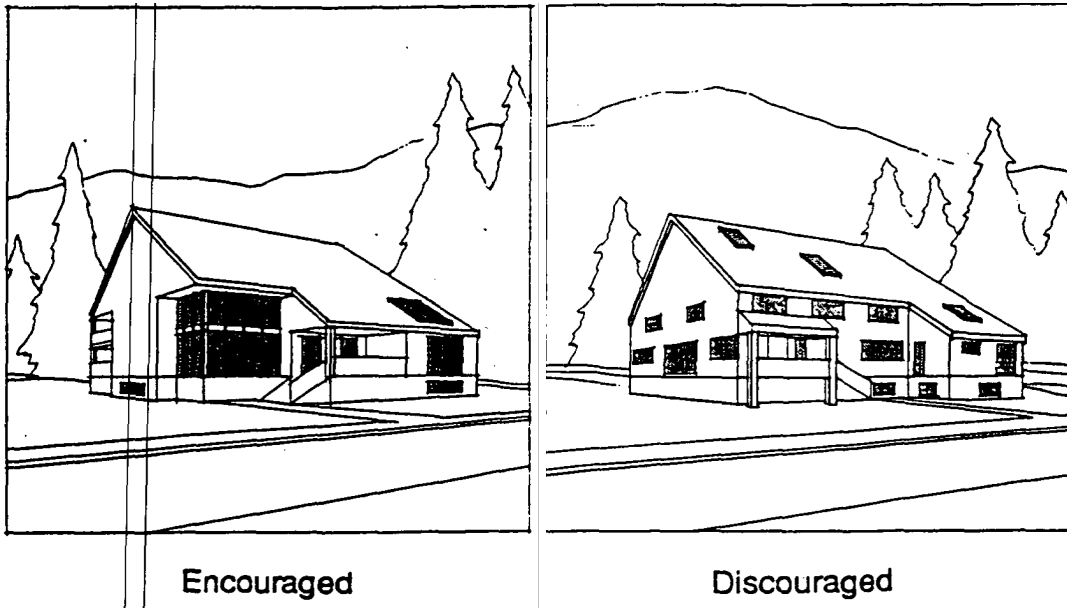
Windows, Skylights and Doors

Design Windows, skylights and door placement, size and configuration should be approached as a composition to the walls or roof they penetrate. Consideration for sun exposure and views are essential, but their placement and size should not be dictated solely as an interior design decision, as it is the exterior design that will be viewed by neighbors and reviewed by the ACC.

Snow and water shedding

Door openings should be protected from wind, drifting snow and from overhanging roofs that permit direct rain and snow runoff.

Attention should be given to drainage areas where water from roof snow melt may freeze on walkways or stairs and cause hazardous conditions. Window and door casings may be natural, stained, painted wood or painted metal. Un-anodized aluminum is discouraged.



ARCHITECTURE

Fireplaces, chimneys and flues

Design Chimneys are a strong visual element to the exterior of the building. This vertical element must be considered in the overall design of the building.

Materials

Acceptable exterior chimney materials include:

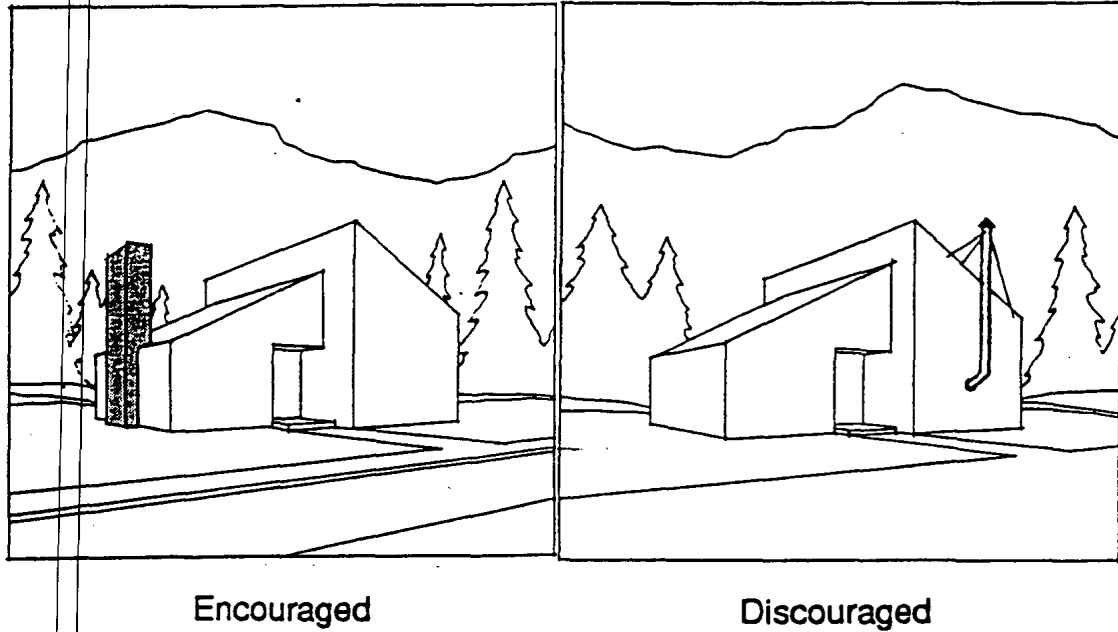
Natural stone

Stucco Wood enclosures with approved siding (see exterior wall section)

Unacceptable exterior chimney materials include:

Exposed concrete block

Exposed metal chimneys



SITE GRADING AND DRAINAGE

Site grading shall be used to provide adequate drainage within the homesite, as well as enhance the aesthetic of the residence. Existing vegetation and site features shall be protected from potential damage from site grading.

Surface drainage shall not drain to adjoining homesites nor open space except as established by natural drainage patterns, nor cause a condition that could unnaturally lead to off-site soil erosion on open spaces. Wherever practical, natural drainage courses should be protected and existing drainage patterns maintained. New drainage ways are to be designed to appear and function like natural drainage ways. Impervious surfaces are to be minimized and excessive cut and fill is discouraged. Grading is not permitted outside the property line.

GRADING REQUIREMENTS

Grading is to be designed as a combination of cuts, fills, and occasional retaining walls that protect existing vegetation and blend into and/or appear to be extensions of existing natural land forms. Whenever possible, natural slopes are preferable to structures. Disturbed areas are to be re-vegetated and blended into the surrounding environment.