Braddock Hill
Property Owners' Association
Design Guidelines

March 2009
October 2011
April 2013
September 2013
July 2014
April 2016
April 2023
September 2026

Guidelines for: Braddock Hill Lots 1-32

TABLE OF CONTENTS

1. STATEMENT OF PURPOSE 5

2. SITE PLANNING AND LANDSCAPE GUIDELINES 8
2.1 BUILDING ENVELOPES AND SETBACKS 8
2.2 SITE WORK 8
2.3 REFORESTATION 9
2.4 GRADING AND DRAINAGE 9
2.5 ACCESS DRIVES 9
2.6 ON-SITE PARKING 10
2.7 UTILITIES 10
2.8 WALLS AND FENCING 10
2.9 OUTDOOR STORAGE 11
2.10 MECHANICAL EQUIPMENT 11
2.11 STORAGE TANKS 11
2.12 ANTENNAS AND SATELLITE DISHES 11
2.13 SIGNAGE 12
2.14 LIGHTING 12
2.15 SWIMMING POOLS AND SPAS 13
2.16 TENNIS AND SPORTS COURTS 13
2.17 TRANSITIONAL AREA 13
2.18 PRIVATE AREA 14
2.19 APPROVED PLANT LIST 14
2.20 PROHIBITED PLANT LIST 14
2.21 LOT RESTRICTIONS 14
2.22 ORNAMENTATION 14
2.23 SEASONAL DECORATIONS 15

3. ARCHITECTURAL DESIGN STANDARDS 16
3.1 SIZE 17
3.2 PREFABRICATED BUILDINGS 17
3.3 HEIGHT OF STRUCTURES 17
3.4 FOUNDATIONS 17
3.5 EXTERIOR MATERIALS 18
3.6 ROOFS 19
3.7 CHIMNEYS AND OUTDOOR FIRES 19
3.8 EXTERIOR COLORS 20
3.9 WINDOWS, DOORS AND SKYLIGHTS 20
3.10 BUILDING PROJECTIONS 20
3.11 GARAGES 21
3.12 SOLAR APPLICATIONS 21
3.13 CHANGES OR ADDITIONAL CONSTRUCTION 21

4. CONSTRUCTION REGULATIONS 22
4.1 PURPOSE 22
4.2 CONSTRUCTION COMPLIANCE DEPOSIT 22
4.3 CONSTRUCTION FINES 22
4.4 CONSTRUCTION STAGING PLAN 23
4.5 EROSION CONTROL 23
4.6 FINAL INSPECTION 23
4.7 HEALTH AND SAFETY COMPLIANCE 24
4.8 CONSTRUCTION TRAILERS 24
4.9 TRASH RECEPTACLES AND DEBRIS REMOVAL 24
4.10 SANITARY FACILITIES 24
4.11 CONSTRUCTION ACCESS 25
4.12 VEHICLES AND PARKING AREAS 25
4.13 CONSERVATION OF NATIVE LANDSCAPING 25
4.14 EXCAVATION MATERIALS AND BLASTING 25
4.15 DUST AND NOISE CONTROL 26
4.16 MATERIAL DELIVERIES 26
4.17 FIREARMS 26
4.18 ALCOHOL AND CONTROLLED SUBSTANCES 26
4.19 FIRES AND FLAMMABLE MATERIALS 26
4.20 PETS 26
4.21 PRESERVATION OF PROPERTY 27
4.22 RESTORATION OF PROPERTY 27
4.23 CONSTRUCTION SIGNAGE 27
4.24 DAILY OPERATION 27
4.25 SITE VISITATIONS 28
4.26 CONSTRUCTION INSURANCE REQUIREMENTS 28

5. DESIGN REVIEW PROCEDURES 29
5.1 PRE-DESIGN CONFERENCE 29
5.2 PRELIMINARY DESIGN SUBMITTAL 29
5.3 PRELIMINARY DESIGN REVIEW 30
5.4 FINAL DESIGN SUBMITTAL 31
5.5 DEFERRAL OF MATERIAL OR COLOR SELECTION 32
5.6 SITE INSPECTION 32
5.7 FINAL DESIGN REVIEW 33
5.8 RE-SUBMITTAL OF PLANS 33
5.9 PRE-CONSTRUCTION CONFERENCE 33
5.10 COMMENCEMENT OF CONSTRUCTION 34
5.11 INSPECTIONS OF WORK IN PROGRESS 34
5.12 CHANGES DURING CONSTRUCTION 34
5.13 SUBSEQUENT MINOR CHANGES OR IMPROVEMENTS 35
5.14 SUBSEQUENT MAJOR CHANGES, REMODELS OR ADDITIONS 35
5.15 FINAL RELEASE 35
5.16 NONWAIVER 36
5.17 RIGHT OF WAIVER OR VARIANCE 36
5.18 EXEMPTIONS 37
5.19 DESIGN REVIEW FEE 37

6. REVIEW BOARD ORGANIZATION 38
6.1 MEMBERS 38
6.2 DELEGATION OF AUTHORITY 38
6.3 DUTIES 38
6.4 ADDRESS OF REVIEW BOARD 38
6.5 MEETINGS 39
6.6 COMPENSATION 39
6.7 AMENDMENT OF DESIGN GUIDELINES 39
6.8 NON-LIABILITY 39
6.9 ENFORCEMENT 40
6.10 SEVERABILITY 40
6.11 OBLIGATION OF OWNERS TO MAINTAIN LOTS 40
6.12 INSPECTION OF CONSTRUCTION 41
6.13 RELIANCE BY SUBSEQUENT OWNERS 41

7. PROMULGATION AND BINDING EFFECT 42

APPENDIX A – INDIGENOUS PLANT LIST 43

APPENDIX B - APPROVED NATIVE AND COMPATIBLE PLANTS 45

APPENDIX C – APPROVED PLANT LIST 46

APPENDIX D - PROHIBITED PLANT LIST 48

APPENDIX E - APPLICATION FORMS 49

APPENDIX F – PROCEDURAL FLOWCHART 57

1. STATEMENT OF PURPOSE

The Braddock Hill Property Owners' Association Design Guidelines have been created to provide direction to Owners for the improvement of their properties, to establish thresholds for design quality and the suitable application of materials, and to ensure sensitivity to each site's environment and its neighbors. These guidelines constitute the standards and requirements to which each Owner must adhere, subject to waivers or variances granted by the Review Board.

These Design Guidelines are promulgated by the Review Board in accordance with the Declaration of Land Use Restrictions for the Braddock Hill Subdivision (the "Declaration"), and pursuant to the authority granted therein to the Board of Directors of the Braddock Hill Property Owners' Association, Inc. (the "Association").

It is not the purpose of these Design Guidelines to create look-alike residences or improvements, or to suggest that they all be of similar style, color, or materials. To the contrary, the intent is to stimulate a rich and diverse variety of creative architectural styles, drawn from this common palette of materials, and blended together to form a vital residential community, compatible with its striking highland setting.

Braddock Hill is a mature, vibrant community, with new projects within a built neighborhood. These Guidelines encourage diversity through the use of materials and colors different from your immediate neighbors. To that end, a requirement of your Preliminary Design Submittal is the provision of color photographs of the existing residences within 100 feet of your front property line, including those adjacent and across the street, for comparison purposes. This requirement does not include houses adjacent to the rear lot lines.

To ensure the preservation of the native forest, meadows, and wetlands for the enjoyment of all residents of The Braddock Hill Subdivision ("The Highlands"), the concept of a maximum allowable building area, called the "Building Envelope" has been developed. The preservation of the native environment is a fundamental principle of Braddock Hill, and to that end, the "Building Envelope" is that portion of each lot within which all development activity must occur. It is expected that the design of each residence will evolve from and be tailored to the unique features of its specific Lot, incorporating studied consideration of existing slope, vegetation, views, and prominent site features. To that end, a comprehensive design review process (the "Design Review Process") has been established, encompassing the following five phases:

1. The Pre-Design Conference, during which each Owner, along with his or her architect, may review their ideas and the natural aspects of the Lot with a representative of the Review Board before any plans are prepared. It is preferable that this meeting take place on site whenever possible.

2. The Preliminary Submittal, at which time the Review Board can review conceptual plans to ensure conformance with these Design Guidelines before the Owner finalizes his or her design.

3. The Final Submittal, at which time the Review Board can review final construction documents to confirm that they are consistent with the previously approved preliminary plans.

4. The Pre-Construction Conference, during which a representative of the Review Board may review the construction regulations with each selected builder to ensure understanding of, and future compliance with, these regulations.

5. The Final Inspection of the improvements by a representative of the Review Board to determine whether actual construction has been completed in strict compliance with the approved plans, approved changes, and these Design Guidelines.

The Design Review Process was developed to provide adequate checkpoints throughout the design and development phases, so that time and money are not wasted on plans and designs which do not adhere to the Design Guidelines or to the overall design principles of The Highlands, or which may be inappropriate or of improper configuration for their specific Lot settings. Therefore, it is extremely important that the design steps of the Design Review Process be followed in their entirety, and in correct sequence. This process is a proven and streamlined one and will not result in time delays, provided each Owner, architect and builder performs in the spirit with which the Design Guidelines are intended, namely, a site-sensitive approach to the development of his Lot within this unique community.

It is required that an Owner retain competent professional services of a licensed architect for planning and design to ensure a thorough analysis and understanding of a particular Lot and the Owner's special needs and living patterns, as well as to provide the ability to communicate to the Review Board the concept and design of a proposed residence or improvement. The architect may act as a design consultant to others preparing the drawing materials, but all submittals and communication during the approval process will be with a licensed architect.

The Design Review Process is intended to operate sequentially with the plan review process required by the Town of Breckenridge for obtaining a building permit. An application for a building permit should not be submitted to the Town prior to confirmation of Final Design Approval by the Review Board. However, The Highlands' Design Review Process is independent of the Town's technical plan review process and design review process and is solely intended to enforce The Highlands Design Guidelines. Therefore, each Owner or Owner's agent shall bear the responsibility for the proposed improvements' adherence to the Town of Breckenridge's design, zoning and building code standards.

No building, fence, wall or other structure or improvement of whatever type shall be commenced, erected or maintained on any Lot (except for initial construction on the Common Elements by the Declarant or Declarant's successors), nor shall there be any addition to or change to the exterior of any residence or other structure or improvement upon a Lot or the landscaping, grading or drainage thereof, including, without limitation, the painting (other than painting with the same color of paint as previously existed) of exterior walls, patio covers and fences, except in compliance with plans and specifications therefore which have been submitted to and approved by the Review Board in accordance with the Design Guidelines as to harmony of external design and location in relation to surrounding structures and topography.

Plans and specifications shall be approved by the Review Board as to style, exterior design, appearance and location, and are not approved for engineering design or for compliance with zoning and building ordinances, and by approving such plans and specifications neither the Review Board, the members or agents thereof, the Association, the Board of Directors of the Association nor the Declarant assumes any liability or responsibility therefor, or for any defect in any structure constructed from such plans and specifications. Approval of plans and specifications by the Review Board is not, and shall not be deemed to be, a representation or

warranty that said plans or specifications comply with applicable governmental ordinances or regulations including, but not limited to, zoning ordinances and building codes.

The reconstruction by the Association or the Declarant after destruction by casualty or otherwise of any Common Elements which is accomplished in substantial compliance with "as built" plans for such Common Elements shall not require compliance with the provisions of these Design Guidelines. Defined terms used herein, if not otherwise defined in these Design Guidelines, shall have the meanings set forth in the Declaration.

2. SITE PLANNING AND LANDSCAPE GUIDELINES

The climate, terrain, existing vegetation, and fire protection at The Highlands are all important factors that must be considered in the design of any improvements to properties within its borders. It is the intent of the following guidelines to ensure environmentally sound and aesthetically pleasing development at The Highlands for the mutual benefit and enjoyment of all its members. New landscaping should provide screening for privacy and aesthetic appeal. Professional assistance is suggested.

2.1 BUILDING ENVELOPE AND SETBACKS

The Building Envelope is that portion of each lot within which all improvements, including structures, decks, walks, landscaping, and any construction disturbance, must be located, and is the only area of the lot where alterations of or disturbance to the natural landscape may occur. The specific Building Envelope for each lot has been determined by the Declarant as illustrated on the recorded plat. All improvements to a lot must be contained within its established Building Envelope except for a single driveway access no wider than fourteen feet crossing the front setback or a private access easement.

Since disturbance to any site may only occur within the disturbance envelope (but for the preceding exceptions), building walls must be set back sufficiently from the envelope line to permit the construction of the residence and all its ancillary improvements without violating the limits of the envelope. Scaffolding, material storage and disposal, passage of vehicles such as backhoes or forklifts, excavation, finish grading and enhanced landscaping may only occur within the disturbance envelope. As a minimum, we recommend a setback of at least one foot for each foot of excavation depth; and in many cases, especially when an owner desires extensive peripheral landscaping, the setbacks must be greater.

2.2 SITE WORK

No excessive excavation or fill will be permitted on any Lot except where specifically allowed by the Review Board due to terrain considerations; every attempt should be made to balance cut and fill with retaining walls and minimal use of engineered building pads.

No clear cutting of any Building Envelope or Lot will be permitted; however, it is understood that some selective pruning or removal of trees and shrubs will be necessary for the development of a wooded Lot, including the removal of all standing or fallen dead trees, pine beetle-infested and diseased trees, or defensible space needs in accordance with Town of Breckenridge ordinance and Homeowner Association requirements. The retention of trees over 4 inches in diameter or over 30 feet in height is strongly encouraged. Any cutting of trees (dead or alive) or other significant vegetation for any reason must first be approved by the Review Board. The following exceptions do not require Review Board approval: the pruning of dead limbs, the cutting and removal of trees with a trunk diameter of 3 inches or less measured 36 inches above the ground which are bowed, leaning, severely misshapen, diseased, or sparsely foliaged. All other tree removal requires Review Board approval.

2.3 REFORESTATION

Due to the significant loss of trees within the Highlands at Breckenridge over the last several years due to pine beetle infestation and the adoption of defensible space requirements by the Town of Breckenridge, property owners may be considering reforestation of their properties to help mitigate some of this tree loss.

The Braddock Hill Property Owners' Association Design Guidelines also encourage a healthy forest. Selective thinning and new plantings should provide a balanced solution that promotes good forest health management while considering the screening and privacy needs of neighboring properties and the public ways.

Reforestation plans require Review Board approval in advance of the work being performed. Notification of the Design Review Administrator of your reforestation intentions is required to ascertain whether a formal submittal is required for Review Board approval.

2.4 GRADING AND DRAINAGE

Site grading and drainage must occur with minimum disruption to the Lot, without altering natural drainage patterns as runoff leaves the Lot, and without causing conditions that could lead to unnecessary soil erosion, slippage, or subsidence. Residential designs for hillside Lots (having a variation of natural grade elevation in excess of five vertical feet across the footprint of a proposed structure) must incorporate slope considerations into the design solution, so that the proposed structure terraces or steps with the natural slope. Artificial benching of sloped sites to create an engineered pad to accommodate a "flat lot design" is strongly discouraged.

Surface drainage upon and across any Lot must be addressed through the implementation of sound construction and grading practices. Existing points of entry and exit to and from a Lot by historic surface drainage must be respected. Any improvement that creates an obstruction to surface flows, resulting in a back-up of water onto a neighboring Lot or tract, is strictly prohibited. Ground floor levels should be established at a vertical elevation such that final placement of backfill, walks, drives, and porches will produce a positive drainage away from the structure in all directions.

The inclusion of foundation waterproofing and a perforated pipe foundation drainage system is recommended along uphill and side-hill foundation walls on hillside Lots. Consultation by a professional soils engineer is advised for assessment of unusual or irregular soil conditions encountered.

2.5 ACCESS DRIVES

Each lot may be accessed by a single driveway only. Access drives shall be located to preserve and avoid important natural features, such as large or significant plant materials, drainage ways, and rock outcroppings, so as to minimize disruption of the existing landscape. Use of switchback driveways crisscrossing the lot should be avoided. Grading of driveways shall not exceed 8% maximum and shall provide a minimum of twenty feet, not to exceed 4% grade at junctures with the road serving the lot.

The graded or paved surface of an access drive shall not exceed 14 feet in width where it crosses the road right-of-way and the front setback of the lot. Driveways and/or parking surfaces may not encroach into any side setback without specific approval of the Review Board; some limited encroachment may be considered where unique terrain, vegetation constraints, or limited lot width may warrant. The proposed driving surface is subject to approval by the Review Board. A polyethylene culvert pipe, with a diameter of 18 inches or greater, shall be installed beneath each access driveway, between the road shoulder and the property line, unless otherwise approved by the Review Board. The invert flow-line of the pipe shall be aligned and sloped so that the borrow ditch/drainage way storm flows will continue smoothly and unimpeded beneath the driveway crossing. The exposed ends of the pipe shall be aesthetically finished with concrete or stone headwalls; stone headwalls may be grouted or loose-laid.

2.6 ON-SITE PARKING

Each single-family residential dwelling shall provide an enclosed garage space to shelter a minimum of two conventional automobiles, and sufficient driveway space for the parking of two guest automobiles. Guest parking must be contained within the established Building Envelope. Homeowners who possess trucks, buses, motor homes, campers, boats, boat trailers, motorcycles, or any other motorized vehicle other than a conventional automobile must store or park such vehicles within an enclosed garage so as to be completely hidden from view. The parking of a guest's motor home or other large recreation vehicle outside on any Lot is limited to 72 hours at a time, and such vehicles shall not be used for on-site camping.

No on-street parking will be permitted at The Highlands.

2.7 UTILITIES

Utility services are stubbed to the property lines of each Lot. Water, electric, telephone, and cable television service locations are clustered (usually with those of one adjacent Lot) in a utility easement located near one of the front corners of each Lot. The sewer service extension is stubbed to the property line which lies closest to the service main. The natural gas service extension is stubbed to the front property line away from the aforementioned corner cluster. The extension of services from these stub locations to the residence shall be the responsibility of each Owner, and shall be routed to minimize disruption to the natural landscape. As a general rule, utility trenches may not encroach into any required setback except where they cross the front setback between the service tap and the Building Envelope. All disturbed areas of the site must be restored to their natural condition as nearly as possible. Information regarding current tap and service fees, as well as connection procedures and as-built locations, may be obtained by contacting the respective utilities, Breckenridge Sanitation District or the Town of Breckenridge.

2.8 WALLS AND FENCING

Site walls or fences must appear as a visual extension of the residence, using similar materials and finishes. In no case will site walls or fences be permitted to arbitrarily delineate the Building Envelope, although it is understood that such walls or fences may define pet runs or small yards, courtyards, or terraces in close proximity to the residence for the purpose of privacy. Privacy or screen walls must not exceed six feet in height, measured from existing natural grade,

and they may not encroach into any required setback. The use of ornamental iron or other metal fencing is subject to approval by the Review Board. Chain link or wire fencing is prohibited.

Structural retaining walls may not exceed an above-grade height of six feet. Multiple terraced retaining walls must be utilized where the overall height of retained earth exceeds six feet. Retaining walls may be constructed of cast concrete or concrete masonry units; however, all exposed wall surfaces and edges must be treated with an approved finish, such as stone veneer, exposed aggregate, painted stucco, or split-face texture with custom color, to blend unobtrusively with its natural surroundings. Natural boulder retaining walls may be used as landscape retaining walls, which may not exceed an above-grade height of four feet. Retaining walls must be securely anchored into the ground to withstand overturning pressures. Mortar-less boulder walls, in particular, must be made thicker at the bottom than at the top. To avoid destructive freeze-thaw action, all retaining walls must permit water trapped behind them to be released. Cross-sections of all retaining walls must be provided with submittals.

2.9 OUTDOOR STORAGE

Outdoor areas housing trash containers, clotheslines, maintenance or service equipment such as snow blowers, etc., or overflow storage shall be screened from all adjacent properties by a wall or fence conforming to Design Guidelines Section 2.7. Pre-fabricated, stand-alone storage sheds are prohibited. Firewood may be stored in an unscreened area provided it is neatly stacked in an inconspicuous location.

2.10 MECHANICAL EQUIPMENT

No roof-mounted or wall-mounted mechanical equipment will be permitted, with the exception of solar equipment as approved by the Board. Any exterior mechanical equipment utilized must be ground-mounted adjacent to the residence and must be enclosed by walls or fencing of sufficient height and density to screen the equipment from view and to buffer sound as well.

2.11 STORAGE TANKS

All fuel tanks, water tanks or similar storage facilities must be shielded from view by walls or structures. No underground storage tanks are permitted.

2.12 ANTENNAS AND SATELLITE DISHES

Antennas or satellite dishes are discouraged. Television reception is available via a central cable system. Any dish or equipment must be sufficiently concealed or screened so as to not be visible from any neighboring property, tract, or right-of-way. Use of white dishes is not permitted. Gray dishes are available, which are less visible in the natural setting in most cases. Any on-site antennas required for the purpose of radio transmission related to fire protection or police/security matters will be allowed, but the location and configuration thereof shall be subject to Review Board approval.

2.13 SIGNAGE

1. The general contractor, architect, and interior designer, during the active major addition to any existing home, may display a single construction sign, no larger than six (6) square feet, in accordance with Design Guidelines Section 4.23 or as may be further restricted by the Town of Breckenridge.

2. Signs indicating security protection shall be permitted, with the consent of the Review Board, provided that such signs are ground- or wall-mounted, no larger than one (1) square foot, limited to two (2) per Lot (one for the front yard and one for the rear yard). Mounting signs on trees is not permitted.

3. Address signage on the residence is limited to 6" high numbers. Address numbers should be located on the residence where clearly visible to the street.

4. Address monuments may be located inside your property line near the driveway intersection with the street in situations where the above address signage would not be visible on the residence. Address signage may be mounted on a square monument 4 to 5 feet high, with sides approximately 24 inches wide. The preferred material is masonry stone that complements the house, though other masonry materials may be considered. Address numbers can be metal, precast concrete, or bronze plaques; numbers should be a minimum of 4 inches high but no higher than 6 inches.

A large boulder or shaped rock can also be used as an address monument. This boulder or rock must be significant in size, 4 to 5 feet above the ground, and placed so that it is highly visible and is a prominent feature. The address numbers can be on a bronze plaque, engraved in the stone, or metal numbers permanently attached. Numbers should be a minimum of 4 inches high but no higher than 6 inches. Attaching metal numbers with adhesives is not allowed.
Downcast lighting is permitted only above the address numbers by fixtures that comply with the Breckenridge Dark Sky Ordinance and as approved by the Review Board. No other lighting is allowed.

5. No signs are permitted to be mounted on trees.

6. All permitted signs, regardless of type, are subject to the approval of the Review Board for style, design, color, text, location, and duration of exhibit, prior to their placement for display. Any other signs are prohibited and will be removed.

2.14 LIGHTING

The primary objective of this section is the prevention of “light pollution” and “light trespass” within The Highlands. “Light pollution” is the casting of ambient light into the night sky, resulting in reflections from elements of the structure, nearby trees, and low clouds. “Light trespass” is the casting of light across property lines; if a shadow is cast into a property by a light source of a neighboring residence, light trespass is occurring.

To the greatest practical extent, homesites should be treated in a rural, unlit manner.

Where lighting is essential for safety or any other justifiable reason, every effort must be made to mask or screen the unwanted spillover of light. Aside from those safety and security considerations, we desire to maintain a nighttime landscape which is as dark as possible, in the rural tradition. Area floodlighting is prohibited except for lighting activated by motion detectors for limited duration; those fixtures must be shielded, and may only be directed at areas of the site which are within the Disturbance Envelope. In addition, they must be affixed to the residential structure at a height which is no greater than 15 feet above finish grade. The random lighting of exterior elements of a home for accent or any other purpose is prohibited. Spotlights on the residence or in the landscaping will not be allowed; up-lighting of the home or trees will not be permitted. With the exception of a single downcast light fixture on the address monument, no light source may be situated outside of the disturbance envelope.

Vapor lighting of any kind, including but not limited to sodium or mercury vapor, will not be allowed. No clear fixture lenses where the bulb is visible will be allowed. Down-cast lighting which is "Dark Sky" compliant is required. A 60-watt Incandescent bulb or a 6-watt LED is the maximum wattage allowed, unless otherwise approved by the Design Review Board. Landscape lighting of limited intensity and low profile may be allowed in small quantities when associated with the human element. For example, a few low-wattage post or bollard fixtures might be utilized to illuminate an entry walk between a driveway and a porch. Those freestanding fixtures shall be limited to a maximum height of seven feet above grade, and must be situated within the Disturbance Envelope.

Catalog sheets or photographs, along with supporting documentation of wattage, finish, and proposed location(s), must be submitted as a part of the Final Design Submittal. All new construction and additions must comply with the Breckenridge Lighting Policy, adopted June 12, 2007. Existing homes must comply whenever exterior light fixtures are replaced. All exterior light bulbs must immediately comply with the type and wattage described in this paragraph. All homes must be in compliance with the Breckenridge Lighting Policy by June 11, 2022.

2.15 SWIMMING POOLS AND SPAS

Swimming pools and spas, if any, must be designed as a visual extension of the residence through the use of walls or courtyards and must be shielded from view. All pools and spas must be constructed according to Town of Breckenridge regulations.

2.16 TENNIS AND SPORTS COURTS

Due to the extensive clearing required by tennis courts and other sports courts, such courts will not be permitted. Wall-mounted or freestanding basketball goals may be allowed subject to Review Board approval. Support posts and the back of the backboard of a freestanding basketball goal shall be painted to blend unobtrusively with its visual backdrop surroundings.

2.17 TRANSITIONAL AREA

The transitional area is the area within the Building Envelope, but outside the residence or site walls, within which an Owner may enhance the landscape and provide a "transition" from the forest floor to the residence, if desired. Minor alterations to the natural landscape are allowed within this area in addition to the use of plants found in Appendices A, B, and C of these Design

Guidelines. The plants from Appendix C must be planted near the residence and be provided supplemental water via a drip irrigation system. In order to create a gentle transition to the natural forest floor, irrigation should be discontinued as the distance from the residence increases, and plant groupings from Appendices A and B should be utilized. All landscaping employed in the front setback to define the entry drive must be limited to an area no wider than five to six feet along each side of the driveway surface, and must stop at the front property line. Additional plant material, not included in Appendices A, B, and C, is subject to the approval of the Review Board.

Care must be taken during the location of a residence on the lot to allow for perimeter landscaping to occur, if desired, without necessitating encroachment into required setbacks.

2.18 PRIVATE AREA

The private area is that part of the Building Envelope, which is shielded from view by site walls or structures, within which an Owner may create as varied a landscape as desired, provided that no plants from Appendix D of these Development Standards are used. Private area landscapes are subject to approval by the Review Board.

2.19 APPROVED PLANT LIST

The Review Board has approved a list of plants and trees deemed to be inherently compatible with the natural Highlands landscape, including indigenous and non-indigenous species. Such plants are listed in Appendices A, B, and C of these Design Guidelines, and landscaping of any transitional area is expressly limited to these species. Large areas of lawn are discouraged.

2.20 PROHIBITED PLANT LIST

The plant materials set forth in Appendix D of these Design Guidelines include species which are potentially destructive to the native landscape of The Highlands, and are strictly prohibited.

2.21 LOT RESTRICTIONS

Except for compounds resulting from the combined development of two or more lots, no more than one (1) residential structure may be constructed on any Lot. Other outbuildings such as detached garages may be constructed, provided they are a visual extension of the main residence. Such "complexes" are subject to approval by the Review Board.

2.22 ORNAMENTATION

"Ornamentation" is a design element or other improvement that is an embellishment not essential to the function or use of the dwelling or lot. Ornamentation may be affixed to a dwelling or lot and includes, but is not limited to, statuary, lawn decorations, and play equipment.

The color and construction of play equipment should be limited to natural colors including greens and browns. Primary colors of red, blue, and yellow must be avoided.

Ornamentation within the building envelope, whether a part of the dwelling or lot, must be shown on all plans submitted to the Design Review Board for approval. If ornamentation is to be added to a completed structure or landscaping, the addition shall be reviewed by the Design Review Board pursuant to paragraph 5.12, "Subsequent Changes, Remodels and Additions".

No ornamentation will be permitted outside the building envelope.

The Design Review Board may require removal of ornamentation not approved in accordance with these Design Guidelines.

2.23 SEASONAL DECORATIONS

In keeping with our desire to maintain a low ambient light level during nighttime hours, the use of exterior lighting as decoration is limited to the period from Thanksgiving through January 15. The Braddock Hill Design Review Board may distribute more detailed guidelines for seasonal decoration based on whatever need for constraints may emerge within the community. In general, seasonal lighting will be limited to the placing of a minimum number of lights on the house and the placing of lights on a few trees per house. All lighting will preclude the use of a kind of flood lighting, lights with pulsating intensity, or plastic ornaments.

3. ARCHITECTURAL DESIGN STANDARDS

The following architectural standards have evolved in response to climate and aesthetic considerations at The Highlands. It is the intent of these standards to evoke a sympathetic response to the character of this high forest region, promoting architectural design that is compatible with natural landscape and is environmentally sound. Designs that convey a custom or unique solution are required. Solutions that reflect suburban tract home development character are not allowed.

General design considerations must include:

1. To prevent a boxy appearance of a residential structure, single story building walls (defined as an eave wall with a maximum nominal plate height of ten feet or less), may not exceed an unbroken length of 32 feet without a perpendicular horizontal offset of 32 inches or greater, or without a bend of 30 degrees or greater in the wall plane Two story walls and gabled walls may not exceed an unbroken length of 24 feet without a perpendicular horizontal offset of 32 inches or greater, or without a bend of 30 degrees or greater in the wall plane. Offsets or indentations in wall planes create visual interest, add depth via shadow lines, and in some cases, create shelter (through the inclusion of an entry niche or a covered porch, for example).

2. Two or three exterior materials in combination create added interest, but don't get carried away – too many different materials become overly busy and incoherent. Transition from one material to another at an inside corner, instead of at mid-wall or on an outside corner, avoids the appearance of "postcard" or "movie set" architecture.

3. Added detail on the exterior of a home creates added appeal. The use of exposed beams, outriggers, or non-traditional trim widths and/or thickness can give a home its own unique personality.

4. Attention to window placement and their relationship to one another can enhance an elevation. Windows in combination are generally more appealing than a number of individual single units, and repetition of consistent sizes, shapes, and types is better than an unrelated assortment of window units. Except for stacked window arrangements, head heights should be consistent at each story, and vertical alignment of window units or their edges is preferred in a two-story wall. Finally, windows can be used to add to the detail of the home, through the use of divided light units, or through the creative composition of units.

5. Finally, draw upon the variety of traditional design styles which exist throughout Summit County – western ranch styles, log homes, craftsman bungalows – enduring styles which can be imitated or adapted. Again, diversity in design styles from your immediate neighbors is encouraged.

3.1 SIZE

Except for accessory apartments, it is required that residences exceed 2,000 square feet of living area, except and unless there are special circumstances or unique design solutions, which can only be approved by the Review Board.

3.2 PREFABRICATED BUILDINGS

No building that is constructed off-site and requires transportation to any Lot, whole or in partial assembly, will be permitted; this includes mobile homes, stock modular buildings, or any other structure requiring transportation and set up in a partially completed state. However, structures that are assembled off-site and completely disassembled for transportation, including log cabins or custom-designed modular buildings, may be permitted. The aesthetic merits of any such structures are subject to review and approval by the Review Board.

3.3 HEIGHT OF STRUCTURES

All residences at The Highlands must have pitched roofs with a minimum pitch of eight feet in twelve and a maximum pitch of twelve feet in twelve for the major roof elements; however, up to 15% of the horizontal roof area of any residence may be flat. In general, steeper pitched roofs are preferred to fit in with the mountain setting. Up to 30% of secondary roof elements (such as dormers, shed dormers and roofed entries to porches) may be allowed with a minimum pitch of four feet in twelve, where approved by the Review Board. Flat roof areas and all sloped roofs of a pitch of six feet in twelve or less shall be considered as a component of the 30% limitation of secondary roof elements.

As a rule, no portion of a structure (except for chimney elements) may exceed a true vertical height of 30 feet above original natural grade directly below. On steeper lots where the average slope across the footprint of the proposed structure exceeds 15%, the Review Board may allow an additional two feet of height for a limited unobtrusive ridge projection at its down-slope terminus. Such relief will be considered on a case-by-case basis, and may not be construed as a blanket waiver for sloping lots in general. It is the intent of these Design Guidelines that roof forms for homes on sloping sites step down with the grade to integrate with the natural setting.

Flat roof parapets shall not exceed 22 feet in height from adjacent natural grade. Mansard roofs are prohibited. Use of pre-engineered flat-chord roof trusses throughout a structure is prohibited.

3.4 FOUNDATIONS

All unfaced visible surfaces of concrete masonry or concrete foundation walls and piers must receive a stucco or mortar-wash finish and shall be painted to blend unobtrusively with adjacent materials. Exposed aggregate concrete, or textured concrete block with an approved integral or applied color, may be considered in lieu of the stucco/mortar-wash appliqué.

Foundation walls must step down with the grade change of sloping sites so that their exposed surface does not exceed a vertical height of four to five feet above finish grade at its

greatest exposure; as an alternative to stepping the top of the foundation, the wall may be faced with siding, in the same plane as the wall surface above, to minimize foundation wall exposure.

Where the vertical distance from the underside of a ground floor deck structure (along its perimeter edge) exceeds 30 inches above finish grade below, the deck edge must be skirted with wood siding to screen the cavity beneath the deck, if any storage below the deck is to be allowed. Foundation walls, which occur under a skirted deck such that they are no longer visible, are exempt from the facing requirements stated above.

3.5 EXTERIOR MATERIALS

There exist many traditions in high country architecture which will be encouraged at The Highlands, along with certain regional adaptations. Exterior materials should generally be natural materials that blend and are compatible with the native landscape. The predominate exterior materials will consist of wood or native stone, including shingles, beveled or tongue-and-groove, board-on-board, and board and batten siding. Plywood or synthetic siding, vinyl, and fiberglass products are prohibited. Alternative composite materials are subject to Review Board approval.

If wood siding is to be utilized, a sample of the material being proposed needs to be submitted for approval. Siding materials must meet the following quality standards:

Type:	Thickness:	Grade:
Shiplap	3/4" minimum	Select Knotty
T & G	3/4" minimum	"A" or better
Board and Batten	3/4" minimum	STK
Channel Rustic	3/4" minimum	STK
Lap or Bevel	7/8" minimum	"A" or better
Shingle Siding	7/8" minimum at butt end	
Shingle Paneling	1/2" minimum at butt end	

Midwestern red cedar or redwood is the preferred species. All dimensions are actual. All materials should be kiln-dried and pre-stained on all sides. STK = Select Tight Knot

Synthetic stone products are allowed with Review Board approval. Products must be reflective of native stone materials in thickness and appearance. Simulated or cultured stone will only be allowed when, in the opinion of the Review Board, the product and pattern proposed for use resemble their natural native counterparts to the degree that they will not appear obtrusive. Thickness of product must be comparable to native stone. Stone thickness must be a minimum of 1-½ inches, and corners must have a minimum 4-inch return.

The use of brick or textured masonry block as an exterior finish material will be considered on a case-by-case basis, and should be limited to accent segments of the building facade.

As a rule, darker colored stucco may be used only as a secondary or accent material.

All metal (aluminum, corrugated steel or copper) must be pre-treated, pre-rusted, or acid-washed to avoid reflectivity. The use of metal siding may amount to no more than 25% of any particular elevation. Alternative materials such as pre-finished and/or factory-finished metal may be considered with Review Board approval.

All wood trim material should be 1 1/2" minimum in thickness wherever possible, to provide a more durable and maintenance-free product.

High-quality synthetic material may be used for decking material with Review Board approval. No synthetic railing or balusters will be allowed. Other alternative "green" materials are encouraged but will be reviewed on a case-by-case basis for approval by the Review Board.

The aesthetic merits of any combination of exterior materials are subject to review and approval by the Review Board in order to maintain the architectural integrity and consistent visual experience of The Highlands.

3.6 ROOFS

As previously stated, all residents at The Highlands will have pitched roofs with the exception that up to 15% of the horizontal roof area may be flat.

Other design considerations for roofs include:

1. Ridge line lengths shall not exceed 45' maximum without a substantial break in plane of 18" or more.

2. Articulation of expansive roof surfaces through the introduction of dormer windows, or a shed roof "lift" with clerestory windows.

The predominant roof material at The Highlands will be heavy-weight three-dimensional thick butt asphalt shingles, with a weight of 315 pounds per square or more. Additionally, the Review Board has determined that, for the sake of contrast and variety, the use of fire-retardant treated wood shingles or shakes; slate, flat concrete tiles, or non-reflective, pre-finished or pre-treated raised-seam or corrugated metal roofs may be permitted. The use of asphalt shingles of standard or medium thickness, any type of barrel or "S" tiles, asphalt roll roofing, or reflective metal surfaces is prohibited

Flat roofs, where allowed, must be finished with colored aggregate ballast or cap sheet matching the walls or other roof material of the residence.

All roof forms, both pitched and flat, are subject to the height limitations described by Design Guidelines Section 3.3.

See related Section 3.10 of these Design Guidelines, regarding projections from roofs.

3.7 CHIMNEYS AND OUTDOOR FIRES

Chimneys are strong design elements integral to any mountain home. They are required by code to extend higher than adjacent rooflines. This makes proportions and materials important. Any flues for fireplaces, boilers, etc., that are exposed to view must be concealed within an enclosure. The Review Board recommends that stone consistent with the design of the building be utilized on the chimney enclosure element. "Tacked-on" or exposed metal flue elements will not be allowed. An architectural metal or masonry chimney cap must conceal the

four sides of the chimney flue and termination cap. Open tops are encouraged, with sides being a minimum of 50% solid for effective screening of the flue and termination cap within.

Due to the potential for fire danger in the high country region, all chimneys must be equipped with a U.L. or I.C.B.O. approved spark arrestor, including outdoor fireplaces. All wood-burning devices, including but not limited to indoor and outdoor fireplaces, fireboxes, stoves, chimneys, etc., must be certified solid fuel-burning devices as defined by Town of Breckenridge building code amendments. Unscreened or uncovered open-flame wood-burning outdoor fire pits of any kind are prohibited. Natural gas-fueled fire pits are allowed. Barbecues are permitted, provided they are lidded cookers. All other types of uncovered portable or freestanding barbecues are prohibited.

3.8 EXTERIOR COLORS

The color of exterior materials must generally be subdued to blend with the natural landscape. Earth tones are recommended, although accent colors, which are used judiciously and with restraint, may be permitted.

In no case will colors approaching the primary range (red, blue, and yellow) or orange be permitted, nor will drastic contrasts in value (light to dark) be allowed. "Light-tan" or "light-gray" siding stains, stucco, or chinking, which approach white or off-white in appearance, will not be allowed. Extreme contrast in colors of individual masonry units or between masonry units and their grout matrix should be avoided.

All color schemes must be approved by the Review Board prior to their application to any portion of a residential structure. Certain color schemes may require on-site approval from the Board. It is the intent at The Highlands to preserve the appearance of the natural landscape and preclude the use of colors that would appear garish or out of place and, therefore, offensive to the eye.

In addition to the stipulations of this section, all exterior color selections shall be in accordance with the comprehensive color standards administered by the Town of Breckenridge.

3.9 WINDOWS, DOORS AND SKYLIGHTS

Highly reflective glazing material and reflective sun screening films are prohibited for use in windows, glazed doors, skylights, or for other exterior applications. In addition, all metal windows, doors, skylight frames, etc. must be painted, anodized, or pre-finished with baked enamel. Raw metal components, especially aluminum or galvanized iron, are prohibited.

3.10 BUILDING PROJECTIONS

All projections from a residence or other structure including, but not limited to, chimney flues, vents, flashing, louvers, gutters, downspouts, utility boxes, mail boxes, porch railings and exterior stairways shall match the surface from which they project, or must be painted or stained an approved color to blend unobtrusively with adjacent materials. All building projections must be contained within the building setbacks.

3.11 GARAGES

Garages for each residence are required, either attached or detached, accommodating at least two automobiles; conventional carports are prohibited. Garage doors may not face directly toward the primary street frontage except for those circumstances where constricted Lot width, irregular Lot shape, or other restricting features of a Lot preclude the utilization of an angled or side entry approach to the garage.

Wood panel, wood sided or wood-faced insulated sectional overhead doors with fenestration or an applied panel pattern sufficient to provide visual relief are strongly recommended. Lightweight hollow metal overhead doors are not allowed. When garage bays exceed two, the third (or third and fourth) door(s) must occur in a secondary building plane, offset by 32 inches minimum, to avoid a continuous uninterrupted wall of three or more garage doors. Garage doors which are highly visible from the roadway must provide additional landscaping or appear secondary to the massing of the structure.

3.12 SOLAR APPLICATIONS

Passive solar design is encouraged. Active solar applications can result in excessive reflective glare, and would only be approved by the Review Board if the hardware is sufficiently integrated into the structure or landscaping of a Lot so as to appear unobtrusive from any other lot or property. No free-standing solar applications are allowed.

3.13 CHANGES OR ADDITIONAL CONSTRUCTION

The Review Board must approve all changes or additions to the approved plans **before** the alteration may be implemented. See appendix for appropriate Forms and Fees to submit with proposed changes or additions.

4. CONSTRUCTION REGULATIONS

4.1 PURPOSE

In order to ensure that the natural landscape and all neighboring properties are respected, and the nuisances inherent to any construction process are kept to a minimum, the following regulations shall be enforced during the construction period of all improvements at The Highlands. Any violation of these regulations by an Owner's agent, representative, builder, contractor, or subcontractor shall be deemed a violation by the Owner.

4.2 CONSTRUCTION COMPLIANCE DEPOSIT

A five thousand dollar ($5,000) Construction Compliance Deposit shall be deposited with the Review Board to be held in escrow until the end of construction to ensure that all design guidelines and regulations have been met, or violation fines paid (see Section 4.3 below). Should the balance of the Construction Compliance Deposit fall below two thousand five hundred dollars ($2,500) for any reason, then it will be necessary to provide an additional deposit to restore the balance to the original five thousand dollars ($5,000). Any costs incurred by the HOA for street sweeping of dirt or mud resulting from construction will be deducted from the deposit. Interest on the escrowed amount and any construction fines or other charges shall accrue to the benefit of the Owner.

In the event that all construction has not been completed, including landscaping and paved driveway, within eighteen (18) months of the commencement of construction, this fee will be forfeited. An extension of six (6) months to complete construction may be requested by submitting a written request to the Design Review Board prior to the expiration of the (18) month time period. This extension may or may not be granted by the Design Review Board depending on the individual circumstances.

4.3 CONSTRUCTION FINES

The Review Board may assess fines for violations of any provision of these guidelines as follows: First violation, two hundred dollars ($300); second violation, five hundred dollars ($500); third violation and subsequent violations, one thousand dollars ($1,000). Should there be an Owner with habitual fines, the Review Board may increase the deposit requirement above the five thousand dollar ($5,000) level. In the event that any person fails to cure (or fails to commence and proceed with diligence to complete the work necessary to cure) any violation of the Design Guidelines, including these Construction Regulations, within fourteen (14) days of the date on the written notice from the Review Board designating the particular violation, the Review Board shall have the power and authority to impose upon that person a subsequent fine as outlined above.

There shall be no limit to the number or the aggregate amount of Violation Fines, which may be levied against a person for the same violation if not timely cured. The Violation Fines, together with interest at the highest lawful rate per annum and any costs of collection, including reasonable attorneys' fees, shall be a continuing lien upon the Lot against which such Violation Fine is made.

In some cases, a fine may be assessed immediately without written notice. This applies to violations witnessed by the Review Board or its representative in areas that are immediate in nature, repetitive, or cause immediate damage, such as noise violations, pets on-site, a port-a-let outside the building envelope, damage to setback areas, beyond construction fencing, or neighboring property, etc. A written notice will be provided to the Owner and Contractor of any immediate fines assessed.

If payment of fines has not been made by the date of a request for final release and return of the construction compliance deposit, the fines will be deducted from the construction compliance deposit.

The continued or habitual violation of these Design Guidelines by a general contractor, sub-contractor, or materials supplier will result in the withdrawal by the Review Board of his/their approval to perform work at The Highlands. It may also result in the assessment of additional construction deposit amounts for future work done within The Highlands.

4.4 CONSTRUCTION STAGING PLAN

An approved construction-staging plan must be submitted for final approval. Any deviation from the plan without prior approval will result in a construction fine. This specifically includes removal or relocation of any construction fencing from the approved location, stockpiling of soil material or construction materials in areas outside the approved areas, and any other provisions of the construction staging plan. The contractor shall keep 1 copy of the approved plan on the job site.

4.5 EROSION CONTROL

It is required that all areas disturbed by construction be permanently stabilized with hydroseeding. Slopes that have an angle greater than 2:1 are also required to provide proper matting. Hand seeding is prohibited. Silt fences shall be installed at all lots where construction activities may result in impacts to the Golf Course from Golf Course lots or to neighboring downhill properties.

4.6 FINAL INSPECTION

Upon completion of construction, the owner or contractor must promptly request in writing a Final Inspection by the Review Board. No Final Inspection will be conducted after November 15th and before May 1st (unless weather conditions allow). No partial release of the construction compliance deposit will be granted. This inspection will determine if the completed building follows the approved plans and will identify any deficiencies to be completed in order to receive a final release. The owner must notify the Review Board representative when all conditions have been completed for a follow-up inspection to occur. Thirty days, with longer periods as established by the Design Review Administrator from the date of the final inspection and a maximum of six (6) months, is the time allowed for all conditions to be completed. When all conditions are satisfied, a Final Release will be issued per section 5.13. If all conditions are not completed within the time allowed, then the Review Board reserves the right to assess fines as outlined in section 4.3. If additional inspections or multiple reviews for outstanding items are

required, additional fees will be billed to the Owner or General Contractor, corresponding to the amount of additional inspection or review work required.

4.7 HEALTH AND SAFETY COMPLIANCE

All applicable statutes, ordinances, or rules pertaining to safety, health, and environmental regulations and guidelines must be observed at all times.

4.8 CONSTRUCTION TRAILERS

Upon commencement of construction, a construction trailer or portable field office may be located on the building site within the Building Envelope, clear of all setbacks. A representative of the Review Board must approve the type, size, and color of any portable office during the pre-construction conference. The field office may not be placed on-site earlier than two weeks prior to the actual onset of continuous construction activity. At the same time, the provision of temporary power and telephone will be determined. A construction trailer may not remain on site for a period of time exceeding six months without written approval of the Review Board.

4.9 TRASH RECEPTACLES AND DEBRIS REMOVAL

Owners and builders shall clean up all trash and debris at the end of each day; an approved trash receptacle must remain on the site at all times for this purpose to contain all lightweight materials or packaging. The receptacle must be positioned on the site alongside the access drive, clear of side and rear setbacks, adjacent road right(s)-of-way and neighboring properties. Trash receptacles must be emptied on a timely basis to avoid overflow of refuse; disposal shall be at a suitable off-site facility. Owners and builders are prohibited from dumping, burying, or burning trash anywhere on the Lot or in The Highlands. Heavy debris, such as broken stone, wood scrap, or the like, must be removed from the site immediately upon completion of the work of each trade that has generated the debris.

All concrete washout, from both trucks and mixers, must occur within the Building Envelope of the Lot in a location where it will ultimately be concealed by a structure or covered by backfill. Washout in road rights-of-way, setbacks, or on adjacent properties is strictly prohibited.

During the construction period, each construction site shall be kept neat and shall be properly policed to prevent it from becoming a public eyesore or detriment to other lots or open space. Any clean-up costs incurred by the Review Board or the Association in enforcing these requirements shall be payable by the Owner. Dirt, mud, or debris resulting from activity on each construction site shall be promptly removed from public or private roads, open spaces, and driveways or other portions of The Highlands. Violations will be addressed consistent with the fine structure outlined in section 4.3.

4.10 SANITARY FACILITIES

Each Owner or builder shall be responsible for providing adequate sanitary facilities for their construction workers. Portable toilets must be located within the Building Envelope, clear of setbacks, unless site conditions dictate otherwise as approved by the Design Review Board Administrator.

4.11 CONSTRUCTION ACCESS

The approved access corridor for the entry drive shall be the only construction access to the lot. See Section 2.1 "Disturbance Envelope" for related information.

The construction access must be stabilized within one week of the start of construction with a minimum pad of 2 inches of aggregate over a filter cloth, for the control of dust and erosion. This temporary driving surface must be maintained and restored as necessary throughout the construction process.

4.12 VEHICLES AND PARKING AREAS

Construction crews will not park on, or otherwise use, undeveloped portions of lots or open space. All vehicles shall be parked within the Building Envelope. During very busy construction periods involving multiple trades such that all construction vehicles cannot be confined to the site proper, the overflow vehicles may be temporarily parked along only one side of the shoulder of the roadway; during these limited occurrences, vehicles must be off the paved surface of the roadway or cul-de-sac to allow continual unconstrained access by normal traffic and emergency vehicles, including fire trucks. There must not be any overnight parking on the street or shoulder of the roadway. Vehicles may not be parked on neighboring lots, in nearby driveways, or on open space. Changing oil or other vehicle maintenance is prohibited.

4.13 CONSERVATION OF NATIVE LANDSCAPING

Trees or plants, which are to be preserved, must be marked and protected by flagging, fencing, or barriers. The Review Board shall have the right to flag major terrain features of plants that are to be fenced for protection. Any trees or branches removed during construction must be promptly cleaned up and removed from the construction site.

4.14 EXCAVATION MATERIALS AND BLASTING

If any blasting is to occur, the Review Board must be notified two weeks in advance, and appropriate approvals must be obtained from the Town of Breckenridge. Blasting may only be done by licensed demolition personnel, with all requisite insurance coverages as mandated by the town and state statutes, specific to their blasting activity at The Highlands. The Review Board shall have the authority to require in writing documentation of anticipated seismic effects, with confirmation that such effects will not be injurious to other persons or properties, public or private, and that all appropriate protection measures have been utilized.

All excess materials resulting from blasting as well as all other excess excavation materials must be removed from The Highlands.

4.15 DUST AND NOISE CONTROL

The contractor shall be responsible for controlling dust and noise from the construction site, including the removal of dirt and mud from public or private roads that is the result of construction activity on the site.

The sound of radios or of other audio equipment must not be audible beyond the property perimeter of any Lot; repeated violations of this provision will result in the total prohibition of any on-site use of radios or audio equipment during construction. Where warranted, fines will be levied consistent with section 4.3.

4.16 MATERIAL DELIVERIES

All building materials, equipment and machinery required to construct a residence on any Lot at The Highlands must be delivered to and remain within the Building Envelope or driveway of each Lot, clear of all setbacks. This includes all building materials, earth-moving equipment, trailers, generators, mixers, cranes and any other equipment or machinery that will remain at The Highlands overnight. Material delivery vehicles may not drive across adjacent Lots or tracts to access a construction site.

4.17 FIREARMS

The possession or discharge of any type of firearm by construction personnel on any construction site, Lot, or Common Elements within The Highlands is prohibited.

4.18 ALCOHOL AND CONTROLLED SUBSTANCES

The consumption of alcohol or use of any controlled substance by construction personnel on any construction site, Lot, or Common Elements within The Highlands is prohibited.

4.19 FIRES AND FLAMMABLE MATERIALS

Careless disposal of cigarettes and other flammable materials, as well as the build-up of potentially flammable materials constituting a fire hazard, are prohibited. At least two 20-pound ABC-Rated Dry Chemical Fire Extinguishers shall be present and available in a conspicuous place on the construction site at all times, in addition to the requirements of the Red, White and Blue Fire District.

No on-site fires are allowed, except small, confined, attended fires for the purpose of heating masonry water.

4.20 PETS

No pets, particularly dogs, may be brought onto the property by a member of any construction crew.

4.21 PRESERVATION OF PROPERTY

The use of or transit over any other Lot, Common Elements, or amenity is prohibited. Similarly, the use of or transit over the natural area or setbacks outside the Building Envelope or driveway of any lot is prohibited. Construction personnel shall refrain from parking, eating, depositing rubbish, or depositing scrap materials (including concrete washout) on any neighboring Lot, tract, or right-of-way.

4.22 RESTORATION OF PROPERTY

Upon completion of construction, each Owner and builder shall clean his construction site and repair all property which has been damaged, including but not limited to, restoring grades, planting shrubs and trees as approved or required by the Review Board, and repair of streets, driveways, pathways, drains, culverts, ditches, signs, lighting and fencing.

In addition, the Owner and general contractor shall be held financially responsible for the cost of site restoration/re-vegetation and refuse removal necessitated on any and all adjacent properties as a result of trespass or negligence by their employees or sub-contracted agents.

4.23 CONSTRUCTION SIGNAGE

Temporary construction signs shall be limited to three signs per site, not to exceed six (6) square feet of total surface area. This sign is intended primarily for job site identification; therefore, it must be located within the Building Envelope, facing the street frontage of the Lot. It may identify the general contractor, architect, lending institution, and/or interior designer by name with address, license number, and telephone number(s), and it may identify the job site by Lot number or Owner's name. The sign shall be free-standing, not to exceed four (4) feet in height above natural grade. The sign's design, color, style, text, duration of display, and location upon the Lot must be approved in advance by the Review Board. The construction sign may not be erected on a site earlier than two weeks prior to the onset of continuing construction activity and must be removed within two weeks of the issuance of a certificate of occupancy by the Town, or immediately upon the passage of 30 calendar days without significant construction activity. The general contractor of a completed market home may apply to the Review Board for continuation of his construction sign for advertising and sales purposes after construction has been completed, until such time that a contract for sale has been executed.

Individual signs, or construction sign attachments identifying individual sub-contractors, tradesmen, or suppliers are prohibited; identification of licensed tradesmen, when required by state or city statutes, shall be confined to the posting location of the building permit.

Attachment of signs or similar material to trees is strictly prohibited.

4.24 DAILY OPERATION

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

4.25 SITE VISITATIONS

Due to the inherent danger associated with an active construction site, visitors to any site should be limited to those persons with official business relating to the construction activity, such as construction workers and tradesmen, building officials, security staff, design review observers, sales personnel, and the Owner. Construction personnel should not invite or bring family members or friends, especially children, to the job site.

4.26 CONSTRUCTION INSURANCE REQUIREMENTS

All contractors and sub-contractors must post evidence of insurance with their Owner prior to entering the construction premises. The required insurance must provide coverage not less than the applicable limits of coverage relating to comprehensive general liability, automobile liability, and workmen's compensation.

5. DESIGN REVIEW PROCEDURES

Site-sensitive, site-specific design shall be fundamental at The Highlands. Design drawings should evolve from the careful and thorough analysis of a site's specific setting and features. Therefore, Owners and/or their architect should refrain from approaching a site with a predetermined design expecting to "make it fit", with little regard to natural constraints. The Highlands has established this review procedure to assist the applicant through the design process in its appropriate sequence.

Plans and specifications shall be submitted to the Review Board in accordance with the following conference and submittal requirements and review procedures.

5.1 PRE-DESIGN CONFERENCE

Prior to preparing preliminary plans for any proposed improvement, it is mandatory that the architect and preferable that the Owner meet with the Design Review Administrator to discuss proposed plans and to resolve any questions regarding building requirements at The Highlands. This informal review is to offer guidance prior to initiating preliminary design, and usually occurs on site. A copy of the survey must be available for review at this meeting. Additionally, any standing or fallen dead or pine beetle infested or diseased trees that have not been removed from the site in accordance with Town of Breckenridge ordinance and Homeowner Association requirements must be removed prior to any construction fencing installation. A $200.00 fee is assessed for this meeting. Please provide a check made out to The Highlands at Breckenridge at the beginning of the meeting.

5.2 PRELIMINARY DESIGN SUBMITTAL

When the preliminary design is complete, plans that are submitted must include all of the following exhibits; no review will commence until the submittal is complete:

1. A completed copy of the Design Review Application and Preliminary Design Review Checklist (see Appendix E).

2. To facilitate diversity of architectural styles, please provide color photographs of all existing homes within 100 feet of the front property line, including those adjacent and across the street, for comparison purposes. This requirement does not include houses adjacent to rear lot lines.

3. Site plan (scale at 1" = 10' or 1" = 8') showing the entire property, location of the proposed Building Envelope, the residence and all buildings, with roof plans showing all ridge heights labeled per site grades, driveway, parking area, existing and proposed topography, proposed finished floor elevations, all trees of 8-inch diameter or greater at chest height with approximate drip lines, special terrain features to be preserved and trees to be removed, all utility sources and connections, and site walls.

4. Preliminary landscape plan (scale at 1" = 10' or 1" = 8') showing general layout with size and types of materials to be used. The landscape plan may be combined with the site plan.

5. Survey (scale 1" = 10' or 1" = 8') by a registered land surveyor or licensed civil engineer showing Lot boundaries and dimensions, topography (2-foot contours or less), major terrain features, all trees of 8-inch diameter or greater at chest height with approximate drip lines, edge of pavement, and utility locations.

6. Floor plans (scale 1/4" or 1/8" = 1'0") showing proposed finished floor elevations and square footage figures.

7. All exterior elevations (scale 1/4" or 1/8" = 1'0") showing both existing and proposed grade lines, plate heights, ridge heights, roof pitch, building heights related to site grades, and a preliminary indication of all exterior materials.

8. A preliminary material/color board **(8 1/2" x 11" size maximum).** No color copies of the proposed materials are permitted. Material and color samples may be obtained from the various manufacturers.

9. A colored front or street elevation of the building using the selected materials and colors proposed.

10. If the Committee deems it appropriate due to slope considerations or complexity of design, a study model may be required (same scale as site plan), which accurately depicts all the proposed improvements and their relationship to the site.

11. Any other drawings, materials, or samples requested by the Review Board.

12. A design review fee in the amount of 75 cents per gross enclosed square foot of residence, decks, patios, exterior stairs, and accessory buildings. An applicant may not advance to Final Design review unless this fee has been paid in full. A minimum design review fee of $3,750 is required.

13. A letter from the Association stating that all Association dues, fees, and other charges have been paid. The Review Board shall not take any action on a submittal if any amounts are delinquent.

The submittal shall consist of one set of prints and a digital copy of everything, which shall be retained by the Review Board.

A complete Preliminary Design Submittal must be received at the designated address of the Review Board (see Design Guidelines Section 6.4) by 12:00 p.m. on the Friday preceding a scheduled meeting of the Review Board, in order to be included on the agenda for consideration. All such submittals received during each Saturday through Friday time span, regardless of the actual date submitted, shall bear an "effective date of submittal" which corresponds to the Friday ending that particular week's span. To be accepted, the submittal must be complete with all items listed above.

5.3 PRELIMINARY DESIGN REVIEW

The preliminary approval shall not be an approval for construction of any kind, and will be valid for a period of six (6) months, after which it will expire.

The Review Board will meet to review the submittal and will respond in writing within 10 days after its meeting, barring unavoidable delays, but no later than 30 days after the effective date of submittal. If a preliminary submittal is denied, any subsequent preliminary submittal will incur an additional review fee of $750 or more, with possible higher fees corresponding to more extensive review work if required.

Results of reviews will not be discussed over the telephone by members of the Review Board with an Owner or his architect or builder, and no Owner, architect or builder shall have the right to attend any meeting of the Review Board unless specifically permitted by the Review Board.

Any response an Owner may wish to make regarding the results of a design review must be addressed to the Review Board in writing.

5.4 FINAL DESIGN SUBMITTAL

After preliminary approval is obtained from the Review Board, the following documents are to be submitted for final review; no review will commence until the submittal is complete:

1. A cover letter stating how all conditions of the preliminary approval letter have been addressed.

2. A completed copy of the final design review checklist (see Appendix E).

3. Site plan (scale at 1" = 10' or 1" = 8') showing the entire property, location of the Building Envelope, the residence and all buildings, with roof plans showing all ridge heights labeled per site grades, driveway, parking area, existing and proposed topography, finished floor elevations, all protected plants or special terrain features to be preserved, trees to be removed, all final utility sources and connections including meters, and site walls with cross-sections.

4. Separate landscape plan (scale 1" = 10' or 1" = 8') showing size and type of all proposed plants, irrigation system, all decorative materials or borders, and all retained plants.

5. Foundation plan (scale 1/4" or 1/8" = 1'0") showing finished floor elevations.

6. Roof plan (scale 1/4" = 1'0") showing all roof pitches and roof ridge heights labeled per site grades.

7. Building section (scale 1/4" = 1'0" or larger) indicating existing and proposed grade lines.

8. All exterior elevations (scale 1/4" = 1'0") showing both existing and proposed grade lines, plate heights, roof pitch, building heights related to site grades, and an indication of exterior materials and colors.

9. A final material/color board (unless unchanged from preliminary submittal) with paint chips and samples as requested by the Review Board depicting or describing all exterior materials **(8 1/2" x 11" size maximum).** No color copies of the materials are permitted.

10. Construction details of the exterior of the building such as trim, fascia, material transitions, railings, column caps, chimney enclosures and shrouds, stairways and others as required.

11. Lighting plan showing locations of all exterior lighting either in plan or elevation and cut sheets of all exterior lighting fixtures.

12. Construction staging plan delineating the areas of site disturbance, the location of construction fencing, identifying the location of staging areas and the construction trailer, if any, depicting the type and location of tree protection barriers with tree protection signage, identifying topsoil storage areas and construction material storage areas, dumpster, contractor parking and port-a-let location, construction signage location and construction schedule.

13. On-site staking of all building corners and other improvements, if requested by the Review Board.

14. The Construction Compliance Deposit required by Section 4.2.

The submittal shall consist of one set of prints and a digital copy of everything, which shall be retained by the Review Board.

A Final Design Submittal must be received at the designated address of the Review Board (see Design Guidelines Section 6.4) by 12:00 p.m. on the Friday preceding a scheduled meeting of the Review Board, in order to be included on the agenda for consideration. All such submittals received during each Saturday through Friday time span, regardless of the actual dated submitted, shall bear an "effective date of submittal" which corresponds to the Friday ending that particular week's span.

5.5 DEFERRAL OF MATERIAL OR COLOR SELECTION

An applicant may wish to delay the confirmation of final landscaping intentions (if any) and final color or stonework selections until some point in time after the start of construction in order to better visualize landscape considerations, or to test an assortment of potential colors with actual materials intended for use. The Review Board will cooperate with the applicant in this regard, provided that no landscape work may be started, nor color or material applied, until such time as the Review Board has had the opportunity to review and consent to the final selections. We advise that the re-submittal should occur before the placement of any orders for materials to avoid potential restocking costs in the event of denial of the submitted item(s). Further, the provision stated here shall be a condition of Final Design Approval; therefore, application of any material, coating, or finish without the requisite re-submittal to the Review Board shall have the effect of voiding the approval in its entirety, and a fine per Section 4.3 may be imposed**. This deferral in no way eliminates the need to provide a preliminary indication of the applicant's intentions as required by the Preliminary Design Submittal.**

5.6 SITE INSPECTION

As soon as the submission of final plans is complete, a representative of the Review Board will inspect the Lot to determine that the conditions as depicted in the final submittal are accurate and complete.

5.7 FINAL DESIGN REVIEW

The Review Board will meet to review the submittal and will respond in writing within 10 days after their meeting, barring unavoidable delays, but no later than 30 days after the effective date of submittal.

Results of reviews will not be discussed over the telephone by members of the Review Board with an Owner, or his architect or builder, and no Owner, architect or builder shall have the right to attend any meeting of the Review Board unless specifically permitted by the Review Board. Any response an Owner may wish to make regarding the results of a design review must be addressed to the Review Board in writing.

The Review Board's approval of a Final Design Submittal shall remain valid for a period of twelve (12) months. If construction of the residence has not commenced within the twelve months which follow the Board's granting of final approval, the approval will expire. Once a Final Design Submittal is approved, the applicant and his or her Builder may request a Pre-Construction Conference.

5.8 APPEALS, LATE SUBMITTALS AND RE-SUBMITTAL OF PLANS

The Design Review Board will review an appeal of a decision it has made, subject to prior receipt of a fee of five hundred dollars ($500.00). Plans submitted after a cut-off date may be accepted for review at the discretion of the Architectural Administrator and subject to the prior receipt of a late submittal fee of two hundred and fifty dollars ($250.00).

In the event of any disapproval by the Review Board of either a preliminary or a final submittal, a resubmission of plans must follow the same procedure as an original submittal. The Review Board will assess an additional design review fee of $750 or more, with possible higher fees corresponding to more extensive review work if required, as it deems appropriate, on subsequent submittals that diverge substantially from previously reviewed applications for the same site, whether previously approved or denied.

5.9 PRE-CONSTRUCTION CONFERENCE

Prior to commencing construction, the builder must meet with a representative of the Review Board to review construction procedures and coordinate his activities in The Highlands. A fee of $350 is assessed for this meeting, to be paid at the beginning of the meeting by check made out to Braddock Hill POA. Should a builder begin any construction activities prior to this meeting, a fine of one thousand dollars ($1,000) will be imposed per Section 4.3.

All standing or fallen dead or pine beetle infested or diseased trees must be removed from the site in accordance with Town of Breckenridge ordinance and Homeowner Association requirements before a Pre-Construction Conference will be held.

The Owner and Builder/Contractor, prior to commencement of construction, will each be required to sign an affidavit (Appendix E) stipulating that each has received a copy of the Design Guidelines, has read them and is fully familiar with their contents, including the sections relating to Enforcement and Liability, Construction Compliance Deposits, Construction Fines, Final

Inspection and Final Release. Construction may not commence until signed affidavits from both the Owner and Builder/Contractor have been received by the Review Board. Failure of Review Board to receive such affidavits prior to commencement of construction will result in the immediate imposition of a one thousand dollar ($1,000) fine.

5.10 COMMENCEMENT OF CONSTRUCTION

Upon receipt of final approval from the Review Board, and having satisfied all applicable Town of Breckenridge review processes, the Owner shall satisfy all conditions of approval and commence the construction of any work pursuant to the approved plans within one year from the date of such approval.

If the Owner fails to begin construction within this time period, any approval given shall be automatically revoked.

If construction of an approved residence does not commence within 12 months of final approval, it will be subject to a seven hundred fifty dollar ($750) re-submittal fee and must be reviewed for compliance with the then-current Design Guidelines. Additional fees will be assessed based upon the time involved with the re-review required.

The Owner shall, in any event, complete the construction of any improvement of his Lot within 18 months after commencing construction thereof, except and for so long as such completion is rendered impossible or would result in great hardship to the Owner due to labor strikes, fires, national emergencies or natural calamities.

See Section 4.2, regarding forfeiture of construction compliance deposit.

If the Owner fails to comply with this schedule, or if the diligent and earnest pursuit of the completion of the improvement ceases, or is abandoned for a period of one calendar month, or a cumulative period of four weeks during any eight-week span, the Review Board may, upon the passage of sixty days after written notification to the Owner, proceed to have the exterior of the improvement completed in accordance with the approved plans, or remove the improvement and restore the Lot to its pre-construction condition to the greatest degree possible. All costs relating to the completion or removal shall be borne and reimbursed to the Review Board by the Owner, to be secured by a continuing lien on the Lot.

5.11 INSPECTIONS OF WORK IN PROGRESS

The Review Board may inspect all work in progress and give notice of noncompliance. Absence of such inspection or notification during the construction period does not constitute an approval by the Review Board of work in progress or compliance with these Design Guidelines.

5.12 CHANGES DURING CONSTRUCTION

Changes or other improvements to a residence proposed during construction of the residence, including landscaping and color or material modifications, must be submitted to the Review Board for approval prior to making such changes or improvements.

The review fee for any change request will be two hundred and fifty dollars ($250) plus 75 cents per square foot of any gross enclosed area, decks, patios, and exterior stair changes as a minimum fee, with possibly higher fees corresponding to more extensive review work if required. This correlates to the relative costs for duplicated review efforts of subsequent submittals which diverge substantially from previously reviewed applications for the same site, whether previously approved or denied. To receive a review of any change, a submittal must be made outlining the intended improvement. All drawings must be of professional quality with sufficient design detail. See the appendix for the appropriate Modification Form.

5.13 SUBSEQUENT MINOR CHANGES OR IMPROVEMENTS

Additional construction or other improvements to a residence or Lot, after completion of an approved structure, must be submitted to the Review Board for approval prior to making such changes or improvements. Minor changes or improvements after construction, such as exterior hot tub additions and color scheme changes, are included in this category.

Minor new landscaping improvements within the building envelope do not require approval from the Review Board. Clarifications on what constitutes a minor landscaping improvement can be received by contacting the Design Review Administrator.

Certain very minor changes or replacements may be reviewed and approved by the Review Board alone, in its sole discretion, without assessment of a review fee. Those minor changes or improvements which are considered to require a professional review by the Design Review Administrator will be assessed a fee of $500.00. All requests for review and approval must be formally submitted with a text description and drawings of professional quality and in sufficient detail. Please see Appendix E for the requested form of submittal.

5.14 SUBSEQUENT MAJOR CHANGES, REMODELS OR ADDITIONS

Additional construction or other improvements to a residence or Lot, after completion of an approved structure, must be submitted to the Review Board for approval prior to making such changes or remodels or additions.

The minimum review fee for any major change, remodel, or addition will be $1,500.00 plus 75 cents per square foot of any gross enclosed area, decks, patios, and exterior stairs as a minimum fee, with possible higher fees corresponding to more extensive review work if required. All requests for review and approval must be formally submitted with a text description and drawings of professional quality and in sufficient detail. Please see Appendix E for the requested form of submittal.

The Review Board's approval of a Major Change, Remodel or Addition shall remain valid for a period of twelve (12) months. If construction of the Major Change, Remodel or Addition has not commenced within the twelve months which follow the Board's granting of approval, the approval will expire. Pre-Construction Meetings and Construction Compliance Deposits may or may not be required depending on the extent of the improvements.

5.15 FINAL RELEASE

After the final inspection has been completed per Section 4.6, and upon completion of all outstanding conditions that are identified at that inspection, the Owner shall give written notice of completion of all conditions to the Review Board. If this notice is not received within 30 days of the date of final inspection, a fine may be issued with a written notice of noncompliance.

Within 30 days of such owner notification, a representative of the Review Board will inspect the residence for completion of all outstanding conditions. If all conditions have been completed and all improvements comply with these Design Guidelines, the Review Board will issue a written approval to the Owner, constituting a final release of the improvements by the Review Board, which release is to be issued within 30 days of the follow-up inspection.

If it is found that the work was not done in strict compliance with the approved plans or any portion of these Design Guidelines, the Review Board may issue a written notice of noncompliance to the Owner, specifying the particulars of noncompliance, which notice is to be issued within 30 days of the follow-up inspection.

The Owner shall have 30 days from the date of notice of noncompliance within which to remedy the non-complying portions of his improvement. Longer periods may be allowed if identified in the notice of noncompliance. If, by the end of this time period, the Owner has failed to remedy the noncompliance, the Review Board may take action to remove the non-complying improvements as provided for in these Design Guidelines, including, without limitation, injunctive relief or the imposition of a fine.

The Construction Compliance Deposit will be returned, less the street sweeping fee and any outstanding violation fines or fees, once a final release has been issued indicating all improvements, including landscaping and paving, are completed in conformance with the approved plans.

If the Review Board fails to issue a Final Release, and also fails to issue a notice of noncompliance to the Owner, within one year of the Review Board's receipt of the Owner's written notice of completion, the completed improvements shall be deemed to be in compliance with plans as approved by the Review Board, and in compliance with these Design Guidelines.

5.16 NONWAIVER

The approval by the Review Board of any plans, drawings, or specifications for any work done or proposed shall not be deemed to constitute a waiver of any right to withhold approval of any similar plan, drawing, or specification subsequently or additionally submitted for approval. Failure to enforce any provision of these Design Guidelines shall not constitute a waiver of same.

5.17 RIGHT OF WAIVER OR VARIANCE

The Review Board reserves the right to waive or vary any of the procedures or standards set forth herein at its discretion, for good cause shown. Upon submission of a written narrative request for a variance or waiver of one or more provisions of these Design Guidelines, the Review Board may, from time to time, in its sole discretion, permit Owners to construct, erect, or install improvements which are in variance with these Design Guidelines. No member of the Review Board shall be liable to any Owner or other person for any claims, causes of action, or

damages arising out of the granting or denial of any variance request by an Owner or his agent. Each request for a variance submitted hereunder shall be reviewed separately and apart from other such requests, and the grant of a variance to any Owner shall not constitute a waiver of the Review Board's right to strictly enforce these Design Guidelines against any other Owner. Each such written request must identify and set forth in narrative detail the specific guideline or standard from which a variance is sought, describe in detail the exact nature of the variance sought and be accompanied by the appropriate fee, as prescribed by the Review Board. Any grant of variance by the Review Board must be in writing and must identify in narrative detail both the standard from which a variance is being sought and the specific variance being granted. See the appendix for the appropriate Form and Fee.

5.18 EXEMPTIONS

Utility and maintenance buildings, structures, and cabinets located on non-residential tracts are exempted from the "Architectural Design Standards" portion of this document. However, the Review Board will endeavor to attain as high a level of conformance with these standards as is practical for these types of facilities.

The reconstruction by the Association or the Declarant after damage or destruction by casualty or otherwise of any Common Elements which is accomplished in substantial compliance with "as built" plans for such Common Elements shall not require compliance with the provisions of these Design Guidelines.

Re-painting or re-staining associated with the prudent maintenance of an existing residence does not require subsequent approval by the Review Board, provided the paint/stain colors are identical to those initially approved by the Review Board for application to the residence.

5.19 DESIGN REVIEW FEE

A design review fee is calculated at 75 cents times the gross of enclosed space, decks, patios, exterior stairs, and accessory buildings. A minimum design review fee of three thousand seven hundred and fifty dollars ($3,750) is required. The fee is assessed at the time of preliminary design submittal, on new construction. The fee covers the preliminary review and a final review. Additional reviews may be assessed additional fees based upon the time involved with the reviews. Changes during construction and subsequent changes, remodels, or additions to existing structures will be assessed fees as outlined in Section 5.12, 5.13, and 5.14. The fee is non-refundable regardless of whether or not the Owner elects to proceed with construction.

Variance requests will also be assessed a fee, as determined by the Review Board. The fee is non-refundable regardless of whether or not the variance is granted or denied.

All fees shall be paid with a check made payable directly to the Highlands at Breckenridge.

6. REVIEW BOARD ORGANIZATION

6.1 MEMBERS

As provided in Article IX of the Declaration, the Review Board shall consist of the members of the Board of Directors of the Association, or appointees thereof.

6.2 DELEGATION OF AUTHORITY

The Review Board may delegate its design and plan review responsibilities to one or more of its members, acting as a subcommittee of the Review Board, and/or professional design consultants retained by the Review Board on behalf of the Association. Upon such delegation, the approval or disapproval of plans and specifications by such member or consultants shall be equivalent to approval or disapproval by the entire Review Board.

6.3 DUTIES

It shall be the duty of the Review Board to perform those duties specified in the Declaration and these Design Guidelines, to consider and act upon such proposals or plans related to the construction of improvements within The Highlands project as are submitted pursuant to the Declaration and these Design Guidelines, to enforce the architectural provisions of the Declaration and these Design Guidelines, and to amend these Design Guidelines whenever, and in a manner, deemed appropriate by the Review Board.

6.4 ADDRESS OF REVIEW BOARD

The address of the Review Board shall be the address established for giving notice to the Association, unless otherwise specified by the Review Board.

The present address for the Braddock Hill Association Design Review Board is:

The Braddock Hill Design Review Board
Post Office Box 8029
Breckenridge, Colorado 80424
HOA@AEpropertymanagement.com

All plans must be submitted to the current Design Review Administrator at:

Adam Savage
Post Office Box 871
737 Ten Mile Drive, STE 201
Frisco, CO 80443
Adam@SavageArchitecture.com

6.5 MEETINGS

The Review Board shall convene at least once monthly as necessary to properly perform its duties. The vote of a majority of the members shall constitute an act by the Board. The Braddock Hill Association Design Review Board typically meets on the 2nd Thursday of each month. Additional meetings may be scheduled when the volume of submittals warrants.

The Review Board shall keep on file all submittals and copies of all written responses to Owners to serve as a record of all actions taken.

6.6 COMPENSATION

Unless authorized by the Association, the members of the Review Board shall not receive any compensation for services rendered. However, a professional design consultant, retained to advise and assist the Review Board, may be paid such compensation as the other Review Board members determine.

All members shall be entitled to reimbursement for reasonable expenses incurred by them in connection with their performance of their duties. Professional consultants or representatives of the Review Board retained for assistance in the review process shall be paid such compensation as the Review Board determines.

6.7 AMENDMENT OF DESIGN GUIDELINES

The Review Board may, from time to time and at its sole discretion, amend or revise any portion of these design guidelines. All such amendments or revisions shall be appended to and made a part of the Design Guidelines. Each Owner is responsible for obtaining from the Review Board a copy of the most recently revised Design Guidelines.

6.8 NONLIABILITY

Plans and specifications shall be approved by the Review Board as to style, exterior design, appearance and location, and are not approved for engineering design or for compliance with zoning and building ordinances, and by approving such plans and specifications, neither the Review Board, the members or agents thereof, the Association, the Board of Directors of the Association, nor the Declarant assumes any liability or responsibility therefor, or for any defect in any structure constructed from such plans and specifications. Neither the Review Board, any member or agent thereof, the Association, the Board of Directors of the Association, nor the Declarant shall be liable to any Owner or other person for any damage, loss or prejudice suffered or claimed on account of:

1. the approval or disapproval of any plans, drawings and specifications, whether or not defective;

2. the construction or performance of any work, whether or not pursuant to approved plans, drawings and specifications;

3. the development, or manner of development, of any property within The Highlands project; or,

4. the execution and filing of a compliance or non-compliance certificate pursuant to these Design Guidelines, whether or not the facts therein are correct; provided, however, that such action, with the actual knowledge possessed by him, was taken in good faith.

Every Owner or other person, by submission of plans and specifications to the Review Board for approval, agrees that he will not bring any action or suit against the Review Board, any of its members or agents, the Association, the Board of Directors of the Association, or the Declarant, regarding any action taken by or on behalf of the Review Board. Approval by the Review Board of plans and specifications by or on behalf of the Review Board, or of the construction of any improvement at The Highlands, refers only to these Design Guidelines, and in no way implies, and shall not be deemed to be a representation or warranty that the submitted plans or specifications for the improvement comply with applicable governmental ordinances or regulations including, but not limited to, zoning ordinances and building codes.

6.9 ENFORCEMENT

The Review Board or its representative may, at any time, inspect a Lot or improvement and, upon discovering a violation of these Design Guidelines, provide a written notice of noncompliance to the Owner and Contractor causing the noncompliance, including a reasonable time limit within which to correct the violation. If an Owner or Contractor fails to comply within this time period, the Review Board or its authorized agents may enter the Lot and correct the violation at the expense of the Owner of such Lot; said expense to be secured by a lien upon such Lot enforceable in accordance with the Declaration. In some cases, a fine may be assessed immediately without written notice.

In the event of any violation of these Design Guidelines, the Review Board may, at its sole discretion and in addition to restoration or completion expenses, impose without limitation a punitive fine, commensurate with the severity of the violation.

The Board of Directors may adopt rules and regulations consistent with this section for its administration and enforcement, including without limitation the adoption of monetary fines and fees for the failure to comply with the Braddock Hill Design Guidelines. Fines, fees, and administrative costs imposed by the Board of Directors, if any, are in addition to the enforcement remedies available to the Board of Directors and the Association. All remedies provided herein, in any adopted rules and regulations of the Board of Directors, or at law or in equity shall be cumulative and not exclusive.

6.10 SEVERABILITY

If any provision of these Design Guidelines, or any section, clause, sentence, phrase or word, or the application thereof in any circumstance, is held invalid, the validity of the remainder of these Design Guidelines, and of the application of any such provision, section, sentence, clause, phrase or word in any other circumstances, shall not be affected thereby, and the remainder of these Design Guidelines shall be construed as if such invalid part were never included therein.

6.11 OBLIGATION OF OWNERS TO MAINTAIN LOTS

The adoption of these Design Guidelines, including the standards and procedures for architectural approval, shall not be construed as changing any rights, obligations or restrictions upon Owners to maintain or repair their Lots as may otherwise be specified in the Declaration or the rules and regulations of the Association.

6.12 INSPECTION OF CONSTRUCTION

Any member or authorized consultant of the Review Board, or any authorized officer, director, employee or agent of the Association, may at any reasonable time enter, without being deemed guilty of trespass, upon any Lot after reasonable notice to the Owner, in order to inspect improvements constructed or being constructed on such Lot to ascertain that such improvements have been or are being built in compliance with these Design Guidelines and the Declaration.

6.13 RELIANCE BY SUBSEQUENT OWNERS

As to purchasers and encumbrances of a Lot in good faith and for value, unless notice of non-completion or non-conformance identifying the violating Lot and specifying the reason for the notice, executed by the Review Board, shall be recorded with the Summit County Clerk and given to the Owner of such Lot within one year after the expiration of the one-year time limitation for completion imposed under Design Guidelines Section 5.10, or, if later, within one year following completion of the improvement, or unless legal proceedings shall have been instituted to enforce compliance or completion within such one-year period, the completed improvement shall be deemed to be in compliance with the architectural standards of these Design Guidelines and the Declaration.

7. PROMULGATION AND BINDING EFFECT

These Design Guidelines are promulgated by the Review Board in accordance with, and pursuant to the authority granted in, Article IX, Declaration of Land Use Restrictions for The Braddock Hill Subdivision (the "Declaration"), recorded December 14, 1995, Reception No. 505237 in the public records of Summit County, Colorado. These Design Guidelines shall be deemed incorporated into the Declaration for all intents and purposes and shall be binding upon all Lots within The Highlands project and upon all Owners or other persons having any interest in or to a Lot within The Highlands project subject to the Declaration and any Supplemental Declaration involving the lots at The Highlands. In the event of any conflict or inconsistency between the provisions of these Design Guidelines and the provisions of the Declaration pertaining to architectural control, standards or procedures, or to the Review Board, the provisions of these Design Guidelines shall be controlling.

APPENDIX A - INDIGENOUS PLANT LIST

TREES

Populus tremuloides	Aspen
Populus angustifolia	Narrowleaf Cottonwood
Populus balsamifera	Balsam Poplar
Picea engelmannii	Engelmann Spruce
Picea pungens	Colorado Spruce
Pinus aristata	Bristlecone Pine
Pinus contorta 'latifolia'	Lodgepole Pine
Abies lasiocarpa	Alpine Fir

SHRUBS

Alnus tenufolia	Thin leaf Alder
Betula glandulosa	Bog Birch
Ribes inerme	Gooseberry
Ribes alpinum	Alpine Currant
Ribes aureum	Golden Currant
Ribes cereum	Squaw Currant
Juniperus communis	Common Juniper
Mahonia repens	Creeping Mahonia
Lonicera involucrata	Twinberry Honeysuckle
Arctostaphylos uva-ursi	Kinnikinnick
Salix spp.	Willows
Artemisia tridentata	Bigleaf Sage
Rosa woodsia	Wood's Rose
Rubus idaeus v. strigosis	Wild Raspberry
Potentilla species	Native Potentilla
Sambucus pubens	Red-berried Elder
Chrysothamnus nauseosus	Rabbitbrush

GRASSES

Summit County Grass Seed Mix

FLOWERING PLANTS

Rocky Mountain Penstemon	Rocky Mountain Columbine
Common Yarrow	Western Native Columbine
Native Lupine	Indian Paintbrush
Pasque Flower	Cinquefoil
Native Sedum	Old-Man-on-the-Mountain
Pussytoes	Rocky Mountain Locoweed
Monkshood	Marsh Marigold
Shooting Star	Wild Strawberry
Gentian	Sticky Geranium
Blue Bells (Mertensia)	Money flower
Delphinium	Pink Plumes (Geum)

APPENDIX A - INDIGENOUS PLANT LIST

FLOWERING PLANTS (continued)

Jacob's Ladder
Sulfur's Flower
Rocky Mountain Penstemon
Common Yarrow
Native Lupine
Indian Paintbrush
Cinquefoil
Hybrid Sedums
Pussytoes
Fernleaf Fleabane
Fireweed
Shooting Star
Domestic Strawberry
Sticky Geranium
Delphinium
Blue Bells (Mertensia)
Pink Plumes (Geum)
Sulfur Flower
Hybrid Columbine
Anthemis
Blue Flax
Campanula
Gaillardia
Maltese Cross
Iceland Poppy
Veronica, creeping
Garden Sage
Beebalm
Chamomile
Costmary
Lovage
Wormwood

Creeping Phlox
Showy Fleabane
Rocky Mountain Columbine
Western Native Columbine
Russell's Hybrid Lupine
Pasque Flower
Native Sedum
Old-Man-on-the-Mountain
Rocky Mountain Locoweed
Showy Fleabane
Monkshood
Wild Strawberry
Gentian
Hybrid Geraniums
Monkeyflower
Jacob's Ladder
Hybrid Geum
Creeping Phlox
Penstemons
Alliums
Wolf's Alyssum
Dianthus
Hens' Chicks
Meadow Rue
Hybrid Yarrow
Thyme
Chives
Mints
Comfrey
Horseradish
Tansy

APPENDIX B - APPROVED NATIVE AND COMPATIBLE PLANTS
Supplemental Irrigation Required

TREES

Populus tremuloides	Aspen
Populus angustifolia	Narrowleaf Cottonwood
Picea engelmannii	Engelmann Spruce
Picea pungens	Colorado Spruce
Pinus aristata	Bristlecone Pine
Pinus contorta 'latifolia'	Lodgepole Pine

SHRUBS

Betula glandulosa	Bog Birch
Ribes inerme	Gooseberry
Ribes alpinum	Alpine Currant
Ribes aureum	Golden Currant
Ribes cereum	Squaw Currant
Juniperus communis	Common Juniper
Mahonia repens	Creeping Mahonia
Lonicera involucrata	Twinberry Honeysuckle
Lonicera tatarica 'A.R.'	Arnold's Red Honeysuckle
Arctostaphylos uva-ursi	Kinnikinnick
Salix spp.	Willows (Bluestem, Creeping, Mountain)
Artemisia tridentata	Bigleaf Sage
Rosa woodii	Wood's Rose
Rubus idaeus v. strigosis	Native Raspberry
Potentilla species	Cinquefoil (Many cultivars)
Alnus tenufolia	Thin Leaf Alder
Sambucus pubens	Red-Berried Elder
Sambucus canadensis 'aurea'	Golden Elder
Syringa x.prestoniae	Canadian Lilac
Syringa s.swegiflexa	Miss Canada & James McFarland
Cotoneaster acutifolius	Peking Cotoneaster
Caragana arborescens	Siberian Pea shrub
Chrysothamnus nauseosus	Rabbitbrush

GROUNDCOVERS AND VINES

Cerastium tomentosa	Snow in Summer
Mahonia repens	Creeping Mahonia
Potentilla anserina	Silverweed
Ranunculus repens	Creeping Buttercup
Polygonum affine	Border Jewel
Humulus lup. neomexicanus	Native Hop Vine

APPENDIX C - APPROVED PLANT LIST

In close proximity to residence
Supplemental Irrigation Required

TREES

Acer glabrum	Rocky Mountain Clump Maple
Crataegus crus-galli	Cockspur Hawthorne
Crataegus phaenopyrum	Washington Hawthorne
Malus bechtel	Bechtel Crab
Malus radiant	Radiant Crab
Pinus aristata	Bristlecone Pine
Pinus cembroides edulis	Pinyon Pine
Prunus cerasifera 'Thundercloud'	Thundercloud Plum
Prunus virginiana 'Schubert'	Canadian Red Cherry
Pyrus calleryana ' Bradford'	Bradford Pear
Quercus gambelii	Gambel Oak

SHRUBS

Acer ginnala	Amur Maple
Berberis atropurpurea	Redleaf Barberry
Berberis thunbergii	Greenleaf Japanese Barberry
Chamaebatiaria millefolium	Fern bush
Cotoneaster acutifolia	Peking Cotoneaster
Cotoneaster apiculata	Cranberry Cotoneaster
Hibiscus syriacus	Rose of Sharon
Juniperus sabina 'Buffalo'	Buffalo Juniper
Lonicera	Honeysuckle
Potentilla fruticosa	Native Potentilla
Potentilla fruticosa 'Abbotswood'	Abbotswood Potentilla
Potentilla fruticosa 'Gold Drop'	Gold Drop Potentilla
Potentilla fruticosa 'Jackman"	Jackman Potentilla
Prunus cistena	Purple Leaf Plum
Rhus trilobata	Three Leaf Sumac
Rosa foetida bicolor	Austrian Copper Rose
Salix irrorata	Blue Stem Willow
Salix purpurea 'Nana'	Dwarf Arctic Willow
Sambucus cerulea	Blue Elderberry
Sambucus pubens	Native Red Berried Elder
Shepherdia argentea	Silver Buffalo Berry
Spiraea 'Vanhouttei'	Vanhoutte Spirea
Syringa vulgaris	Common Lilac

GROUND COVERS AND VINES

Cotoneaster horizontalis	Rock Cotoneaster
Cerastium tomentosum	Snow-In-Summer
Clematis ligusticifolia	Virgins Bower

APPENDIX C - APPROVED PLANT LIST

In close proximity to residence
Supplemental Irrigation Required
(continued)

Clematis orientalis	Yellow Clematis
Galium odoratum	Sweet Woodruff
Juniperus horizontalis	Horizontal Juniper
Lonicera japonica 'Halliana'	Hall's Honeysuckle
Parthenocissus quinquefolia	Virginia Creeper
Polygonum aubertii	Silver Lace Vine
Sempervivum tectorum	Hen and Chicks

PERENNIALS

Aquilegia sp.	Columbine
Dicentra 'Luxuriant'	Bleeding Heart
Gaillardia aristata	Blanket Flower
Gaillardia aristata 'Goblin'	Dwarf Blanket Flower
Geranium sp.	True Geranium
Linum perenne	Perennial Blue Flax
Lupinus sp.	Lupine
Penstemon sp.	Penstemon, Beard Tongue

APPENDIX D - PROHIBITED PLANT LIST

Elaeagnus angutifloia	Russian Olive
Ulmus parcifolia	Chinese Elm
Populus nigra ‘Italica’	Lombardy Poplar
Tamarix sp.	Tamarix
Ulmus hollandica	Dutch Elm
All species of palm trees	Palms

APPENDIX E

DESIGN REVIEW APPLICATION

Project Name: _____ **Date:**_____

Lot No.: _____ Filing No.: _____ Address: _____
No. of Bedrooms: _____ No. of Baths: _____ _____ - Car Garage
Lot Size: _____ Building Size: _____
Lot Coverage: _____ Building Height: _____

Owner: _____
Address _____
Phone No. _____ Email: _____

Architect: _____
Address _____
Phone No. _____ .Email: _____ License No_____ State_____

Contractor: _____
Address _____
Phone No. _____ Email: _____

Design Review Fee:
Total square footage _____ S.F. x 75¢ = $_____ or (Minimum fee $3,750)
(Please make checks payable to The Highlands at Breckenridge)

Design Review Process:
- ☐ Pre-Design Meeting Date:_____
- ☐ Prelim-Design Approval Issued:_____
- ☐ Final Design Approval Issued:_____
- ☐ Construction Compliance Deposit Received:_____
- ☐ Pre-Construction Meeting Date:_____
- ☐ Final Inspection Date:_____
- ☐ Final Release Issued:_____
- ☐ Construction Compliance Deposit Returned:_____

Violation Fines:

Amount	**Date**	**Reason**

APPENDIX E

PRELIMINARY DESIGN REVIEW CHECKLIST

Project Name _____
Submittal Date _____ Lot No. _____ Filing No. _____
Address _____

1. **Application, Preliminary Checklist and Design Review Fee** _____
2. **Topographic survey -** _____
   - Trees 8" diameter or larger with drip lines _____
   - Easements and Setbacks _____
   - Natural site features _____
   - Existing Utilities _____
3. **<u>Color Photographs</u> -** _____
   - Color photographs of existing homes with 100 feet of front property line. _____
4. **Site Plan -** _____
   - Title block/North arrow _____
   - Building with roof plan shown _____
   - Ridge heights labeled per U.S.G.S. survey contours _____
   - Existing trees with approximate driplines shown _____
   - Trees to be removed shown _____
   - Proposed finish floor elevations shown per U.S.G.S. survey contours _____
   - Utility locations and meters _____
   - Building envelope & easements shown _____
   - Driveway, walks, retaining walls and grading shown _____
   - Driveway culvert shown if required _____
   - Scale 1”=10'-0" or 1”=8’-0" _____
5. **Preliminary Landscape Plan -** _____
   - General conceptual layout, planting beds, grass areas _____
   - Walks, patios, decks, retaining walls and site features _____
   - Sizes and types of plant materials _____
   - Scale 1” = 10’-0 or 1” = 8’-0 _____
6. **Floor Plans -** _____
   - Room Names _____
   - S.F. of each level shown _____
   - Title block/North arrow _____
   - All door and window opening locations _____
   - Decks, porches and balconies _____
   - U.S.G.S. Finished floor elevations shown _____
   - Scale 1/4”=1'-0" or 1/8”=1'-0" _____
7. **Exterior Elevations -** _____
   - Existing and proposed grade lines shown _____
   - Plate heights labeled _____
   - Ridge heights labeled _____
   - Roof pitch labeled _____
   - Primary and secondary roof pitch %’s noted _____
   - Chimneys _____
   - Railings _____
   - Preliminary indication of all exterior materials shown _____
   - Building height labeled _____
   - Scale 1/4”=1'-0" or 1/8”=1'-0" _____
8. **Preliminary material/color sample board (8 1/2" x 11" max. size) -** _____
   - Include colored elevation of street or front view of building _____
9. **Retaining wall cross sections if any exist -** _____
10. **Letter from Homeowner Association -** _____
    - Confirms current with all Association dues, fees, assessments _____

APPENDIX E

FINAL DESIGN REVIEW CHECKLIST

Project Name _____
Submittal Date _____ Lot No. _____ Filing No. _____
Address _____

1. Cover Letter addressing Preliminary Approval Conditions - _____

2. Final Checklist - _____

3. Site Plan _____
- Title block/North arrow _____
- Building with roof plan shown _____
- Ridge heights labeled per U.S.G.S. survey contours _____
- Existing trees with approximate drip-lines shown _____
- Trees to be removed shown _____
- Proposed finish floor elevations shown per U.S.G.S. survey contours _____
- Utility locations and meters _____
- Building envelope & easements shown _____
- Driveway, walks, retaining walls and grading shown _____
- Driveway culvert shown if required _____
- Scale 1"=10'-0" or 1"=8'-0" _____

4. Final Landscape Plan _____
- Final specific layout, planting beds, grass areas _____
- Walks, patios, decks, retaining walls and site features _____
- Sizes and types of plant materials, installation methods _____
- Landscape edging, lighting, steps, planting details, etc. _____
- Description of erosion control techniques _____
- Scale 1" = 10'-0" or 1"= 8'-0" _____

5. Foundation Plan _____
- Depths of all footings _____
- Top of wall heights _____
- Dimension and thickness of walls _____
- Scale ¼" = 14'-0" _____

6. Floor Plans _____
- Room Names _____
- S.F. of each level shown _____
- Title block/North arrow _____
- All door and window opening locations and sizes _____
- Decks, porches and balconies _____
- U.S.G.S. Finished floor elevations shown _____
- All exterior dimensions _____
- Wall partitions and stairways _____
- Line of proposed roof overhangs _____
- Scale 1/4" = 1'-0" _____

7. Elevations _____
- Existing and proposed grade lines shown _____
- Plate heights labeled _____
- Ridge heights labeled _____
- Roof pitch labeled _____

- Chimneys
- Railings
- Final indication of all exterior materials shown
- Building height labeled
- Garage door material and color
- Scale 1/4" = 1'-0"

8. Building Sections
- Cross section through highest part of building
- Foundation materials
- Exterior wall materials and height
- Roof construction, material and slope
- Existing and proposed grade
- Ridge height elevation
- Floor elevations
- Scale 1/4" = 1'-0"

9. Final Material/Color Sample Board (8 ½" x 11" maximum size)
- Wood siding samples
- Stone sample if requested by preliminary approval letter
- New Board required only if any changes from preliminary being proposed

10. Details
- Exterior Trim Details, color, size
- Exterior Railing Details
- Chimney Enclosure and Cap Details
- Fascia Details
- Material Transition Details
- Column Caps
- Exterior Truss and Beam Accent Details

11. Lighting
- Exterior lighting locations shown in plan or elevation
- Cut sheets of all exterior light fixtures

12. Construction Staging Plan
- Contractor contact information (name, phone, mailing address)
- Construction trailer or office
- Staging areas
- Material storage areas
- Topsoil storage areas
- Construction fencing
- Existing tree protection strapping details
- Parking
- Port-a-let
- Construction Signage and Location
- Construction Schedule
- Construction Compliance Deposit
- Owner Affidavit
- Contractor Construction Checklist

APPENDIX E

REQUEST FOR MODIFICATIONS OR VARIANCE

Project Name _____ **Date:**_____

Address _____ Lot No. _____ Filing No. _____

Requested by _____ Phone _____

Mailing Address _____

Owner _____ Phone _____

Owner Mailing Address _____

Architect _____ Phone _____

Contractor _____ Phone _____

☐ Provide square footage modifications if any and describe in narrative detail the specific change(s) requested from the approved documents and the reason for the change:

_____

_____

_____

_____

☐ Describe in narrative detail the specific waiver or variance requested from the Design Guidelines. List the reasons the variance is requested, how it will not detract or negatively impact the subdivision and list specific actions that will mitigate any impacts created by the variance.

_____

_____

_____

_____

☐ Attach additional information, narrative or graphic which helps further to explain the nature of the request and why it should be granted.

☐ Enclose a check payable to the Highlands at Breckenridge for the minimum review fee plus 75 cents per square foot for any additional gross enclosed area, decks, patios, & exterior stairs with possibly higher fees corresponding to more extensive work if required. The applicant will be notified of any additional fees required relative to the time involved with the review of the request.

Requests will be considered on a case-by-case basis. The fee provided to the Highlands at Breckenridge in regard to the review of the request, regardless of the outcome, shall be borne by the applicant. This fee is in addition to the standard Design Review Fee.

APPENDIX E

Owner Affidavit

Owner acknowledges by signature of this form that Owner has received a copy of the Design Guidelines, has read them and is fully familiar with their contents, including the sections relating to Enforcement and Liability, Construction Compliance Deposits, Construction Fines, Final Inspection and the Final Release.

_____

Owner Signature

_____

Owner Printed Name

APPENDIX E
PRE-CONSTRUCTION CONFERENCE CHECKLIST

Date: _____

Project Name: _____
Lot No.: _____ Filing No.: _____ Street Address: _____

Owner: _____ Phone No: _____
Address: _____ Email: _____

Architect: _____ Phone No: _____
_____ Email: _____

Contractor: _____ Phone No: _____
Address: _____ Email: _____

Reviewed Items:

Construction Staging Plan: _____
- Construction fencing: _____
  - Limits of construction fenced _____
  - Trees to be removed, marked _____
  - Fencing in place where required _____
  - Chain link when required, 6' high, posts in concrete _____
- Building footprint staked and labeled _____
- Utility trenching location staked and labeled _____
- Construction trailer or office location, details reviewed _____
- Construction access, 2" of aggregate over filter cloth _____
- Staging area(s) indicated _____
- Material storage area(s) indicated _____
- Topsoil storage area(s), if allowed _____
- Equipment access identified _____
- Parking identified _____
- Portalet location indicated _____
- Dumpster location indicated _____
- Signage _____
  - Location on-site indicated _____
  - Size and content reviewed _____

Construction insurance: _____
- Copy of certificates of insurance _____

Construction Schedule reviewed: _____
Construction Compliance Deposit: _____
- Checks made out to Braddock Hill POA _____
- Date received receipt _____
- Contractor has copy of and has reviewed Design Guidelines: _____

Review of Construction Regulations: _____
Review of Modifications Process: _____
Construction Fines: _____

Contractor acknowledges by signature of this form that he has reviewed the checked items with the Construction Review Administrator and he understands and agrees to comply with the Construction Regulations of the current Design Guidelines, including the sections relating to Enforcement and Liability, Construction Compliance Deposit, Construction Fines, Final Inspection and the Final Release.

Contractor Signature: _____Printed Name: _____

APPENDIX E

NOTICE OF NON COMPLIANCE TO CONSTRUCTION REGULATIONS

To: General Contractor _____

Owner _____

Location: Lot Number _____ Date _____ Fine Amount _____

Reference		Nature of Offense
☐4.6	Final Inspection	_____
☐4.8	Construction Trailers	_____
☐4.9	Trash Receptacle and Debris Removal	_____
☐4.10	Sanitary Facilities	_____
☐4.11	Construction Access	_____
☐4.12	Vehicles and Parking Areas	_____
☐4.13	Conservation of Native Landscaping	_____
☐4.14	Excavation Materials and Blasting	_____
☐4.15	Dust and Noise Control	_____
☐4.16	Material Deliveries	_____
☐4.17	Firearms	_____
☐4.18	Alcohol and Controlled Substances	_____
☐4.19	Fires and Flammable Materials	_____
☐4.20	Pets	_____
☐4.21	Preservation of Property	_____
☐4.22	Restoration of Property	_____
☐4.23	Construction Signage	_____
☐4.24	Daily Operation	_____
☐4.25	Site Visitations	_____

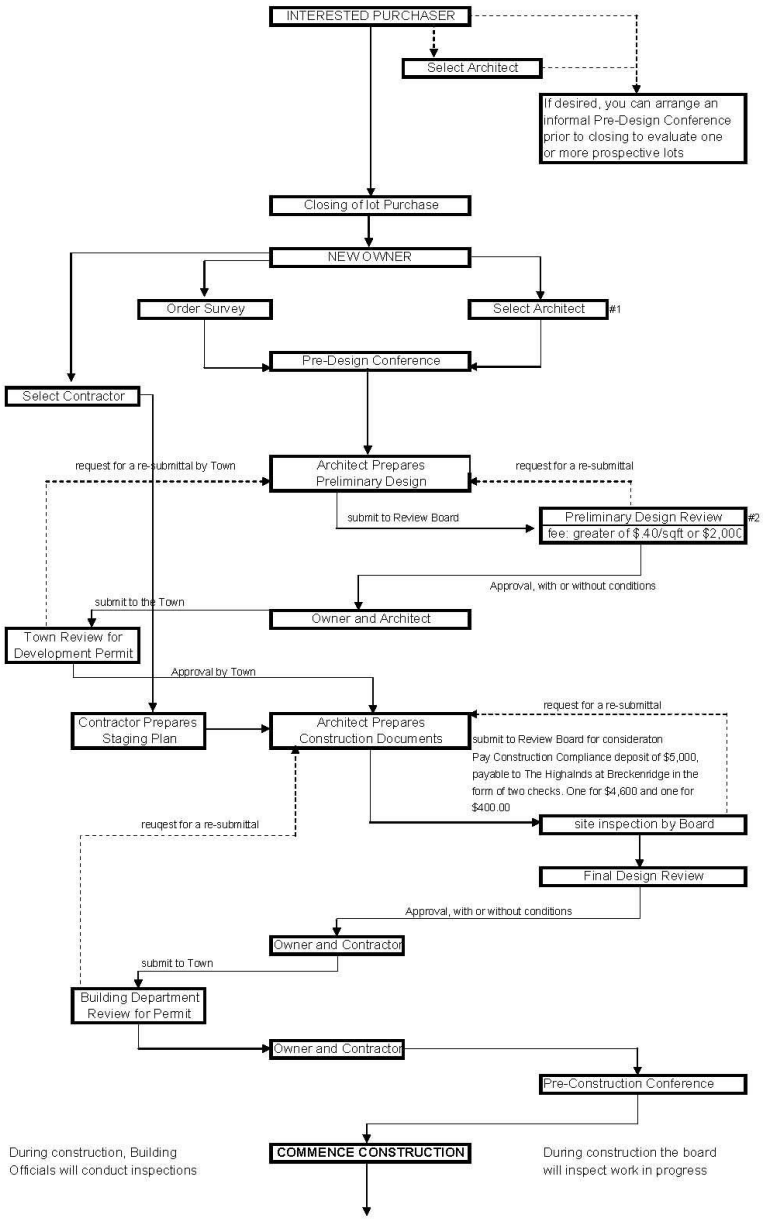
You are hereby requested to cease or correct the offending action(s).

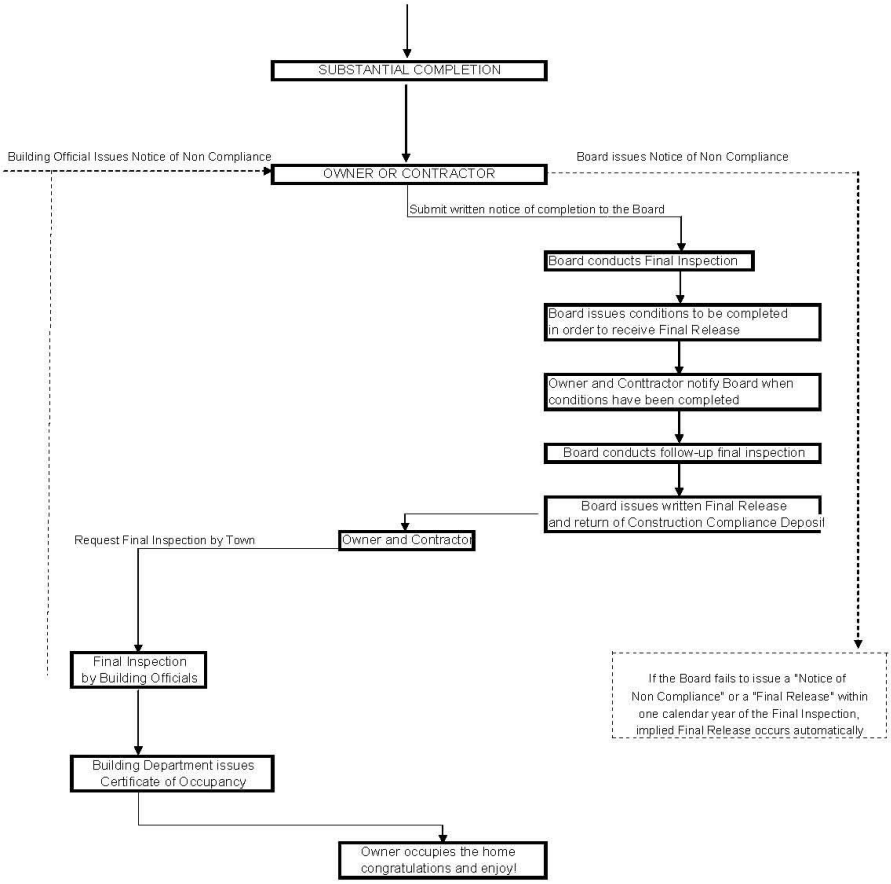
☐ Immediately or additional fines will be issued.

☐ Within 14 days of the date of this notice or a fine will be issued.

Failure to remedy the violation(s) in a timely manner will result in the imposition of additional fines, in accordance with Section 4.3 of the Construction Regulations.

APPENDIX F
PROCEDURAL FLOW CHART





1. We suggest the selection of a landscaping design consultant at this time as well, to participate in the Site Inventory process and to get an early start on landscaping concept.

2. Owners who participated in a pre-closing review of a lot or lots must repeat the Pre-Design Conference on the Purchased Lot, unless a topographic survey and Site Analysis Sketch were prepared and review at the pre-closing conference.

3. The Pre-Design Conference must occur on site and both the Owner and his or her Architect must attend. If an owner wishes to utilize logs as a primary exterior material, it should be discussed at this Conference