



## Building Guidelines

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## Contents

<b>Section 1 - Basis.....</b>	<b>2</b>
Purpose of this document.....	2
Legal Authority.....	2
Supplemental Guidelines to City, County & State Regulations .....	3
Non-liability.....	3
<b>Section 2 – Design Review Procedures .....</b>	<b>3</b>
Architectural Plan Review .....	3
Review of Site Changes .....	4
Solar Panels.....	4
Detached Sheds and Garages .....	5
Action by the AA .....	5
Revisions and Additions to Approved Plans.....	5
Review of Work in Progress .....	5
Period of Plan Validation .....	6
<b>Section 3 - Construction Standards .....</b>	<b>6</b>
Applicable Provisions from the Protective Covenants:.....	6
Section 202 - Setback Areas .....	6
Section 203 - Dwelling Area Requirements.....	6
Section 204 - Dwelling Location on Lot .....	6
Section 205 - Height Restrictions .....	7

Section 207 – Accessory Buildings..... 7

Section 311. Grading Patterns. .... 7

Fences and Barriers ..... 7

Method of Construction..... 7

**Section 4 - Construction Period Regulations..... 8**

OSHA ..... 8

Excavation ..... 8

Debris and Trash Removal ..... 8

Blasting..... 8

Restoration and Repair ..... 8

Dust, Noise and Odor ..... 9

## Section 1 - Basis

### Purpose of this document

To ensure a quality environment is created for Dawson Ranch, these Building Guidelines have been adopted by the Approving Authority (referred to as the “AA” hereafter) pursuant to the AA’s authority granted under the *Declaration of Protective Covenants for Dawson Ranch Planned Development District*, recorded on June 24, 1999 in Book 1374 at Page 423, records of Fremont County, Colorado (the “Protective Covenants”). These Guidelines are a tool to be used by the AA, builders, contractors, and property owners to guide construction activities.

These Guidelines are being published and presented by the Dawson Ranch Homeowners Association (“HOA”) on behalf of and in conjunction with the AA, which has the authority to enforce the Guidelines. If any capitalized term is used in these Guidelines and is not defined, the definition of the term will be the same as defined in the Protective Covenants.

### Legal Authority

Authority for the guidelines is grounded in the Protective Covenants. Section 102 reads: No structures shall be erected within the Planned Development District except single-family dwellings and those Accessory Buildings and Accessory Structures which have been approved by the Approving Authority. No structure other than a dwelling with an attached garage for a minimum of two (2) cars, no Accessory Building and no trailer, tent or other similar or dissimilar

temporary quarters may be used for living purposes. No other structure may be placed on any Building Site before completion of the dwelling upon such Building Site except with the permission of the Approving Authority.

The AA's authority is defined in Article IV of the Protective Covenants.

Should these Guidelines be revised by the AA in the future, such revisions shall take precedence over previously published Guidelines.

## Supplemental Guidelines to City, County & State Regulations

These Building Guidelines are supplemental to regulations normally in effect for Dawson Ranch, including the Canon City Building Codes and applicable federal, state and county regulations. All construction shall comply all other applicable regulations as well as these Building Guidelines.

## Non-liability

AA approval consistent with these Building Guidelines does not approve or guarantee engineering design or compliance with law and applicable governmental ordinances or regulations (such as zoning or building ordinances), and does not reflect any representation by the AA, its members or the HOA Board to assume any liability or responsibility for an applicant's engineering design compliance with any applicable laws, governmental ordinances or regulations, or any other related matter. The AA, the HOA Board, the Association, nor any of their successors, assigns, agents, employees or officers, shall be liable to any Owner or other person for any damage, loss, or prejudice suffered or claimed on account of:

1. approval or disapproval of any plans,
2. performance of any work, whether or not pursuant to approved plans, drawings and specifications; or
3. development of any property within the subdivision.

## Section 2 – Design Review Procedures

### Architectural Plan Review

For new building construction or major improvements, such as room additions, remodels or structural changes, the Builder or Owner shall submit to the AA one set of construction documents to include the following:

1. Completed Architectural Approval Form (available on the [DawsonRanch-HOA.com](http://DawsonRanch-HOA.com) website in the Architectural Approval page)
2. Architectural Plans at a scale of  $\frac{1}{4}'' = 1'0''$ , including:

- a. Architectural elevations (front, sides and rear), indicating typical proposed grade lines, finish floor elevations, top of slab elevations and building height calculations.
  - b. Floor plans, including square footage for each floor.
  - c. Roof plans indicating pitches, ridges, valleys and location of mounted equipment.
  - d. Indication of all proposed exterior materials.
  - e. Exterior details, including items such as chimneys, exterior stairs and decks, railings, and deck supports.
  - f. Any other proposed improvements (i.e., decks, awnings, hot tubs, etc.)
3. Site Plan of the lot, at a scale of 1"=10' or 1"=20', including:
- a. Lot lines and dimensions, building setbacks, street right-of-way, and easements.
  - b. Whether or not construction will change existing drainage patterns.
  - c. The AA may request existing and proposed contour lines at 2' intervals extending to all property lines, existing or proposed street elevations, finish grade at building corners, and drainage swales. Finish floor, and garage slab elevations also may be required.
  - d. Building footprint.
  - e. Walks, driveways, decks, accessory structures, dog runs or privacy fencing, retaining walls with top and bottom of wall elevations.
4. At the discretion of the AA, exterior color swatches (not computer printed), materials and finishes may be requested for the following:
- f. All finished exterior materials and colors, including siding/downspouts, trim/gutters, roofing, garage doors, front door, and window trims.
  - g. Samples of materials may be requested and/or a 4" x 4" sample of masonry or stone material to be used at the home site.

## **Review of Site Changes**

Approval shall be obtained from the AA prior to installation of any site improvements including, but not limited to, sheds/garages, pet enclosures, fencing, deck or patio additions, etc. In most cases, the documents submitted will not have to be professionally prepared by an architect, landscape architect, or drafter, but at minimum shall be drawn to scale and shall have sufficient detail to permit a comprehensive review by the AA.

## **Solar Panels**

If solar panels are to be installed on a free-standing structure the location and type of structure is subject AA approval. The installation cannot substantially impact other neighbors' existing

views. If prior approval is NOT obtained, the owner may be responsible for all costs associated with moving (or removing) the structure. AA approval should be obtained as soon as the owner can provide a site plan that includes the type (including height and width) and location of the structure. The site plan must be accurate. It can be a marked-up survey indicating the location where the structure will be placed.

Solar panels to be installed on the roof of an AA approved dwelling or garage, do NOT require prior AA approval.

## **Detached Sheds and Garages**

Any free-standing accessory building or exterior structures require AA approval prior to being installed or built. Distinctions are made based on size and usage of a shed or detached, free standing garage (or shop).

1. Sheds that are less than or equal to 10 x 12 feet that do not have an overhead door must be the same color and have the same roofing material as the home, but do not require the same exterior material (e.g. stucco) as the dwelling.
2. Sheds, garages, shops that are larger than 10 x 12 feet and/or have an overhead garage door must be the same colors, same exterior materials, same roofing, and harmonize in appearance with the dwelling situated on the same Lot.

## **Action by the AA**

The AA will meet as needed to timely review all plans submitted for approval. The AA may require submission of additional materials and may postpone action until all requested materials have been submitted. The AA will contact the applicant, in writing or by phone, fax or electronic mail, if additional materials are necessary or if the AA needs additional information or has any suggestions for change. The AA will approve or disapprove the plans in writing within fifteen (15) days after receipt of all documents or materials requested by the AA (unless the time is extended by mutual agreement).

## **Revisions and Additions to Approved Plans**

Any revisions and/or additions to the approved Architectural or Site Plans made by either the Builder, Owner, or as required by Canon City must be resubmitted for approval by the AA. The revised plans must follow the requirements outlined above. The AA will then review the plans and provide a written response no later than 15 days after the submittal.

## **Review of Work in Progress**

The AA shall have primary authority to enforce the provisions of these Guidelines. The AA may review all work in progress to the extent required to ensure that the construction or work

complies with any and all approved plans and construction procedures. The AA may withdraw approval of any project and require all activity at such project to be stopped, if deviations from the approved plan or approved construction practices are not corrected or reconciled within ten (10) days after written notification to the Builder or Owner specifying such deviations or such longer period as the AA may specify. Any AA visits are in addition to standard inspections required by other jurisdictions throughout the construction process.

The AA visits to review conformance will be done when crews are NOT on site doing their work. This is to ensure that AA visits don't interfere with work being done and to minimize any insurance risk.

## **Period of Plan Validation**

Final approval of plans is valid for twelve (12) months unless otherwise agreed to by the AA and the Builder or Owner in writing. Construction must begin within this period. If not, plans must be resubmitted for review by the AA.

## **Section 3 - Construction Standards**

### **Applicable Provisions from the Protective Covenants:**

#### ***Section 202 - Setback Areas***

All front, rear and side yard setbacks shall be as provided in the Dawson Ranch final Planned Development Plan. All construction must also conform to the Building Code, Zoning Ordinance and all other applicable rules and regulations of the City of Canon City, which regulations may vary from the provision of this section and other sections.

#### ***Section 203 - Dwelling Area Requirements***

No dwelling shall be erected which, exclusive of porches, patios, covered but enclosed areas, garages and any attached accessory building, has a gross living floor area of less than fourteen hundred (1,400) square feet if a single-story dwelling, or less than eighteen hundred (1,800) square feet if a multi-level dwelling.

#### ***Section 204 - Dwelling Location on Lot***

The Approving Authority shall make a reasonable effort to locate the dwelling on the Lot so as not to impede the view of the adjacent dwelling.

### ***Section 205 - Height Restrictions***

No dwelling or other structure shall be more than two stories in height not to exceed 30 feet measured from top of foundation or basement wall except with the prior written permission of the Approving Authority. The basement shall not protrude more than 2 feet from finished first floor to the highest ground level adjacent to the structure.

### ***Section 207 – Accessory Buildings***

Any accessory building or structure shall be of the same colors, same exterior materials, and harmonize in appearance with the dwelling situated on the same Lot.

### **Section 311. Grading Patterns.**

No material change may be made in the ground level, slope, pitch or drainage patterns of any Lot as fixed by the original finish grading except after first obtaining the prior consent and approval of the Approving Authority and the building official of the City of Canon City.

### ***Fences and Barriers***

Since the covenants were written, many materials and methods of constructing fences have changed. Variances have been granted by the Approving Authority for certain types of fences and barriers. As examples: metal fences have been allowed in certain cases if they enhance the appearance of the home and a small number of T-posts have been allowed to protect landscape from being damaged by wildlife. Variances for use of material other than specified in the covenants are considered on a case-by-case basis. All fences and barriers must be pre-approved by the Approving Authority. Use the Architectural Approval – Exterior Change form for requesting approval.

### **Method of Construction**

All homes constructed or erected on Lots must be of stick built or similar on-site construction, meaning that the home is predominantly constructed on-site. No structures or buildings that are predominantly constructed elsewhere before installation on a Lot, including a mobile home, manufactured home, modular home, or other type of building whose components are manufactured and/or assembled off site, will be approved by the AA. This is intended to preserve the desirability, attractiveness, and value of the Dawson Ranch community.

## Section 4 - Construction Period Regulations

In the interest of all Builders and Owners, the following regulations shall be enforced during the construction period on a Lot. These regulations shall be an extension of the Architectural Approval Form and apply to each residence. All Builders and Owners shall abide by these regulations.

### OSHA

All applicable OSHA regulations and guidelines must be strictly practiced/followed at all times.

### Excavation

Excess excavation material shall be removed from the property and shall not be placed in common areas or on roads. Excavation, except for utility trenching, shall be on the Owner's Lot only. Contractors are prohibited from spreading excess debris or material over the remainder of the Lot, roadway, other property, or any other home site without approval. Extreme care shall be taken by Builders and Owners to protect and preserve existing vegetation and other natural features on their lots.

### Debris and Trash Removal

Regular cleanup of the construction site is mandatory. All trash and debris shall be stored in a commercial trash container and shall be removed from the trash disposal area on a weekly basis or when full. All soil and debris flowing into the street(s) or open spaces from the construction site shall be cleaned as needed by the builder/developer/contractor (not neighbors).

### Blasting

If any blasting is to occur, the contractor shall be responsible for informing all residents in the proximity of the blasting site.

### Restoration and Repair

Damage to any property other than the Lot Owner's shall be promptly repaired at the expense of the person or entity causing the damage.



## Dust, Noise and Odor

Every effort shall be made to control dust, noise (including the personal use of radios and speakers), and odor emitted from a construction area. The contractor will be responsible for watering, screening, covering, or oiling dust problem areas as well as controlling noise and offensive odors from the construction site.