

**POUDRE OVERLOOK H.O.A.**  
**Landscape Guideline Summary**  
**Effective: January 1, 2007**

**Landscape Guideline Summary Purpose and Intent:**

Landscape guidelines and committee reviews are intended to preserve the overall value of the property appearance by maintaining complimentary landscape development that adds to the harmony of external designs within the neighborhood environment. These guidelines are not intended to limit creativity. The ACC will review each application for general compliance with the intent of the guidelines and will use discretion as necessary to allow for creativity and flexibility in design and construction.

**These guidelines support but do not replace the Poudre Overlook Community Declaration of Covenants and Rules and Regulations. Please refer to Declaration of Covenants, Rules and Regulations, Conditions, Restrictions for additional information. These guidelines do not supersede any laws, restrictions, or ordinance set forth by the "State", "County", or "City" for the Poudre Overlook Community. As of the release of this document, "City" does not yet apply to Poudre Overlook.**

**Submittal Process:**

Please submit 2 complete sets of landscape plans to the ACC with a copy of the Landscape Design Plan Checklist (on following page) showing all requirements have been met. The landscape plans are to be mailed to the following:

Kellison Corp. - Property Management  
2601 South Lemay, Suite 7-424  
Ft. Collins, CO. 80525  
970-494-0609; fax 970-494-0608

Reviews will be completed within 30 days after receipt of a complete and proper application. The committee may approve the plan or may determine that inadequacies exist and will return all remarks/comments to the homeowner. If a second submittal is required, it will be reviewed within 10 days. Landscape plans may be submitted prior to home completion.

Landscaping plans may be submitted with the Construction Drawing or upon completion of the improvements, but must be submitted PRIOR TO COMMENCEMENT OF LANDSCAPING.

**Landscape Plan Fees:** A fee of \$50 for application must be paid to the Poudre Overlook Homeowners Association with submission of a full landscaping plan. No fees are required for revisions or additions to an approved plan.

**Landscape Completion:**

Landscaping is to be installed as soon as weather permits, but in any event no later than ten months after a home is certified for occupancy. Homeowners who fail to undertake or complete landscaping with the time limits set forth will be notified by the Association that they are in violation of the Poudre Overlook Covenants and are subject to enforcement action.

## Landscape Design Plan and Guideline Requirements

- 1) List on plan the homeowner's name, address, and telephone number.
- 2) It is preferable and we recommend, for the benefit of the homeowner and to assist in the approval process that the landscape design plan is to be prepared at a scale of 1" = 10' by a landscape design professional listing design firm's name, address, and telephone number. If the plan is not developed by a professional design firm, it must include all items as outlined on this checklist include care given to scale and location of all landscape features. The landscape plan must be legible, neat, and clearly indicate all landscape elements and features as required by the Landscape Design Plan Checklist. The extent and scope of each plan shall be designed to enhance the appearance and quality of the home, lot it is on, and the neighborhood.
- 3) Include location of building. No structures or plant materials shall be planted, placed, or erected within any lot on the outside portions of the unit's home without prior approval. Basically, all owners and prospective buyers must understand that landscaping development of their yards is governed by the requirements given in the Poudre Overlook Covenants.
- 4) **Turf/Lawn:** We recommend that the front yard be 50% carefully maintained lawn/turf, excluding driveways and sidewalks. Outline turf/lawn areas on design plan. Specify areas to be sod or seed and species of grass (examples: blue grass or fescue sod). Otherwise front yard must be a minimum of 50% ground cover and plan must specify type/species of groundcover. Artificial turf is not allowed.
- 5) **Irrigation Systems:** All homes must have a buried sprinkler system for the front and back yards and must be noted on plan. Homeowner is responsible to minimize or eliminate the installation of piping and heads for sprinkler systems within five (5) feet of foundation walls and slabs.
- 6) **Edging:** Specify location and type of edging (examples, roll top steel edging and concrete curbing).
- 7) **Fencing/Privacy Fencing/Patio Enclosures:** Plan must outline location of all fencing. ACC approval is needed prior to construction of any fencing. All fences must not exceed five feet (5') in height as measured from final grade, must be constructed of redwood or cedar wood, and must conform to the standard subdivision design. No fencing is allowed in the front yard beyond the front corners of the house, excluding common area fencing. Corner lots and street side yard fences must allow for a 5' setback from the back of the sidewalk.  
  
Privacy or patio enclosure type fencing must be attached or give the appearance as being attached to the house (within 5 feet of the house), but may not extend into any lot line setbacks, may not exceed 35 feet in length, and may not exceed 5 feet in height. Materials can be redwood or cedar wood (stained or painted to match the exterior of the house), or of the same material and exterior color as the house, or composite wood privacy fencing of the same color to match the exterior of the house. Considerations will also include the impact upon neighbor views and neighborhood symmetry.
- 8) **Dog Runs:** Plan must show location of dog run. Dog runs to be located behind a five-foot (5') redwood or cedar privacy fence. Fencing to enclose the dog run shall also be (5') redwood or cedar privacy fencing. Chain-linked fencing is not allowed.

- 9) **Decks:** Plan must outline location, dimensions, materials, and colors. Please submit photo, brochure, or construction document if available. Deck railing to be wood, iron, composite wood product or other material similar to the material of the residence. Must be a complimentary color to the residence (treated or painted) and installed as an integral part of the residence and patio area.
- 10) **Paving:** The plan must outline location, size, and material for paving of porches/patios/terraces/front entrance way/walks/driveways/stoops or other purposes (whether concrete, asphalt, brick, flagstones, stepping stones, pre-cast patterned or exposed aggregate concrete pavers). Paved areas must be an integral part of the landscape plan and must be located so as not to create a potential for an unreasonable level of noise for adjacent property owners. Must be similar to and generally accepted as complimentary in color and design to that of the home and must be located so as not to obstruct any existing drainage pattern on the lot.
- 11) **Driveways:** The plan must outline locations, size, and material for extension or expansion of driveways. All driveways and private lanes shall be constructed entirely of neutral tone concrete surface, brick stamped concrete, brick or pavers from the entrance of the garage doors to the existing street and must be located so as not to obstruct any existing drainage pattern on the lot. Refer to Article X, Section 22, Storage of Vehicles in the Poudre Overlook H.O.A. Covenants.
- 12) **Plant Material Requirements:** Landscape design plan must designate and specify location, size, and species of plant materials. Front yard shade tree of 2" caliper must be planted in front yard (approved species include Ash, Locust, Linden, or Maple). Back yard requires the planting of a minimum of one shade tree of 1 3/4" caliper and a 6' evergreen. A minimum of five shrubs of #5 gallon size must be planted in the front yard (suggested species, although not required, include; Compact Burning Bush, Dwarf Korean Lilac, Spirea, Golden Vicary Privet, Barberry, dwarf spruce or pine).
- 13) **Groundcover:** Landscape design plan must designate location and materials to be used for groundcover (examples: 1 1/2" rock, Redwood mulch).
- 14) **Planting Beds:** Outline location of planting beds including planting materials and groundcover.
- 15) **Retaining and Garden Walls:** Show location and specify height and materials to be used for retaining and/or garden walls (example: Keystone Garden Wall Block, Treated Timbers). Walls cannot obstruct or interfere with any existing drainage pattern on the lot.
- 16) **Pergolas/Gazebos/Lattice/Trellis/Arbors and Other Garden Structures:** Specify and show location, dimensions, and material for pergolas/gazebos/lattice/trellis/arbors and other garden structures. Please submit photo, brochure, or construction document if available. Materials to be wood, composite wood product or other material that is similar to the material of the residence. Must be a complimentary color to the residence (treated or painted) and installed as an integral part of the residence. Considerations will also include the impact upon neighbor views and neighborhood symmetry.
- 17) **Jacuzzi, Spas or Hot Tubs:** Specify location and dimensions on plan. Must be an integral part of the deck or patio area and of the rear or side yard landscaping. Must be installed in such a way that it is not immediately visible to adjacent property owners and does not create the potential for noise disturbance for adjacent property owners.

Considerations will also include the impact upon neighbor views and neighborhood symmetry. Top to the tub shall not extend above fence level.

- 18) **Pools:** Specify on the design the location, type (in-ground or above ground), and size of pool on plan. Must be an integral part of the deck or patio area and of the rear or side yard landscaping. Must be installed in such a way that it does not create the potential for noise disturbance for adjacent property owners. Considerations will also include the impact upon neighbor views and neighborhood symmetry. Top to the pool shall not extend above fence level.
- 19) **Outdoor Fireplaces/FirePits:** Specify and show location, dimensions, and construction materials on plan. Must be an integral part of the patio area and of the rear or side yard landscaping. Must be installed in such a way that it does not create the potential for noise disturbance, smoke or environmental concerns for adjacent property owners.
- 20) **Water Features (in-ground).** Specify locations, dimensions, and construction materials on plan. Water features must be located so as not to obstruct any existing drainage pattern on the lot.
- 21) **Play Structures/Playground Equipment/Playhouses:** Plan shall show location and include a description of play structure. No structure or play equipment may be placed in or on a driveway or front or side yard unless it is intended for temporary use and is removed from sight and contained completely within the owner's garage after each day's use (no such structure may remain in place overnight). ACC approval is required for playhouses; general guidelines are that they are to be less than 8 feet in height at the peak and have no more than 80 square feet of interior floor space. Basic design, materials and colors must match the residence, and they are to be incorporated into and at least partially screened by landscaping features.

No such structure may be placed in or on the subdivision's common areas or any street within the subdivision. All permanently installed or semi-permanent play structures require the approval of the Architectural Review Board prior to installation. Swing sets, sand boxes or similar play structures may be placed only in back yards. No potentially dangerous play activities, such as paintball or archery may be conducted in any portion of the common area. No play structure, whether temporary or permanent, may be placed on any portion of the common area.

- 22) **Sheds and Storage Areas:** Identify location, dimensions, and construction materials for sheds. Any shed to be constructed on a Lot shall meet the following requirements: The shed shall be located behind a five-foot (5') redwood or cedar privacy fence; the high point of the shed shall not extend more than four feet (4') above the five-foot (5') privacy fence; the shed shall be painted the same color as the Residence; the shed shall have the same roofing material as the Residence; the shed shall have a 5/12 roof pitch; and the shed shall be built of the same siding material as the residence. Size and placement of the shed on the Lot must be approved by the Architectural Control Committee. Sheds may be denied approval if they cause drainage problems or block neighbors' views.
- 23) **Landscape Lighting:** Shall be of a conventional style with illumination patterns which do not cause a nuisance to neighboring properties. All exterior lighting shall be subject to regulation by the ACC.
- 24) **Other Structure or Landscape Feature:** Please show location and describe in detail any request for a landscape item not specified in this document.

- 25) **Landscape Maintenance and Lot Improvements:** Owners of Lots shall keep or cause to be kept all irrigation systems, buildings, fences, and other structures, and all landscaping located on their property in good repair. Weeds are to be controlled prior to and during the landscape process to prevent spreading throughout the neighborhood. Careful maintenance of landscaped areas, control of weeds, replacement of dead or damaged trees/plants, and proper removal of yard wastes and grass clippings are required. No dumping of yard debris, chemicals or petroleum products is allowed into the common area green belts or vacant lots. Refer to Article X, Section 19, Maintenance of Lots and Improvements of the Poudre Overlook H.O.A. Covenants.
- 26) **Drainage/Lot Grading:** Landscape installation must not alter or change the original grading or lot drainage as built by the developer/builder. There can be no interference with the established drainage pattern over the property. Landscape installation and construction must allow water to drain away from the foundations and driveways, and flow patterns prevent water from flowing under or ponding near or against the house foundation, walkways, sidewalks and driveways. Refer to Article XI of the Poudre Overlook H.O.A. Covenants.
- 27) **Completion Dates and Phasing:** Landscaping is to be installed as soon as weather permits, but in any event no later than ten months after a home is certified for occupancy. Homeowners who fail to undertake or complete landscaping with the time limits set forth will be notified by the Association that they are in violation of the Poudre Overlook Covenants and are subject to enforcement action.
- Items specified on the landscape plan that are to be phased in after the ten month period must be noted on the plan with an estimate phase completion date. Landscape items that must be installed prior to the ten month period include; irrigation system (front/side/back yards), turf/lawn areas (front/side/back yards), required plant material, ground cover for non-turf/lawn areas as outlined in the items above.
- 28) **Permits:** Homeowner is responsible for receiving proper permits for all applicable landscape items as required by the "County", "City" (examples: deck). As of the release of this document, "City" does not yet apply to Poudre Overlook.
- 29) Provide Landscape Contractor with Colorado Soils Book.
- 30) Include North Arrow on Landscape Design Plan.

**Approvals:**

- \* Approvals will not be given until all the requirements have been met.
- \* Partial approvals will not be given.
- \* Construction cannot start until final approval is given.

**Common Areas:**

Open space areas (greenbelts) are outside the individual homeowners' responsibility. Homeowners are not to alter or interfere with the landscaping and/or equipment activities within the common areas which fall under the jurisdiction of the HOA Board. Motorized vehicles are prohibited on greenbelts per Article X, Section 17 of the Poudre Overlook Covenants.

**Variations:**

No variance shall be effective unless agreed upon in writing. Any landscape plan variance must be submitted for review by the ACC. All variations must be in compliance with the community recorded covenants and rules and regulations.

**ENFORCEMENT:**

Failure to conform to these guidelines or obtain necessary approval from the ACC will be a violation of the Declaration of Covenants, Conditions and Restrictions for Poudre Overlook. The Association shall have the right to exercise any remedy provided for in the Declaration, other Association documents and Colorado law.

**CERTIFICATION**

The undersigned, being the duly elected and acting Secretary of the Poudre Overlook H.O.A. (the "Association") certifies that the foregoing Architectural Guidelines were approved by the vote of at least a majority of the Association's Directors at a meeting of the Association's Board of Directors held on 11/17/, 2006.

Dated this 11/17/, 2006.

POUDRE OVERLOOK H.O.A.

By:

Secretary



VER. 1.3