



# ARCHITECTURAL CONTROL GUIDELINES

FOR THE AREA KNOWN AS BEAVER LAKES ESTATES AND  
BEAVER LAKES ESTATES FILING NO. 2

EMPIRE LODGE HOMEOWNERS' ASSOCIATION INC.  
585 Empire Valley Drive, LEADVILLE, COLORADO 80461

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*This publication supersedes all previous Architectural Control Guidelines*

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## **SECTION 1 – GENERAL REQUIREMENTS**

These Architectural Control Guidelines are supplemental to the Amended and Restated Declaration of Restrictive Covenants for Beaver Lakes Estates and Beaver Lakes Estates Filing #2 (Covenants) recorded in the records of Lake County, Colorado.

Members are encouraged to review both documents together prior to submitting an Application to the Architectural Control Committee (ACC).

Members are required to submit an ACC Application including all necessary attachments to the ACC and gain approval prior to commencement of construction of any improvement. This includes buildings, outbuildings, alterations, sheds, structures, fences, dog runs, removal of live trees and any substantial landscaping.

Any improvement proposed for residential use must conform to the minimum area requirements and minimum setback requirements of the Lake County Building Department.

An approved ACC Application will be required by Lake County to apply for a building permit. Obtaining permits and licenses required by Lake County or any other entity is the responsibility of the lot owner.

## **SECTION 2 – APPLICATION REQUIREMENTS**

It is the responsibility of the Member to apply directly to the ACC in writing, upon the form provided by the ACC, submitting plans and specifications for the improvement.

A complete ACC Application shall include the application form, a site Plan and architectural plans. Fences and dog runs shall be applied for on a separate form provided by the ACC. The ACC Application form shall have all applicable information completed.

The Site Plan shall be drawn to scale and include lot lines, easements, existing building footprints, other structures, fences, and driveways with the proposed improvement clearly noted. Distances from the proposed improvement to lot lines shall be accurately shown. Proposed landscaping and tree removal locations shall be indicated on the site plan.

Architectural Plans shall be drawn to scale and shall include the following: a) Floor plans of all structures labeled and with dimensions shown; b) Exterior elevations of all proposed structures and existing structures if connected; c) Heights of buildings and improvements along with existing and proposed finished grades; and d) All exterior materials and colors. Color chips and/or samples of each exterior material and roofing type shall be submitted with the application.

### **SECTION 3 – APPROVAL PROCESS**

The review of an ACC application will only commence when a fully completed Application form and all required drawings, colors and/or materials have been furnished to the ACC.

The date of receipt shall be recorded onto the application by the ACC member receiving the fully completed ACC Application submittal on the actual date received. The ACC shall either approve or deny the application within 30 days of the date of receipt of a fully completed ACC Application submittal.

The ACC will convene at the earliest possible opportunity to review the application for approval or denial. When in the opinion of the ACC additional consultation with neighboring property owners should be considered a meeting may be scheduled for that purpose. This meeting should be held at the proposed site and include all materially interested parties. The purpose of this meeting is to inform neighboring property owners of the proposed improvement and give an opportunity to voice concerns, if any.

Any denied applications may be appealed to the entire Board, and the Board shall act within 30 days. The Board's decision shall be final.

### **SECTION 4 – APPROVAL CRITERIA**

The ACC shall consider the following in evaluating applications for approval:

- 1) The suitability of the improvement to the lot or parcel upon which it is to be located.
- 2) The nature of adjacent and neighboring improvements.
- 3) The type, quality and color of the materials to be used in any proposed improvements.
- 4) The effect of the proposed improvement and placement of the improvement on adjacent or neighboring properties.

### **SECTION 5 - CONSTRUCTION**

Construction shall commence within one year of the date of approval of an ACC Application. If construction has not commenced within one year the AAC Application shall expire and a new application shall be submitted.

All improvements commenced shall have the exterior completed within 6 months of commencement unless otherwise extended by the ACC.

There shall be no garages, outbuildings, sheds, or other structures built prior to commencing construction on the main residence.

Exterior building materials and colors shall blend in with the natural environment.

Tree removal for the sole purpose of creating view corridors is prohibited.

The extent of cuts and fills shall be limited to protect the surrounding vegetation. All cut and fill areas shall blend into the natural environment. Slopes shall avoid unstable conditions, erosion and undue loss of vegetation.

All excavated or disturbed areas shall be re-vegetated within 3 growing seasons after the completion of construction.

Streams, ponds and wetlands shall be protected by appropriate erosion or sedimentation controls such as straw-bale check dams, silt fencing, etc.

Driveway cuts shall not impede the existing roadway drainage flows. Culverts may be required to be installed by the lot owner to preserve roadway drainage and sizing will be specified by the ACC.

Light pollution or excessive glare to neighboring properties or public community areas shall not be permitted.

## **SECTION 6 – RENEWABLE ENERGY DEVICES**

Solar panels must be mounted flush to the roof.

Solar panels must not exceed the amount required to power the designated improvement.

Ground mounted solar panels may be allowed if roof mounted panels are not feasible.

Solar panels shall not hinder the view of any neighboring property and must be concealed to the greatest extent possible.

Wind electric generators must not interfere with the use and enjoyment of property by neighboring Members due to the noise generated or unsightliness of view.

## **SECTION 7 – FENCES AND GATES**

The following types of fencing and materials are the only types allowed for construction:

- 1) A traditional tripod wood rail fence.
- 2) A two or three split rail wood fence.
- 3) A two or three rail socket and spindle style wood fence.

All fences shall be wood, earth tone in color, stained, oiled or allowed to weather naturally.

Fences shall not be solid in form or made of chain link, chicken wire, or wire mesh. Wire mesh may be applied to the lower inside portion of wooden fences to control animal and pet movement.

Barbed wire fencing is acceptable only on exterior property lines that are adjacent to National Forest land.

Fences shall not be more than 48" in height.

Gates and their supporting posts may be either wood or metal framing camouflaged to match the fence.

Dog runs may be of chain link or wire mesh but shall be limited to a reasonable area and shall be camouflaged to match allowable wood fencing.

Dog run fences shall not be more than 72" in height.

## **SECTION 8 – TEMPORARY AND PORTABLE SHEDS**

Temporary and Portable Sheds, Shelters, Garage and Storage Units are allowed with ACC approval.

All ACC application submittals for a temporary and portable structure (i.e., sheds, canvas sheds, canopies, garages) will be reviewed on a case-by-case basis, taking into consideration the lot size, color, proposed location, visibility from the road and surrounding neighbors.

Natural colors are highly recommended and should blend in with the surrounding environment (forest greens and dark browns are suggested).

Property owners are responsible for the maintenance of temporary and portable structures. If the structure becomes damaged, weathered or worn, it must be repaired, replaced or taken down immediately.

All temporary and portable structures are subject to the same minimum set-back requirements as permanent structures as defined by Lake County Building Codes.

Applications for more than one (1) temporary or portable structure will be reviewed on a case-by-case basis by the ACC committee with Board input, if necessary.

Temporary and portable structures are not for human or animal occupation.