

# Rules and Regulations Boise Village North

Loveland Midtown Metropolitan District  
Corrected Final Plat of Koldeway Industrial Third Subdivision  
Loveland, Colorado

Dated 8/21/09  
Revised 12/13/11  
Revised 3/6/13

**“Disclaimer:”** This property is also subject to Declaration of Protective Covenants of Boise Village North, PUD, City of Loveland, Larimer County, Colorado (“Covenants”) which contains further restrictions and limitations which are also binding on the owners of all lots within the Community. The Architectural Control Committee (ACC) shall have the right, power, and authority to amend these Rules and Regulations from time to time as deemed appropriate in the future.

## **Introduction:**

Pursuant Section 2.03 of the Covenants, the Architectural Control Committee may adopt rules and regulations from time to time establishing procedures, criteria, and guidelines in furtherance of the Declaration or Protective Covenants. Such guidelines and rules adopted by the ACC shall have the same force and effect as if they were set forth in and were a part of the Declaration.

**Accessory Buildings, Storage Buildings:** Accessory buildings and storage buildings shall be submitted to the ACC for approval prior to construction. All such buildings shall be consistent with the siding, roof and colors of the primary residence. All accessory buildings and storage buildings shall be located to the rear of the primary residence.

**Additions and Expansions:** Additions and expansions of any improvements require prior ACC approval and must be in accordance to the architectural guidelines detailed in the Boise Village North PUD.

**Advertising:** See "Signs".

**Air Conditioning Equipment:** Installation of air conditioning equipment through the window of a residence is permitted between May 1 and October 31 provided they are no less than 15' from the front corner of the residence and painted to match the exterior color of the home. Additionally, the unit cannot exceed 15,000 BTU. Whole house units and swamp coolers are not allowed. Ductless units are permitted. Window AC units may not be stored outside at any time that they are not installed in the window.

**Antennas:** Exterior antennas are not allowed. No exterior radio antennae, television antennae, or any other antennae may be erected. Antennae may be erected within the attic of the residence.

**Astroturf:** Astroturf is not allowed.

**Awnings:** See "Overhangs".

**Balconies:** Construction of a balcony must receive prior approval by the ACC.

**Basketball Backboards:** Placement and design must be approved by the ACC. Only free- standing basketball backboards will be allowed.

**Bird Houses and Feeders:** Bird houses and feeders do not require ACC approval up to a maximum size

of 1 foot by 2 feet. No bird houses or bird feeders (of any size) may be attached to fencing.

**Boats:** Boats and boat trailers shall not be parked on the streets of the property or stored on any lot unless fully contained within a garage. Notwithstanding the foregoing, recreational vehicles/campers may be parked upon the driveway of the lot or upon the street immediately adjacent to the lot for a period not to exceed 72 continuous hours at a time; and no such parking shall be allowed which exceeds more than a total of seven days during a 30 day period.

**Carports:** Free standing carports are not allowed.

**Clotheslines:** No clotheslines shall be installed or maintained on any lot unless approved by the ACC and all approved clotheslines shall be retractable.

**Concrete:** It is recommended that only a neutral tone concrete be used for all concrete work. Colored concrete will be allowed only with specific approval by the ACC.

**Construction Staging and Materials Storage:** Construction materials including storage containers may not be placed on any lot without Declarant permission. Additionally, storage of construction materials/storage containers are only permitted 30 days prior to the beginning of construction within the development and must be removed within 30 days of construction completion. Utility trailers are not permitted. All containers must be in good condition and the amount of materials stored must not exceed the amount required for the current project.

**Dog Houses:** Dog house(s) require plan submittal to the ACC prior to installation/construction. This also includes "dog runs". Also, dog house and dog runs must be appropriately concealed from the street and neighboring yards. Acceptable methods of concealment include vinyl fencing or other method approved by the ACC.

**Driveways:** Driveways to the garage shall be constructed only with neutral tone concrete. There shall be no extension or expansion of driveways without prior ACC approval. If driveway extension or expansion is desired, drawings shall be submitted to the ACC showing the desired changes/additions (also including description of materials).

**Evaporative Coolers:** Evaporative coolers are not allowed.

**Fences:**

**Single Family Homes-**

Fencing in the Single-Family Area is limited to 6' architectural screen fencing, except where facing onto shared open space, in which case, 4' high (max) split rail fencing will be required in place of privacy fencing. Side yard fencing must start a minimum of 4' behind the front façade of the home. On corner lots, privacy fences shall be allowed, as long as they are keeping with the overall design and start at a minimum of 4 feet behind the front façade of the home. These fences must be maintained on both sides by the homeowner.

**Neo-traditional Homes-**

Fencing in the Neo-traditional area is limited to 5' white vinyl architectural privacy fencing at the front and rear of the lot. Fencing between lots will be at the discretion of the adjacent homeowners and may be either the 5' white vinyl architectural privacy fencing or 4' max. split rail vinyl fencing. Variations on the 5' white vinyl architectural privacy fencing shall be allowed with approval of the Architectural Review Committee. Variations will be limited to degree of openness and style of appearance. Height, material, and color may not vary.

Fences require ACC approval prior to installation. Drawings showing fence location, layout, design, height, and material shall be submitted to the ACC. No fencing will be allowed anywhere within the front yard of residence. Only property perimeter fencing of the rear yard of residence will be allowed. Solid

fencing is not permitted along rear yards that abut the split rail fence. Upon review and approval by the ACC, installation of wire mesh to split rail may be allowed for pet containment purposes. Fencing may extend from the rear yard onto each side of the residence to no more than 4' beyond the rear corners of the residence on both sides. Notwithstanding the foregoing, in those instances where a home has an exterior door on the side of a garage, fencing may extend up to 2' beyond the front edge of said exterior door (but in no event beyond the front edge of the garage). Homeowners are advised that various utility companies and other service vendors may have the right to access the lot because of established easements (including removal of fence with no obligation to restore).

**Flagpoles:** Free standing poles are not allowed. One wall mounted bracket per residence shall be allowed.

**Gardens:** Vegetable gardens shall be allowed only within the homeowner's back yard, and not on the sides of the home or in the front yard. Flower gardens and other landscaping gardens are encouraged but shall require prior ACC approval and be submitted on original landscaping plan, or submitted as change, if performed after original landscaping plans has been approved.

**Greenhouses:** Greenhouses require prior ACC approval.

**Hot Tubs/Spa Tubs:** Hot tubs/spa tubs shall require ACC prior approval. Hot tubs/spa tubs should be an integral part of the deck or patio area and of the rear yard landscaping. Also, hot tubs/spa tubs must be installed so as not to be immediately visible from the front yard/street. Hot tubs/spa tubs shall be installed in such a manner that they will not cause noise disturbance for adjacent property owners. Owners shall take all necessary precautions to prevent accidental drowning, including appropriate tub covers.

**Home Business/Office:** Home business/offices are allowed if they are not visible and do not disrupt their neighbors with signage, traffic, or deliveries, as set forth in the CCRs. Every resident should also inquire with the City prior to implementing a home business to become aware of any City requirements or restrictions, which will also apply.

**Landscaping:** Landscaping plans must be approved by the ACC prior to installation. Once the landscaping plan has been approved, no alterations can be made unless approved by the ACC. The ACC may require form(s) to accompany submitted landscaping plans and payment of a review fee. Plans shall depict types and locations of: fencing, decks, playground areas, sod, seeded areas, edging, retaining walls, rock areas, railroad ties, sprinkler systems, types of nursery items, flower beds/gardens, other planting beds, mulch areas, landscape lighting, and any other components of the proposed plan. Owners of a lot which are not a Corner Lot must plant and maintain a tree of a type approved by the ACC in the front lawn. Owners of a Corner Lot are required to plant and maintain two trees of a type approved by the ACC; one in the front and one in the side yard adjacent to the street. Owners of a Lot adjacent to a street tree lawn are required to plant and maintain grass or groundcover of a type approved by the ACC in the adjacent street tree lawn abutting the lot and shall install (including boring under the sidewalk) and maintain an underground sprinkler system. Lot owners are responsible for replacing dead or diseased trees or plantings. No more than 30% of the front yard landscaping shall be non-living materials, unless otherwise approved by the ACC and the City of Loveland. The same standard shall apply to back yards unless the entire back yard is screened from view by fencing or other screening materials approved by the ACC and is no less than 6' high. Landscaping work/installation can be accomplished by a professional landscaping designer/contractor, by construction contractor or by residence owner(s). Such landscaping shall be installed as soon as weather permits, however each lot shall have the yards established as follows: (i) for Traditional Home Lots, the front side, and back yards must be have approved ground cover and plant materials and an underground sprinkler system (for the front yard) within 9 months of the first occupancy of the dwelling; (ii) for Neo-Traditional Home Lots, the front yard shall be completed at the time of issuance of Certificate of Occupancy and in no event later than 7 months from issuance of Certificate of Occupancy, and the side and back yards shall be established no later than 9 months from first occupancy. For good cause, the ACC may approve an extension of such time periods. The ACC may request additional information and/or resubmittal, as it deems appropriate.

Sprinkler systems must be installed to irrigate landscaping in the front lawn.

Weeds on all lots (including, without limitation, lots owned by builders) shall be kept mowed/cut (weeds must be mowed/cut when they exceed 4 inches in height).

**Lattice Work:** Lattice work shall require prior ACC approval. Any lattice work shall be incorporated within the "general" landscaping theme and must be maintained in good condition and appearance.

**Lights and Lighting:** Lights and Lighting shall be of conventional style with illumination patterns which do not cause a nuisance to neighboring properties. Light/lighting for the use in landscaping shall require prior ACC approval (see "Landscaping").

**Ornaments:** Ornaments, such as fountain, statuary, artificial plants, wagon wheels or equipment, or other ornamental features shall not be placed or allowed to remain where visible from streets unless the same have been approved by the ACC.

**Overhangs (Cloth or Canvas):** Overhangs (cloth or canvas) must be retractable and will require prior ACC approval. Color must be the same as or generally recognized as complementary to, the primary residence color. Overhangs (cloth or canvas)/coverings may be used over the patio or deck in the rear yard of residence ONLY. Also, overhangs (cloth or canvas) shall be maintained in good condition and appearance. No overhangs or coverings will be allowed anywhere on the front of the home or in the yard/landscaping of residence. No aluminum or fiberglass awnings will be allowed.

**Painting:** All exterior painting of residences shall be kept in good condition and in the color approved with the original construction submittal. Color changes thereafter must be prior approved by the ACC.

**Patio Coverings:** Patio coverings must be approved by ACC. They must be constructed of wood or materials generally recognized as complementary to the residence and must be similar or generally recognized as complementary in color to the primary residence color.

**Paving:** Paving can be performed with a variety of materials and used to enhance the residences landscaping or to create patio areas, walkways, stoops, porches, landscaping trim, etc. Approved paving materials are as follows: neutral tone concrete, flagstone, steppingstones, pre-cast patterned or exposed aggregate concrete pavers, and colored or natural rock. All material must be installed/located so as not to block any existing drainage pattern of the lot. All paving will require prior ACC approval.

**Play and Sports Equipment:** Play and sports equipment requires prior ACC approval. In general, all play equipment, trampolines and other sports equipment shall only be allowed in the rear of a residence. The ACC may require reasonable screening from the street.

**Playhouses:** Playhouses require prior ACC approval. Playhouses shall not exceed 8' in height at the peak, shall have no more than 120 square feet of interior floor space, and shall be located in the rear yard of the residence. Basic design, materials, colors, and roof materials must match the residence. Playhouses are to be incorporated into, and at least partially screened by, landscaping.

**Pools:** All swimming pools (whether in ground or above ground) shall require prior ACC approval. Moveable small children type (12' in diameter or less and 18" in depth or less) size swimming pools need not receive ACC approval. Swimming pools may be located only in the rear of residence. It is strongly recommended that some form of protection be installed surrounding any and all swimming pools (such as fencing – also subject to ACC approval) to protect against accidental drowning.

**Recreation Vehicles/ Campers:** Recreational vehicles and/or campers shall not be parked on the streets of the property or stored on any lot unless fully contained within a garage. Notwithstanding the foregoing, recreational vehicles/campers may be parked upon the driveway or the lot of upon the street immediately adjacent to the lot for a period not to exceed 72 continuous hours at a time; and no such parking shall be allowed which exceeds more that a total of seven days during a 30 day period.

**Retaining Walls:** Retaining walls require prior approval of ACC. Also see "Landscaping".

**Roof Top Equipment:** No roof top equipment is allowed (see also "Air Conditioning Equipment" and "Antennae"). Lighting rod(s) are permissible. Decorative roof mounted weathervanes require prior ACC approval.

**Satellite Dishes:** Microwave and/or satellite television dishes are permitted as long as they are mounted or placed on the side or rear of residence with prior approval by ACC and are appropriately screened, or architecturally integrated into residence. Diameter of the "dish" shall not exceed a maximum of 36 inches, or as otherwise directed by the FCC. Also see "Antennae".

**Seasonal Decorations:** Seasonal decorations are permitted with the following qualifications and conditions: (i) Christmas decorations shall not be displayed prior to November 15 and must be removed by January 15 of the following year; (ii) other holiday decorations shall be removed within one week after the celebrated holiday; (iii) no decorations shall be displayed in such a manner as to be offensive to the neighborhood or create a public nuisance.

**Signs:** All signs require ACC prior approval, except temporary real estate "for sale or for rent" signs. These temporary signs advertising property for sale or rent shall be no larger than 5 square feet in size.

**Solar Energy Devices:** Solar Energy Devices (whether passive or active) require prior approval from the ACC. Devices must be designed to appear as if they are an integral part of the roof. Every attempt shall be made to mount such devices on the back side of roof if possible, to minimize visibility from front of residence.

**Swamp Coolers:** Swamp coolers are not allowed.

**Swing Sets:** Swing sets only require prior ACC approval if they are a "permanent structure". Also see "Play and Sports Equipment".

**Television Antennae:** Television antennae are not allowed to be mounted anywhere on the exterior of residence. Also see "Antennae" and "Satellite Dishes".

**Temporary Structures:** Temporary structures are not allowed.

**Utility Trailers:** Utility trailers shall not be parked on the streets of the property or stored on any lot unless fully contained within a garage. Notwithstanding the foregoing, recreational vehicles/campers may be parked upon the driveway of the lot or upon the street immediately adjacent to the lot for a period not to exceed 72 continuous hours at a time; and no such parking shall be allowed which exceeds more than a total of seven days during a 30 day period.

**Vehicles:** No bus, large commercial or construction type of vehicles shall be parked, stored or kept on any lot except where reasonably necessary during construction of improvements or residences. No junk or inoperative vehicles shall be stored or permitted to remain unless fully enclosed within a garage.

### **Submittal Requirements**

All exterior improvements including, but not limited to, landscaping and fencing must be reviewed and approved by the Architectural Control Committee (ACC) prior to installation. Please contact Community Management at Pinnacle Consulting Group at 970-669-3611 for submittal process details or email [lovmidmdadmin@pinnacleconsultinggroupinc.com](mailto:lovmidmdadmin@pinnacleconsultinggroupinc.com).