

DESIGN GUIDELINES AND STANDARDS
AND
RULES, REGULATIONS AND PROCEDURES
FOR OH-BE-JOYFUL ACRES SUBDIVISION ARCHITECTURAL COMMITTEE

The Architectural Committee of the Oh-Be-Joyful Acres Home Owners Association, a Colorado non-profit corporation (the "Association") pursuant to the Amended and Restated Protective Covenants for Oh-Be-Joyful Acres Subdivision (the "Subdivision"), Pitkin County, Colorado (hereinafter referred to as "Covenants"), specifically Article IV of the Covenants, hereby promulgates and adopts the following Design Guidelines and Standards and Rules, Regulations and Procedures to govern the architectural review process for the Subdivision.

I. GENERAL REQUIREMENTS.

No improvements, uses or activities or any kind shall be erected, altered or permitted to remain within the Subdivision, nor shall any excavation, clearing or landscaping be done in conjunction therewith unless the plans and specifications showing the same are approved by the Architectural Committee. The Architectural Committee shall endeavor to preserve the Subdivision as a highly desirable and exclusive residential area; to protect the present beauty, views and setting as much as possible, and to have all development conform and harmonize with the surroundings and with other structures as much as possible in accordance with these guidelines and the Covenants.

The design guidelines and standards below set forth the general guidelines governing the overall development of the Subdivision and the specific guidelines governing the development of individual lots.

II. GENERAL ARCHITECTURAL AND SITE DEVELOPMENT DESIGN GUIDELINES.

1. Minimum and Maximum House Sizes. The residential dwelling units on Free-Market Lots 6, 7 and 8 shall have a minimum size of 3,000 square feet of floor area. The dwelling units on the PMH Lots shall have a minimum size of 1,200 square feet and a maximum size of 1,800 square feet. Notwithstanding the foregoing, the Architectural Committee shall have the discretion to reduce the maximum size of residences on individual lots to insure compliance with these design guidelines and Covenants. Garages, mechanical rooms, outbuildings and similar non-living spaces shall be excluded from the floor area calculations.

2. Building Design. Buildings shall be designed to blend into the landscape. Architecture in stark contrast to the landscape shall be avoided and the transition between buildings and the landscape shall be designed to minimize the contrast. Vegetation cannot be relied upon to hide, screen or

diminish the visual impact of buildings and site development because of the slow plant growth that results from the high altitude at the Subdivision and the short growing season. Retaining walls and extensions of buildings, platforms and terraces should be used to create transition areas.

3. Roofs. Roofs should be designed with similar roof pitches to create some continuity among the residences. Roof pitch shall be between 5:5:12 and 12:12, or shall have a pitch of less than 1:12; or other as approved by the Committee. Roofs may be wood shingles or inorganic shingles i.e., slate, formed composite, etc. Metal roofs and copper roofs are allowed, provided they are non-glare, textured, and consistent with the color guidelines. Solar collectors shall only be permitted when they are visually compatible with the residential structures and their visual impact on surrounding residences is minimized.

4. Colors. Colors are to be used that blend into the color in the summer and fall, generally known as earth tone colors. Roof colors should also be earth tone colors, but can be somewhat darker than the exterior wall surfaces. No limitations are placed on trim colors; however, trim colors should not create an excessively high contrast.

5. Building Materials. Materials shall generally be wood, stone, stucco, brick, concrete and other similar materials approved by the Committee. No reflective materials or glossy surfaces are to be used.

6. Exterior Lighting. Exterior lighting should be minimized. Where lighting is required, the fixtures shall be covered so that no light source is directly visible.

7. Landscaping. Decorative, manicured or garden plant materials should be used only within the Building Envelope or in limited outdoor use areas. Landscaping should be primarily designed as extensions of the residence or for screening between residences. Plantings and landscaping is recommended to be indigenous to the Snowmass Creek area. Native grasses shall be used to revegetate all excavations.

8. Exterior Improvements. All external site improvements and furnishings, including parking, garages, fences, retaining walls, tennis courts, TV dishes and service yards should be designed to appear as extensions of the residential structure and to blend into the landscape.

A. Lot Fencing: Lot fencing outside the Building Envelope is permitted and should be wood, split-rail or wire in compliance with the wildlife fencing standard of the Covenants which is not to exceed 42" in height.

B. Building Envelope Fencing: Fencing within the Building Envelope used to screen parking or outdoor use areas

should be wood, stone, brick or concrete fences or walls. This fencing should be designed as part of the residential structure, blend into the existing landscape, and need not comply with the wildlife fencing standard.

C. Tennis Courts: Tennis courts are permitted, but must be located within the Building Envelope. Tennis fencing and screens should be of colors and materials to blend into the landscape.

D. Television Dishes: Television dishes are permitted, but shall be screened from view from other residences and roads. Dishes should be see-through mesh or earth colors to minimize their visibility. If cable television service or a common television dish for the Subdivision is provided, then individual television dishes shall be prohibited.

E. Miscellaneous: All other outside site features, including gates, light standards, etc. should be designed and colored to minimize their visibility and blend into the landscape.

9. Stabling Horses and Corrals. The stabling of horses and construction of corrals is prohibited on all Lots unless a special review and approval is granted by the Committee. On a preliminary basis, only Free-Market Lots 6, 7 and 8 are considered suitable for stabling horses and corrals, and these still must receive approval by the Committee based on specific plans. Corrals shall be located and sized to minimize their visual impact. Corrals should be wood or split rail fencing in compliance with the Covenants. Dust control, cleaning, sanding and spraying for insects of the corral is the responsibility of the Lot Owner and shall be monitored by the Association.

III. INDIVIDUAL LOT SPECIFIC DEVELOPMENT GUIDELINES.

The following individual lot guidelines have been adopted due to the specific conditions or impacts of that individual lot.

IV. ARCHITECTURAL COMMITTEE REVIEW PROCEDURES.

1. Review Sequence. The review sequence herein is to be used for approvals of residences and major site development activity in the Subdivision. The information and procedure required for review of minor site improvements and building modifications or additions will be determined by the Architectural Committee based on the magnitude, visibility and impact of the minor improvement.

Approval by the Architectural Committee shall not supersede or contravene any building permit approval required by the Pitkin County Land Use and Building Codes. A lot owner may apply for a building permit from the Pitkin County Building Department at any time, provided, however, the plans submitted

to the Building Department shall not differ in any substantial way from the plans approved by the Architectural Committee. If the plans approved by the Building Department differ in any substantial way, as determined by the Architectural Committee, from the plans approved by the Architectural Committee, then all approvals of the Architectural Committee shall be deemed automatically revoked until such time as the plans approved by the Building Department are approved by the Architectural Committee.

As set forth herein and in the Covenants, specifically Article IV, Section 7, the term complete architectural and site development plans shall be the construction plans and specifications finally approved by the Architectural Committee and the Pitkin County Building Department. The Architectural Committee shall have the right to charge a fee as established by the Board of Directors of the Association for the review of plans.

2. Informal Pre-Application Conference. Prior to a formal filing of an application, the lot owner and his architect may confer with the Architectural Committee to obtain information and guidance. The purpose of such a conference is to permit the lot owner and his architect and the Architectural Committee to informally review a proposal before substantial commitments of time and money are made.

Any review shall be for informational and guidance purposes only, and shall in no way bind the Architectural Committee. The Architectural Committee shall never be finally committed or bound by any preliminary or informal approval or disapproval until such time as complete architectural and site development plans, specifications, materials and colors are approved in accordance with the procedures set forth herein.

3. Schematic Design Review. The first formal review of the proposed plan will be the schematic design. The schematic design review will focus on the following:

A. Determine that the proposed residence and site uses are within the appropriate areas of the Building Envelope and Lot.

B. Determine that the architecture is designed and sited consistent with the general and lot specific design guidelines herein.

C. Determine that the building height, colors, materials, lighting, landscaping and other architectural and site design elements are consistent with the general and lot specific design guidelines herein.

(1) The lot owner shall submit an application for schematic design review with the Architectural Committee that includes the following: