

**RESIDENTIAL ARCHITECTURAL DESIGN
AND MINIMUM CONSTRUCTION STANDARDS
FOR
CHERRYHILL SUBDIVISION
Amended & Restated**

RECITALS:

A. Cherryhill Subdivision set forth Architectural Design Requirements for the subdivision with the recordation of that certain Residential Architectural Design and Minimum Construction Standards for Cherryhill Subdivision under Reception No. 1893935 on March 19, 1999, in the official land records of Mesa County, Colorado ("Original Architectural Standards").

B. Pursuant to Article I, "Amendments," of the Original Architectural Standards, the Architectural Committee for Cherryhill Subdivision may amend the Original Architectural Standards.

C. The Architectural Committee for Cherryhill Subdivision desires to amend the Original Architectural Standards.

NOW THEREFORE, based on the majority vote of the Architectural Committee for Cherryhill Subdivision, the following is hereby adopted as the Amended and Restated Residential Architectural Design and Minimum Construction Standards for Cherryhill Subdivision. All prior Residential Architectural Design and Minimum Construction Standards for Cherryhill Subdivision are hereby revoked and of no further force and effect.

A. INTRODUCTION

1. The quality of the architectural development within Cherryhill Subdivision is very important in maintaining the goals of the Subdivision. This quality refers to both the design and the construction of any project.

2. In order to establish a high standard of quality for residential construction in the Subdivision, these Residential Architectural Design and Minimum Construction Standards have been adopted. These standards are not intended to prevent variations in the methods of construction, but rather to establish minimum quality. An owner or builder may submit plans that include construction methods other than those specifically covered in these standards to the Architectural Committee for review and consideration.

3. These Architectural Standards have been adopted for all new residential construction and for any subsequent residential remodel or renovation.

B. RESIDENTIAL ARCHITECTURE

1. The development of every residential project is controlled by the Declaration of Protective Covenants (herein after called "Covenants"), the Residential Architectural Design and Minimum Construction Standards (hereinafter called the "Architectural Standards"), the recorded Final Plat and amendments thereto for Cherryhill Subdivision (hereinafter called the "Final Plat"),

and the building code of the City of Grand Junction (hereinafter called the "Grand Junction Code"). It is essential that these documents be reviewed prior to developing a conceptual design for any project.

2. All projects are subject to review and approval by the Architectural Committee.

3. The members of the Architectural Committee shall be the Board of Directors of the Cherryhill Homeowners' Association and two non-board homeowners.

4. Every construction project in the Cherryhill Subdivision shall comply with all applicable codes, regulations, ordinances, laws and Architectural Standards and shall be required to have a current building permit issued by the Building Department of Mesa County, Colorado, (herein after called "Building Department") unless that agency determines that a building permit is not required. The Building Department will determine which codes, regulations, ordinances, or laws will pertain to each individual project.

5. The Architectural Committee is not responsible for, nor will it participate in the owner's, builder's or developer's obligation to process drawings and specifications with agencies or governmental entities or obtain permits, approvals, licenses or other clearances required to pursue the project.

6. If there is a conflict in the requirements of two or more documents, the most restrictive shall apply.

C. SITE PLANNING

1. **General.** Site planning shall respect the relationship of the home to the lot dimensions, building line setbacks, easements, the comprehensive drainage plan, the ability to establish and maintain adequate site drainage, and relation to adjacent homes. An attempt should be made when siting a home to vary the home position on the lot to offer a variety of building forms and elevations along a streetscape where possible. While it is recognized that view corridors between adjoining lots will be impacted upon construction of homes, when planning a site distance and close-in view corridors should be preserved wherever possible. Also, view corridors out of the lot to surrounding vistas should be maintained through appropriate landscaping design.

2. **Building Line Setbacks And Easements.** The following building line setbacks are applicable to each lot, unless more restrictive setbacks are otherwise noted on the Final Plat:

Front Building Setback —	23 feet or more from front property line
Side Building Setback —	7 feet or more from side property line
Building Setback —	30 feet or more from rear property line.

3. **Net Buildable Area.** The Final Plat also indicates utility easements that exist on the lot. The resultant area that is most restrictive from all of these constraints, including the Grand Junction Code, shall determine that portion of the lot which is available for construction of the home, garage and other covered or enclosed structures to the exterior wall dimension of the building footprint (hereinafter referred to as the "Net Buildable Area"). Driveways, walkways, uncovered patios or porches, foundation footers, building eave lines and cantilevered building projections not exceeding two (2) feet in total depth are not considered encroachments upon building setbacks or easement lines.

4. **Comprehensive Grading And Drainage.** During the platting and original construction of subdivision improvements, a Comprehensive Grading and Drainage Plan was

prepared which pre-planned and integrated the overall drainage flows from streets, homes, lots and common areas, and indicates the direction and routing of collected flows to discharge points. It is recognized as a component of the Comprehensive Plan, with respect to impacting adjoining property owners, that in some cases individual lot drainage may be collected and routed across an adjoining lot through easements for this purpose. The building construction grading of individual lots must preserve the integrity of the Comprehensive Plan.

5. Site Grading And Drainage.

a. With the size of the building footprints, the restrictive building setbacks, the site drainage requirements and the nominal lot size, it is recognized that natural land forms and grades will not be preserved in construction of homes. Each lot will be altered during the building construction to best accommodate the home plan.

b. The grading of any site shall be such that erosion of the site during and after construction is prevented, including the runoff of silt, debris or sedimentation onto adjacent streets, gutters, sidewalks, rights-of-way or adjacent properties. There shall be no grade alteration within utility and drainage easements which either reduces or increases the effective bury depth of the underground utility systems without the prior written consent of the respective utility companies.

c. Each lot shall be graded to provide positive drainage away from the structure in all directions on irrigated lawn, non-irrigated groundcover and concrete flatwork. It is recommended that drainage in lawn and groundcover areas be sloped a minimum of two percent (2%) (two (2) feet fall in one hundred (100) feet of run), and that concrete drives and patios be sloped a minimum of one percent (1%).

d. Site grading slopes on irrigated lawn shall not exceed a 3:1 slope (one (1) foot rise/fall in three (3) foot horizontal run). Any site grading transitions which may require greater than a 3:1 slope shall be mitigated by construction of retaining wall structures not exceeding a four(4) foot stepped height.

e. Structural retaining walls shall be based upon structural engineered plans and constructed of case-in-place concrete, split-face block, or timbers with a texture and finish that is complementary to the residence, which may include stucco, brick or stone accents. Non- structural landscape walls may be constructed of stucco, split-face block, dry-stack stone, or mortar-set stone.

6. Driveways And Walkways.

a. Driveways shall not exceed twenty-four (24) feet in width at the curb line for a two (2) car garage and shall be limited to one (1) per lot. The width and configuration of driveways for three (3) car garages are subject to review by the Architectural Committee. All driveways shall be constructed of reinforced concrete or concrete pavers. Concrete paver color and design shall be approved by the Architectural Committee.

b. Driveways and walkways may cross utility easements provided prior approval by the utility company(s) has been obtained.

c. The location of driveways for Lots 1,5,6,10 and 24 shall be as shown on the final plat.

- d. No gravel driveway or parking areas on a lot are allowed.

7. Fences.

- a. All fences must be constructed of wood, but metal posts may be used in their construction provided that are hidden by wood. Metal wire mesh with a max 16 Ga wire size and mesh openings between 2" to 4" may be added to split rail fencing as an option. Naturally weather-resistant woods such as redwood and cedar are preferred and may be left untreated. A wood fence may be accented with stone, brick, stucco or split-face block columns.
- b. The maximum height of any fence shall be six (6) feet, except that no fence located within twenty-three (23) feet of any street shall exceed four (4) feet in height.
- c. The Cherryhill Homeowners' Association (hereinafter the "Association") will maintain the wall constructed by the Developer along 26 1/2 Road.
- d. Examples of acceptable fences are attached to these Architectural Standards. Other fence designs may be considered by the Architectural Committee.
- e. No fencing will be allowed in the pedestrian easement to Tract B.

8. Mailboxes.

- a. The United States Postal Service provides central mail delivery to Neighborhood Box Units ("NBUs") which is subject to the jurisdiction of the United States Postal Service. All lots shall use the NBUs located on Dahlia at the entrance to the subdivision.
- b. The installation and use of individual lot curbside mail or newspaper delivery boxes is strictly prohibited.

9. Outdoor Swimming Pools And Spas.

- a. Outdoor swimming pools, spas and related mechanical equipment can only be installed per applicable code and located in rear yards within the Net Buildable Area as described in Section C.2, "Building Line Setbacks and Easements," of these Architectural Standards. Every yard containing a swimming pool or spa shall be fully enclosed by a fence, and all fence gates shall be self-closing and lockable.
- b. All mechanical equipment serving a swimming pool and/or spa shall be enclosed by either a fence or by landscaping in a manner as to screen the view of the equipment from adjacent properties.

10. Irrigation Systems. To minimize the risk of damage to buildings and foundations, the introduction of irrigation water next to a building is not recommended.

11. Landscaping.

- a. The predominant landscape design theme shall be natural and informal groupings of introduced plant materials integrated into a balanced design. A typical residential yard landscape should include design components of irrigated lawn, shrubbery, deciduous and/or coniferous trees, and low-maintenance groundcover in an attractive balanced design. In landscaping it is urged that plant materials, irrigation

systems and maintenance practices be utilized which conserve water.

b. The front, side and rear yard of any lot is required to be landscaped. A minimum of fifty percent (50%) of the net front yard area (from curb line to front of home and garage, excepting that area covered by driveways and hard-surface walkways and courtyards) shall be irrigated turfgrass lawn, xeriscaped, or a combination of both. On corner lots, a minimum of fifty percent (50%) of the exposed side yard area (from side curb line to exposed side of home or garage) is also required to be irrigated turfgrass lawn, xeriscaped, or a combination of both. In addition to lawn, yards shall include trees and/or shrubs. Landscaping plans must be approved by the Architectural Committee prior to planting.

c. Although water conserving landscapes are often associated with a rather bleak "dry land" appearance, it should be noted that a more traditional "green" appearance can be achieved while still using much less water than typical suburban residential landscapes. As an alternate to the irrigated front and side lawns criteria, a water conserving landscape plan may be developed which accomplishes the fifty percent (50%) "green" criteria through dense plantings of coniferous shrubbery integrated with a matrix of groundcover. Consultation with a landscape architect or designer experienced in designing water conserving landscapes is encouraged.

d. During the landscape construction process, critical components of the approved Site Grading Plan and the Comprehensive Drainage Plan shall be preserved to ensure positive drainage away from structures and off the site. Settled trenches shall be repaired to prevent ponding or undesired diversion of drainage.

e. To preserve unrestricted pedestrian and vehicular site lines at intersections, no tree, shrub, plantings or landscaping shall be placed on corner lots so as to obstruct site lines and elevations between two (2) feet and six (6) feet above the top of curb elevation within a triangular area formed by the intersection of the street curb lines and a line connecting them at a point fifty- five (55) feet from the intersection of such curb line extension.

f. Landscaping or other improvements within an established utility easement may be subject to damage by the utility company(s), and the utility company(s) will not be liable for such damage.

g. No artificial turf or plants are allowed.

D. BUILDING DESIGN AND CONSTRUCTION

1. General.

a. The housing product shall be semi-custom housing based upon designer plans or custom architecturally designed homes with either an attached or detached garage. Homes with designer floor plans shall have two (2) or more exterior elevation options to provide a variety of appearances.

b. The design and construction of all homes shall comply with the provisions of the latest edition of the International Building Code as adopted by the City of Grand

Junction and Mesa County, Colorado.

c. The total finished floor area of any home, excluding basement, garage, open porches, breezeways and detached living use outbuildings, shall not be less than two thousand (2,000) combined square feet on the main floor (with a minimum of two thousand (2,000) square feet on the primary floor level of multi-story homes) as calculated by using the exterior wall dimensions of the building. Each home shall have an enclosed garage not less than twenty (20) feet wide (two (2) car capacity) nor more than three (3) car capacity. Open carports are not permitted.

d. "Lower-story" is defined as a building level for residential living uses constructed within one (1) or more exterior walls having direct egress to adjacent grade to accommodate lower-story garden-level or full walk-out construction on hillside topography lots, which lower-story exposed exterior walls must be finished to match the primary exterior wall materials of the home. A "basement" is defined as a lower building level for non-living purposes, or a lower building level which has emergency egress to window wells or exterior stairwells but with no exposed and finished exterior wall massing.

e. The maximum overall height of any home shall not exceed thirty-two (32) feet as measured vertically from the center of the lot at the curb level to the highest roof ridge line elevation of the structure.

f. The design parameters of residential buildings may be directly or indirectly controlled by certain provisions of the Covenants, the Final Plat and by Mesa County, Colorado. It is important to review and refer to these documents and the Architectural Standards throughout preparation of construction documents for any project to conform to any applicable restrictive provisions. If there is a conflict in the requirements of two (2) or more documents, the most restrictive shall apply.

2. Exterior Design.

a. A-frame houses, log houses, dome houses, glass wall houses, spaceship-looking radical designs, etc., are examples of home designs that are prohibited. The Architectural Committee has the sole authority to interpret what may be acceptable home designs.

b. In designing floor plans and exterior elevations, care should be taken to create exterior wall surfaces of varying planes. It is desirable to avoid long uninterrupted walls and roof lines. Covered entryways, bay windows, angled walls and nooks, wall projections, covered porches and cantilevers are encouraged.

c. Whenever possible, homes should step down on all sides. Graduated wall heights are important in maintaining proper massing.

d. Exterior siding materials to be used in home design are brick, stone, stucco, or a combination thereof.

e. Windows are a key design element and should be placed in a manner that will complement the overall design, both interior and exterior. All windows shall have standard or non-reflective glazing. Mirrored glazing and reflective films are prohibited.

3. Roof Design.

- a. The standard roof pitch is 5:12 pitch (five (5) feet rise in twelve (12) feet run) up to 7:12 pitch. A minimum roof pitch of 4:12 may be required by the Architectural Committee in certain design applications to mitigate the overall height of multi-story homes. Flat roofs, butterfly, folded plate and curved panel roofs are not permitted.
- b. The roofing materials are to be earth tone asphalt composition shingles, minimum twenty-five (25) year Architectural shingles, cedar shakes, slate or manufactured tile roofing systems. Built-up roofing, ballasted single-ply roofing and metal roofing systems are not permitted as the primary roofing materials.
- c. The roofing systems shall be of the same pitch, materials and colors.
- d. Heating and cooling units are not permitted to be mounted on the roof.

4. Foundations.

- a. A subsoil investigation, performed by a soil testing laboratory under the supervision of a Professional Engineer, is required for each area of residential construction to determine soil bearing conditions and applicable regional foundation design. It is required that a subsoil investigation be performed on each individual lot, or that an open hole inspection of the foundation excavation be conducted by a qualified soils engineering technician to ascertain the soil bearing conditions.
- b. The design of the foundation shall be based on the subsoil investigation and shall be prepared by a Professional Engineer registered in the State of Colorado.
- c. All foundations shall be constructed of reinforced cast in place concrete.

5. Exterior Wall Materials.

- a. Natural or cultured stone and earth tone brick are permitted and encouraged as either primary or accent building materials. Concrete block, exterior metal siding, or vinyl siding are not allowed.
- b. Stucco is permitted as either primary or accent building materials.

6. Fireplaces And Natural Gas Appliances. Fireplaces, wood burning stoves and natural gas appliances shall be installed in strict compliance with applicable codes, the manufacturer's required procedures and shall meet applicable pollution standards, including the use of spark-arrester flue caps as may be required by the Uniform Fire Code. The use of energy efficient gas fireplace appliances is encouraged.

7. Renewable Energy Production Devices. Renewable energy production devices are defined as either, a solar device, a wind generation device, a geothermal device, or a heat pump system

- a. Passive and active solar energy systems, if used, must be integrated into the architecture of the residence area. Solar collection panels should blend into overall architectural massing and roof form designs. When solar collectors are placed on the roof of a building, they should be mounted at the same pitch as the roof, even though the slope of the roof may not be "optimal" for solar collection. The small increase in panel area that may be required to achieve the overall collection performance is preferable to the visual conflicts of different angles, slopes and protrusions on the roof.

Solar panels shall not protrude more than one (1) foot above roof surface or ridge line. No collection panels may be located such that they cause glare onto an adjacent property.

b. Other renewable energy productions devices shall be reviewed by the Architectural Committee for location, disturbance to neighbors, and aesthetics. Limitations as to the location may be required by the Association to meet these requirements and shall meet the requirements of C.R.S. § 38-30-168.

8. Installation of Energy Efficient Devices. Energy Efficient Devices are defined as:

- a. An awning, shutter, trellis, ramada, or other shade structure that is marketed for the purpose of reducing energy consumption;
- b. A garage or attic fan and any associated vents or louvers;
- c. An evaporative cooler;
- d. A retractable clothes line; and
- e. A heat pump.

Energy efficient devices are allowed however they shall not be visible from a public street except on specific approval from the Architectural committee.

9. Plumbing.

- a. The sewer service shall conform to the regulations of the City of Grand Junction and the Uniform Plumbing Code.
- b. The natural gas service shall conform to the Uniform Plumbing Code and the regulations established by the appropriate agency.

10. Antennae And Satellite Dishes. No exterior device of any type, other than an antenna or a satellite dish for signals from direct broadcast satellites, broadband radio providers and television broadcast stations are permitted. A satellite dish for receiving normal television signals may be located on the lot, provided the satellite dish does not exceed thirty-one (31) inches in diameter and does not extend higher than five (5) feet above adjacent grade of the lot or visible from a public street.

11. Outbuildings.

- a. Detached living use and architectural structures, including gazebos, arbors, spa covers, etc., may be permitted, but are restricted to being constructed within the Net Buildable Area of the lot.
- b. Open carports and outbuilding storage or non-living use structures (storage sheds, tool sheds, garden equipment sheds, etc.) are strictly prohibited. It is strongly advised that potential storage needs be recognized in advance by the owner and be designed as an integral component of the general home design, such as construction of a partial basement, three (3) car garage, or integration hobby and storage space requirements into the garage area.

12. Patio Covers, Breezeways And Awnings.

- a. Open patio covers and open or enclosed breezeways between the home and

the garage shall be independently founded and supported such that additional stress is not placed on the home or garage structure. Roofing design for patio covers and breezeways may be flat or moderately pitched, but may not exceed the roof pitch of the home or garage.

b. Permitted building materials for patio covers and breezeways include materials matching the home, natural cedar or redwood. These materials may be either painted to match the home or treated with a natural-colored transparent stain. Corrugated fiberglass, vinyl and metal panel systems are not permitted for use in patio covers or breezeways.

c. Fixed or operable fabric awnings must be of a non-reflective material and a complementary selection to the home body or trim colors.

13. Electric Charging stations.

a. Electric charging stations for electric vehicles are only allowed within the homeowner's garage. No curb side charging is allowed.

b. Electric charging stations installations shall follow all requirements of the Building Department

E. SUBMITTAL PROCESS

1. New Home Submittals. New home architectural submittals shall include the following drawings and information:

- a. Site Plan - dimensions of lot, setbacks, easements, position of home, etc.
- b. Grading Plan - existing and proposed elevations of lot and structures, site drainage conditions, retaining walls, steep side slopes, elevation of adjacent homes.
- c. Engineered Foundation Plan.
- d. Building Floor Plans and Exterior Elevation drawings.
- e. Roofing Plan with location of gutter down spout discharge.
- f. Exterior material color submittals - paint colors should reference paint manufacturer's color chip numbers.
- g. Engineered structural retaining wall plans, if any.

It is very strongly emphasized that non-standard plans, including semi-custom designer plans and custom architecturally designed plans, shall be submitted as preliminary concept drawings for consideration by the Architectural Committee as soon as they have been developed by the Owner. This will minimize the potential of an Owner investing significant efforts and funds into the design of a home plan that may not be in accordance with the *Architectural Standards*, the *Covenants*, the *Final Plat* or other controlling documents.

2. Renovation Project Submittals. An owner who is making a small building renovation or remodel project, exterior repainting or additional landscape plantings, as examples, need only make the respective submittals according to the Architectural Standards Policy of the association. .

3. Variance Application. An owner may make application for a variance from any

specific provision or standard of these Architectural Standards for consideration by the Architectural Committee. A variance application must reference the specific provision for which variance is requested, must include all respective submittals pertinent to the project, and must also include a narrative statement demonstrating either a hardship or conditions of the variance that would meet or exceed the design intent of the Architectural Standards. It is in the sole discretion of the Architectural Committee to deny, modify or approve any variance applications.

F. PROJECT IDENTIFICATION

On new residential construction sites a "builder's sign" shall be placed in the front yard of the project prior to the first inspection by Mesa County, Colorado. The sign shall include the lot and block numbers, street address, building permit and any other information that may be required by the City. The form and dimension of such sign are as attached to these Architectural Standards.

G. INSPECTIONS/FIELD REVIEWS

1. All residential construction projects that are required to have a building permit issued by the Building Department will be inspected by that agency under procedures established by the County. The general purpose of the inspections is to attempt to determine compliance with all applicable codes, regulations, ordinances or laws. The inspections, however, do not guarantee compliance and do not relieve the owner, builder or developer from the responsibility of being in full compliance with these architectural standards

2. The Architectural Committee may conduct field reviews of projects to check for compliance with the plans and specifications and reserves the right to ask for correction of any work that, in the opinion of the Architectural Committee, is not in compliance with regulatory requirements, the plans and specifications or good construction practices. Such corrections may be in addition to any corrections required by Mesa County, Colorado and/or FHA/VA inspectors. The field reviews by the Architectural Committee do not guarantee compliance and do not relieve the owner, builder or developer from the responsibility of being in full compliance.

3. The Architectural Committee, or its designated representative, may specifically provide final grading and drainage inspections of residential projects to ascertain compliance with the Site Grading Plan and the Comprehensive Drainage Plan upon completion of said improvements by the contractor building the home.

H. PROJECT START AND COMPLETION

1. No site work or building construction may proceed on any lot (including no preliminary site clearing, grubbing, grade alteration, storing of material, foundation excavation, extension of underground utilities, *etc.*) until the project has received a project approval letter from the Architectural Committee and has been issued a building permit by the Building Department.

2. All general building and site improvement construction for any project shall be completed and shall have issued a Final Inspection Certificate from the Building Department no later than twelve (12) months after the issuance date of the building permit.

3. The completed landscaping and revegetation of the improved lot, including the front, side and rear yard areas, shall be completed no later than six (6) months from the date of Final Inspection Certificate. An additional maximum four (4) month extension may be granted by the

Architectural Committee if the Certificate of Occupancy was issued shortly prior to the non-growing winter months such that landscape construction cannot diligently proceed.

I. AMENDMENTS

These Architectural Standards may be amended by the Architectural Committee.

ADOPTED the 25 day of July, 2024, by the Architectural Committee of Cherryhill Subdivision.

ARCHITECTURAL COMMITTEE OF CHERRYHILL SUBDIVISION

By: Karen L. Holt
Karen L. Holt

Lincoln Hall
Lincoln Hall

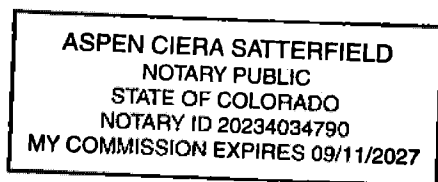
STATE OF COLORADO)
) ss.
COUNTY OF MESA)

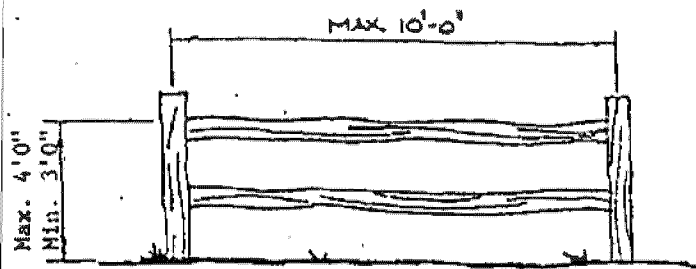
The foregoing instrument was subscribed and sworn to before me this 15th day of July, 2024, by Lincoln Hall, Karen Holt member of the Architectural Committee of Cherryhill Subdivision.

Witness my hand and official seal.

9/11/27

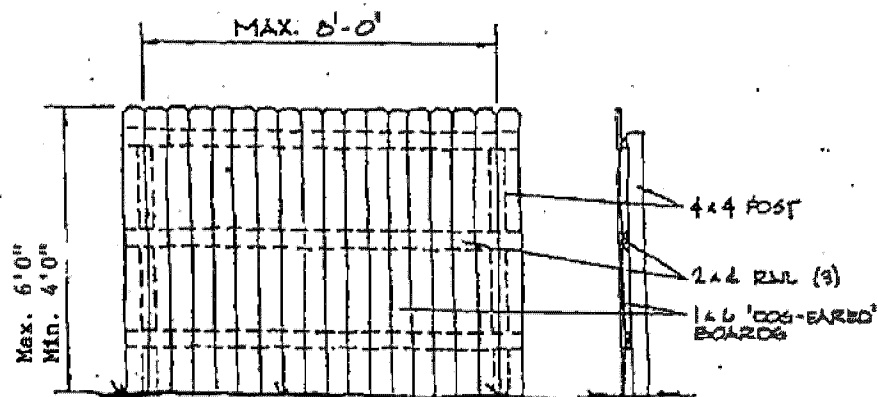
Aspen Ciera Satterfield
Notary Public



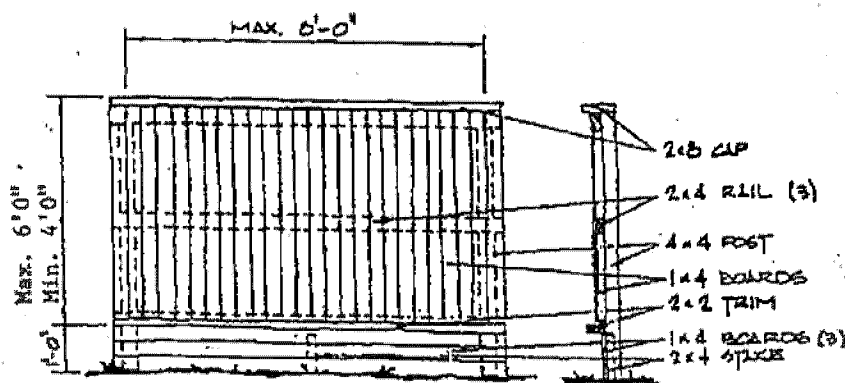


SPLIT-RAIL

Option: May add wire mesh to top of top rail. Wire mesh to have openings 2" to 4" in dimension and wire to be a max of 16 Gauge.



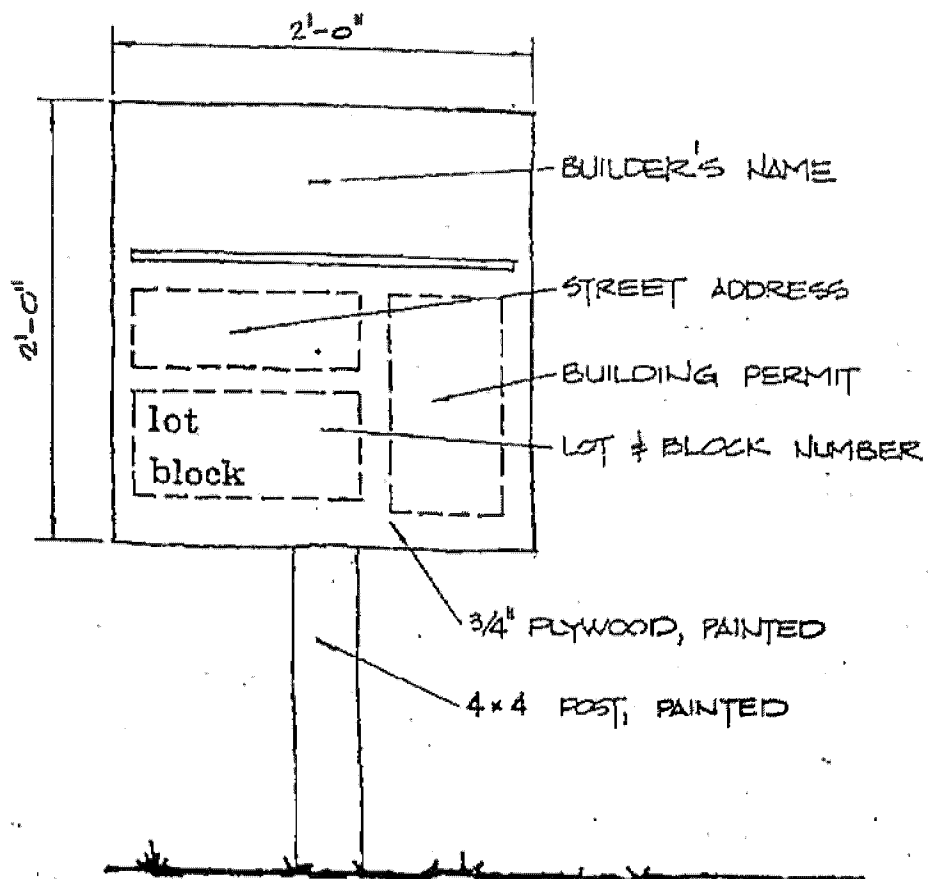
COMMON



STREET SIDE

Option for common and street side fencing: 4x4 wood post may be replaced with metal post provided they are hidden from view with wood.

FENCES



SIGN