

**SPOA ADOPTED POLICIES 2019-1 AND 2019-2
REGARDING HOUSE COLORS, DESIGN AND MATERIALS
ADOPTED NOVEMBER 16, 2019**

SPOA Policy 2019-1 relating to the application of the phrase, “harmony of external design and location in relation to surrounding structures and topography,” found in Article V of the Stagecoach Declaration of Covenants, Conditions and Restrictions

WHEREAS, Article V of the Stagecoach Declaration of Covenants, Conditions and Restrictions [“Covenants”] provides that, “No building... or other structure shall be commenced, erected, or maintained ... until the plans and specifications showing the nature, kind, shape, height, material and location of the same shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by the Board of Directors of the Association, or by an Architectural Committee comprised of three (3) or more representatives appointed by the Board;” and

WHEREAS, the goal of the Covenants, as stated in the preamble, is to, “secure to each individual owner the full benefit and enjoyment of his home and/or property with no greater restriction upon the free and undistributed use of his property than is necessary to insure the same advantage to other similar owners; and to insure the lasting beauty and investment value of the property...”; and

WHEREAS, the Board finds that the investment value of the Lots and the ability of Lot owners to enjoy their property is directly linked to the preservation of the natural beauty of Stagecoach; and

WHEREAS, the Board finds that the adoption of a policy concerning the colors of buildings and other structures constructed at Stagecoach will help to insure the lasting beauty and investment value of the property of all Lot owners;

NOW, THEREFORE, the Board hereby adopts and promulgates the following policy:

I. SUBDIVISIONS WITH SEPARATE COVENANTS

A. If an applicant owns a Lot in a subdivision that is subject to separate covenants, in addition to the Stagecoach Covenants, and if those separate covenants specify, directly or indirectly, the colors that may be used in constructing or renovating structures, then the colors specified in the separate covenants shall be permitted.

B. If an applicant owns a Lot in a subdivision that is subject to separate covenants, in addition to the Stagecoach Covenants, but the separate covenants do not specify, directly or indirectly, the colors that may be used in constructing or renovating structures, then the policies stated below

shall apply, provided that the ACC shall defer to colors approved by any review board or committee established pursuant to the separate covenants, unless the colors are prohibited below.

II. CONDOMINIUMS

A. If the condominium declaration states, directly or indirectly, the colors that may be used in constructing or renovating structures, then the colors specified in the condominium declaration shall be permitted.

B. If the condominium declaration does not specify, directly or indirectly, the colors that may be used in constructing or renovating structures, then the policies stated below shall apply,

III. SUBDIVISIONS NOT SUBJECT TO SEPARATE COVENANTS

A. **New Construction.** In the case of new construction on a Lot, the proposed colors of the new structure(s) will be reviewed in two ways: The proposed colors of each of the components [roof, siding, trim, window frames, doors, decorative stone, decorative metal, etc.] will be reviewed to determine whether they meet the requirements set forth below; and the proposed color scheme of the assembled components will be reviewed to determine whether it harmonizes with surrounding structures and the surrounding natural environment. Generally, it is expected that if the component colors meet the requirements below, then the proposed color scheme will harmonize with surrounding structures since they will have been constructed with similar component colors. However, even if a proposed color scheme harmonizes with the surrounding structures, it may not harmonize with the natural environment. If the proposed color scheme detracts excessively from the enjoyment of the surrounding natural beauty, then the application to use the proposed color scheme may be disallowed. The objective is to use a color scheme that will allow the structure to blend in with the surrounding environment in a visually pleasing manner. To the extent that the Lot owner proposes a color scheme that does not blend well with the surrounding environment, the Lot owner may propose to create a better visual effect by agreeing to plant trees and other vegetation on the Lot.

1. Roofs.

a. Although proposed roof covering materials may contain a variety of colors [for instance, a blend of grays, browns, greens and blacks], the color of the roof will be assessed based upon the color of the roof when viewed from a distance.

b. Disfavored colors:

i. White, pink and purple;

c. Preferred colors:

- i. Earth tones.

- d. Other colors will be reviewed on a case-by-case basis to determine whether the color blends in with the surrounding soil and vegetation.

2. Siding.

- a. Although proposed siding materials may contain a variety of colors, the color of the siding will be assessed based upon the color of the siding when viewed from a distance.

- b. Disfavored colors:

- i. White, pink and purple.

- c. Preferred colors:

- i. Earth tones.

- d. Other colors will be reviewed on a case-by-case basis to determine whether the color blends in with the surrounding soil and vegetation.

3. Trim.

- a. Although proposed siding materials may contain a variety of colors, the color of the trim will be assessed based upon the color of the trim when viewed from a distance.

- b. Disfavored colors:

- i. White, pink and purple.

- c. Preferred colors:

- i. Earth tones.

- d. Other colors will be reviewed on a case-by-case basis to determine whether the color blends in with the surrounding soil and vegetation.

4. Window frames, doors, garage doors and decorative stone.

- a. Disfavored colors:

- i. White, pink and purple.

- b. Preferred colors:

- i. Earth tones

c. Other colors will be reviewed on a case-by-case basis to determine whether the color blends in with the surrounding soil and vegetation.

B. Renovation of or Additions to Existing Structures.

1. If an owner renovates or adds to an existing structure, the preferred color scheme is the color scheme of the rest of the structure; all other proposed color schemes will be reviewed on a case-by-case basis to determine whether the colors blend with the color scheme of the rest of the existing structure.

2. If an owner proposes to change the color scheme of an existing structure then the policies stated above with respect to new construction will be applied.

SPOA Policy 2019-2 relating to the application of the phrase, “harmony of external design and location in relation to surrounding structures and topography,” found in Article V of the Stagecoach Declaration of Covenants, Conditions and Restrictions

WHEREAS, Article V of the Stagecoach Declaration of Covenants, Conditions and Restrictions [“Covenants”] provides that, “No building... or other structure shall be commenced, erected, or maintained ... until the plans and specifications showing the nature, kind, shape, height, material and location of the same shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by the Board of Directors of the Association, or by an Architectural Committee comprised of three (3) or more representatives appointed by the Board;” and

WHEREAS, Section a of Article V of the Covenants provides that one “ancillary building” per Lot will be permitted so long as the Architectural Control Committee [referred to below as the “Committee”] determines that the ancillary building is, “in keeping with the overall architecture or scheme of the dwelling;” and

WHEREAS, the goal of the Covenants, as stated in the preamble, is to, “secure to each individual owner the full benefit and enjoyment of his home and/or property with no greater restriction upon the free and undistributed use of his property than is necessary to insure the same advantage to other similar owners; and to insure the lasting beauty and investment value of the property...”; and

WHEREAS, the Board finds that the investment value of the Lots and the ability of Lot owners to enjoy their property is directly linked to the preservation of the natural beauty of Stagecoach; and

WHEREAS, the Board finds that the adoption of a policy concerning the location of, design of and materials used for buildings and other structures constructed at Stagecoach will help to insure the lasting beauty and investment value of the property of all Lot owners; and

WHEREAS, Article V Section h. of the Covenants provides that, "Approval shall be obtained from the Committee to cut down, clear or kill any trees on any lot;

NOW, THEREFORE, the Board hereby adopts and promulgates the following policy:

[This policy purposely does not address all possible design elements and all possible materials. This policy is a work in progress. It is the intention of the Board to amend this policy in the future as experience dictates.]

I. SCOPE AND GENERAL STANDARD OF REVIEW. Both the design of the proposed structural components [roofs, walls, foundation, etc.] and the proposed site of the structure will be reviewed. The materials that the Lot owner proposes to use in the construction will also be reviewed, to the extent that those materials will be visible from outside the structure. The purpose of this review is, first, to determine whether the proposed structure will harmonize with the surrounding structures [even though the surrounding structures may be located hundreds of yards away from the proposed structure]. In the case of an "ancillary building" the review will consider not only whether the ancillary building harmonizes with structures on other Lots, but also whether the ancillary building harmonizes with the dwelling on the Lot. If the proposed design of a structure is determined to be so different from the design of surrounding structures that it creates a feeling of disharmony, then the application may be disapproved. Similarly, if the location of the proposed structure is determined to adversely affect the surrounding structures, then the application may be disapproved.

The second purpose of the review is to determine whether the proposed construction will preserve, to a reasonable extent, the natural beauty of the Lot. In this regard, the Committee will look at how well the proposed structure fits the existing topography of the building site. The Committee will also look at whether the construction will result in the destruction of trees on the Lot and/or prominent natural features, such as large rock outcrops. And, the Committee will look at the materials used for the exterior of the structure. If the proposed location or the proposed materials are determined to create a feeling of disharmony with respect to the surrounding natural environment, then the application may be disapproved. Generally, the objective is to select a site and use a design and materials that will allow the structure to blend in with the surrounding environment in a visually pleasing manner. To the extent that the Lot owner proposes to use a design or material that does not blend well with surrounding structures and/or the surrounding environment, the Lot owner may propose to create a better visual effect by agreeing to plant trees and other vegetation on the Lot.

II. SPECIFIC STANDARDS

A. Prohibited, Disfavored and Favored. If an applicant proposes a location, design or material that is listed below as “Prohibited”, the application will be disapproved. If an applicant proposes a location, design element or material that is listed below as “Favored”, that particular location, design element and/or material will be approved, although there may be other aspects of the proposed structure that will cause the application to be disapproved. If an applicant proposes a location, design element or material that is listed below as “Disfavored,” the burden will be on the applicant to convince the Committee that there is some aspect of the Lot or the existing structures on the Lot that justifies the use of the proposed location, design element and/or material.

For locations, design elements and/or materials that are not listed below, the Committee will review the application under the general standard of review stated above.

B. Structure Site.

1. Prohibited.

- a. Any site that encroaches on the front, rear and side utility and drainage easements.

2. Disfavored

- a. Structure sites that significantly block the established view from surrounding Residences, to the extent that the size and the topography of the Lot reasonably allow other, less obstructive, structure sites.
- b. Structure sites that will require a significant alteration of the existing topography of the Lot, to the extent that the size and the topography of the Lot reasonably allow structure sites that will require less alteration of the existing topography.

3. Favored. [Reserved]

C. Architectural Design.

1. Design as it relates to the Lot topography.

- a. Prohibited [Reserved]
- b. Disfavored [Reserved]
- c. Favored:
 - i. When the owner proposes to build on an existing slope, structures that are built into the slope, such as a house with a “walk-out” basement.
 - ii. Designs that preserve prominent natural features, such as rock formations.

2. Roofs

- a. Prohibited Design Elements: [Reserved]
- b. Disfavored Design Elements: [Reserved]
- c. Favored Design Elements: [Reserved]

D. Materials

1. Roofs

- a. Prohibited Materials:
 - i. Wood shake shingles.
- b. Disfavored Materials [Reserved]
- c. Favored Materials
 - i. Standing seam metal;
 - ii. Asphalt shingles, including “dimensional” asphalt shingles

2. Siding.

- a. Prohibited Materials: [Reserved]
- b. Disfavored Materials:

- i. Standing seam metal siding that covers more than 50% of the walls of the structure.
- ii. Corrugated metal siding that covers more than 50% of the walls of the structure.
- iii. Vinyl

c. Favored Materials:

- i. Wood, including logs and partial logs;
- ii. Manufactured wood siding;
- iii. Fiber cement siding;
- iv. Stucco;
- v. Stone and faux stone.
- vi. In the case of an “ancillary building”, siding that is the same as the siding of the Residence on the Lot.

3. Trim.

a. Prohibited Materials: [Reserved]

b. Disfavored Materials: [Reserved]

c. Favored Materials:

- i. Wood, including logs and partial logs;
- ii. Manufactured wood;
- iii. Fiber cement;
- iv. Stucco;
- v. In the case of an ancillary building, trim that is the same as the trim of the Residence on the Lot.

**SPOA ADOPTED POLICIES 2019-3 AND 2019-4
REGARDING APPLICATIONS FOR BUILDING AND DECISION MAKING BY THE
ARCHITECTURAL COMMITTEE
ADOPTED AUGUST 17, 2019**

SPOA Policy 2019-3 relating to the application of the phrase, “No building... or other structure shall be commenced, erected, or maintained ... until the plans and specifications showing the nature, kind, shape, height, material and location of the same shall have been submitted to and approved in writing ... by the Board of Directors of the Association, or by an Architectural Committee comprised of three (3) or more representatives appointed by the Board;” found in Article V of the Stagecoach Declaration of Covenants, Conditions and Restrictions

WHEREAS, Article V of the Stagecoach Declaration of Covenants, Conditions and Restrictions [“Covenants”] provides that, “No building, fence, wall, swimming pool, or other structure shall be commenced, erected, or maintained upon the Properties, nor shall any exterior addition to or change or alteration therein be made until the plans and specifications showing the nature, kind, shape, height, material and location of the same shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by the Board of Directors of the Association, or by an Architectural Committee comprised of three (3) or more representatives appointed by the Board;” and

WHEREAS, the Board has previously adopted a policy to the effect that only plans actually submitted by the applicant to Routt County for approval will be reviewed and approved pursuant to the Covenants; and

WHEREAS, the ACC has established an informal procedure that allows review of plans before submission to Routt County, so as to minimize applicant costs in the event that changes to the plans are required, but this informal procedure has not, to date, been formally adopted by the Board; and

WHEREAS, Section a of Article V of the Covenants states that, “All Lots shall be ... used only for Residences,” but also allows one “ancillary building”, and

WHEREAS, there is still often confusion about various aspects of the application process;

NOW, THEREFORE, the Board hereby adopts and promulgates the following policies:

[These policies purposely do not address all aspects of the application process and all issues that may arise. These policies are a work in progress. It is the intention of the Board to amend these policies in the future as experience dictates.]

I. CLARIFICATION OF “EXTERIOR ADDITION OR CHANGE OR ALTERATION”

In order to streamline the process and lessen the burden on Lot Owners, consistent with the stated purpose of the Covenants, the Board has determined that the phrase, “exterior addition or change or alteration should be interpreted to exclude certain repairs and minor alterations, which are listed below. Owners wishing to make a repair or minor alteration that is not on the list are advised to consult with the Managing Agent.

A. The following repairs and minor alterations shall not be treated as an “exterior addition or change or alteration,” for purposes of the application process only. The Board reserves the right to change this list from time to time, as experience dictates.

1. Repair and/or replacement of roofing or siding or trim materials and/or coatings, including paint, so long as the materials and coatings have approximately the same color as the original color of the materials and/or coatings replaced;
2. Repair and/or replacement of windows and/or doors and/or garage doors, so long as the replacement windows and doors and garage doors have approximately the same color as the original color of the windows or doors or garage doors replaced;
3. Construction of a roof over an existing doorway of a Residence, so long as the materials and colors are substantially the same as those of the Residence;
4. Construction of a roof over an existing deck attached to a Residence so long as the materials and colors are substantially the same as those of the Residence.

III. CLARIFICATION OF THE TERM “ANCILLARY BUILDING”

Except as otherwise provided in any amendment to the Covenants, or any other policy or guideline adopted by the Board, an “ancillary building” is, generally, a roofed structure that does not share a common wall with a Residence, provided, however, that:

A. A roofed structure that does not share a common wall with the Residence on the Lot but which is connected to the Residence by a walkway that allows passage from the structure into the house is not an “ancillary building” if: (1) the walkway is not longer than twenty (20) feet in length, and (2) the walkway has been enclosed with walls and/or windows, and a roof, so that the interior is protected from the elements. Any such structure and walkway will be treated as part of the Residence for purposes of computing minimum and maximum square footage requirements.

IV. INFORMAL REVIEW OF APPLICATIONS

The Covenants provide that an application must be approved or disapproved within 30 days of submission or it is automatically approved. In the past, the ACC would approve applications prior to submission of the plans to Routt County. In some instances, the applicant would change the plans after approval by the ACC but prior to submission to Routt County. SPOA would only discover the change after the structure had been constructed.

In an attempt to reduce construction of structures that have not been approved, the SPOA Board has adopted a policy to the effect that only plans submitted to Routt County will be reviewed by SPOA; all others will be disapproved. However, this places Lot Owners in the position of incurring the expense of preparing submission copies of plans without knowing whether those plans will be approved by the ACC. So, the Board hereby establishes a procedure whereby an Owner can obtain the agreement of SPOA, prior to submission of plans to Routt County, to later approve those plans when they are submitted to the County. This "Informal Review" shall proceed as follows:

A. An Owner wishing to participate in an Informal Review shall initiate the process by signing a letter, which shall also be signed by the Managing Agent, pursuant to which the Owner agrees that the 30-day deadline for review of applications stated in Article V of the Covenants does not apply to the application which is being submitted contemporaneously with the letter. The letter shall also provide that the Owner can terminate the informal review at any time by requesting such a termination in a writing delivered to the Managing Agent.

B. The Owner shall then provide the Managing Agent with the following: documents:

1. For an application for a Residence or an ancillary building:

a. A GIS print taken from the County website showing the location of the Lot in relation to the surrounding Lots; and

b. A site plan, preferably showing topography lines, that shows the proposed location of the structure(s) on the Lot and the proposed location of any propane tank to be situated on the Lot; and

c. To the extent not shown on the site map, a map of the Lot and the immediately surrounding Lots showing the approximate location of the proposed structure(s) and any Residences located on the surrounding Lots [this map may be roughly drawn by hand]; and

d. Floor plans, with dimensions noted, for all proposed structures; and

e. Elevations, with dimensions noted, for all proposed structures, which elevations shall also show the location on the exterior of the house of all materials (including sheet metal, corrugated metal, wood, manufactured wood, stucco, asphalt shingles, wood shingles, cement board, stone and manufactured stone) that the Owner plans to use for the exterior [location of materials may be shown by hand-written notes]; and

f. Pictures showing the exterior materials (including sheet metal, corrugated metal, wood, manufactured wood, stucco, asphalt shingles, wood shingles, cement board, stone and manufactured stone) in the colors that the Owner proposes to use.

2. For an application that is not for a Residence or an ancillary building:

a. A site plan showing the Lot, the location of the existing residence and any other structures on the Lot, and the location of the proposed structure [the proposed structure may be hand drawn on an existing site plan that shows the Residence and other structures]; and

b. Elevations, with dimensions noted, for all proposed structures [The elevations may be drawn by hand]; and

c. Pictures showing the materials composing the exterior of the proposed structure, in the colors that the Owner plans to use.

C. Upon receipt of the materials submitted by the Owner, the ACC shall decide whether to approve or disapprove the plans as submitted. If the plans are approved as submitted, then the Managing Agent shall send a letter to the applicant notifying them that formal approval of the plans, under Article V of the Covenants, will be issued upon confirmation that the plans submitted to Routt County are substantially the same as the plans reviewed by the ACC.

D. If the plans submitted for Informal Review are initially disapproved by the ACC, the ACC shall attempt to reach agreement with the applicant on changes to the plans sufficient to result in approval.

E. If the ACC and the applicant are unable to agree, the applicant may appeal to the Board of Directors by requesting such an appeal in a writing delivered to the Managing Agent. In the event of such an appeal, the matter shall be scheduled for hearing by the Board at the next regularly scheduled meeting. If the Board approves the plans, then the Managing Agent shall send a letter to the applicant notifying them that formal approval of the plans, pursuant to Article V of the Covenants, will be issued upon confirmation

that the plans submitted to Routt County are substantially the same as the plans approved by the Board.

V. APPEAL FROM A DISAPPROVAL BY THE ACC UNDER FORMAL REVIEW

If an applicant chooses to submit to the ACC plans that have previously been submitted to Routt County, and the ACC disapproves the plans, the applicant may appeal to the Board of Directors by requesting such an appeal in a writing delivered to the Managing Agent. In the event of such an appeal, the matter shall be scheduled for hearing by the Board at the next regularly scheduled meeting. If the Board approves the plans, then the Managing Agent shall send a letter to the applicant notifying them that the plans have been formally approved pursuant to Article V of the Covenants.

SPOA Policy 2019-4 relating to decision making by the Architectural Control Committee

WHEREAS, Article V of the Stagecoach Declaration of Covenants, Conditions and Restrictions ["Covenants"] provides that, "No building, fence, wall, swimming pool, or other structure shall be commenced, erected, or maintained upon the Properties, nor shall any exterior addition to or change or alteration therein be made until the plans and specifications showing the nature, kind, shape, height, material and location of the same shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by the Board of Directors of the Association, or by an Architectural Committee comprised of three (3) or more representatives appointed by the Board;" and

WHEREAS, the Covenants are silent as to how the Architectural Control Committee (referred to below as the, "Committee") will make its decisions;

NOW, THEREFORE, the Board hereby adopts and promulgates the following policy:

1. The chairman of the Committee shall be a Director, appointed to the Committee by the Board, unless there is no Director willing to serve in that capacity, in which case, the Board shall appoint someone other than a Director to be the chairman of the Committee.
2. Applications for approval pursuant to Article V of the Covenants, along with accompanying materials, shall be forwarded by the Managing Agent to the chairman of the Committee, who shall check to see if all required documents have been presented. The chairman shall also review the materials provided by the applicant to determine whether the application is subject to automatic disapproval, pursuant to policies adopted by the Board.

3. The chairman of the Committee shall distribute copies of the relevant documents to the members of the Committee and, after a reasonable period for discussion, shall call for a vote on the application.

4. Committee members may choose not to vote on a particular application. If less than three members of the Committee vote, or if the Committee has less than three members, then the chairman shall distribute copies of the relevant documents to the members of the Board who are in the second year of their three year term and, after a reasonable period for discussion, shall call for a vote on the application by those Board members.

5. If at least three members of the Committee vote on an application but there is no majority decision, the chairman shall distribute copies of the relevant documents to the members of the Board who are in the second year of their three year term and, after a reasonable period for discussion, shall call for a vote on the application by those Board members.

6. If at least three members of the Committee vote on an application, the decision of the majority of the members voting, if any, shall be the decision of the Committee. If Board members vote on the application, pursuant to paragraphs 4 or 5 above, the decision of the majority of the combined Committee and Board members voting on the application, if any, shall be the decision of the Committee. If there is no majority decision resulting from the vote of the combined Committee members and Board members voting on the application, the chairman shall refer the matter to the Board for decision.