

WATER DANCE ON LAKE DILLON

Design Guidelines

Revised March 4, 2011

Revised July 5, 2013

These Design Guidelines have been promulgated pursuant to Article V of the Master Declaration of Covenants, Conditions, Restrictions, and Easements for Water Dance. The Design Guidelines are binding upon all persons who at any time construct, reconstruct, refinish, alter or maintain any improvement upon the Property, or make any change in the natural or existing surface, drainage or plant life thereof. The Design Guidelines are administered and enforced by the Design Review Committee in accordance with the Declaration and the procedures herein and therein set forth. The Design Guidelines may be amended from time to time and it is the responsibility of each owner or other person to obtain and review a copy of the most recently revised Design Guidelines.

Approved at the July 5, 2013 Annual Homeowners' Meeting

1. **INTRODUCTION TO WATER DANCE ON LAKE DILLON DESIGN GUIDELINES**

One of the underlying goals in the planning, design and construction of Water Dance has been to create a community that is linked together by a common architectural and landscape design style. During this planning process, a great deal of effort has been put forth to ensure that the development of Water Dance is sensitive to its spectacular mountain setting. The Water Dance on Lake Dillon Design Guidelines and related documents have been prepared to ensure that the same level of planning and design that has gone into creating this community goes into the planning and design of future modifications to individual homes and surrounding areas.

While Water Dance has been planned and developed as a single unified community, it is recognized that over time owners may desire to make modifications to their homes and surrounding areas. These guidelines have been written to provide a process to review proposed changes. In accordance with the Covenants, Conditions and Restrictions for Water Dance it is the intention of these Guidelines that no single structure or improvement stand apart in its design or construction so as to detract from the overall environment and appearance of Water Dance.

Specifically, the Water Dance Design Guidelines have been written in order to accomplish the following objectives:

- To provide owners with clearly defined guidelines and standards for the type of improvements and modifications that may be acceptable in Water Dance.
- To protect each owner's investment in their home by requiring every property owner to comply with the same guidelines and standards.
- To ensure that the character of the community and Water Dance's overall design is maintained and enhanced over time.
- To outline a design review process for owners who may propose to make modifications to their homes.

The Water Dance Design Guidelines allow owners the latitude to make minor modifications to their homes. Inherent in this concept, however, is the understanding that all modifications must be designed within the parameters outlined in these Guidelines in order to maintain design compatibility throughout the project, preserve economic values, and enhance the overall quality of the community.

As Water Dance develops over time, so will these Guidelines. The Water Dance Design Guidelines are a dynamic document that will continue to evolve with the changing conditions and character of the community. It is important that owners consult with the Design Review Committee in order to obtain the most up to date copy of these guidelines.

II. **DESIGN REVIEW PROCEDURES**

The Water Dance Design Review Committee (DRC) is comprised of individuals who are familiar with Water Dance and the design and review process. The Committee meets monthly or on an as needed basis in order to review proposed modifications to existing homes. The DRC evaluates all proposals on the basis of these guidelines and applicable sections of the Declaration of Covenants, Conditions, and Restrictions for Water Dance. All interpretations of these guidelines and all decisions regarding proposed modifications are up to the discretion of the DRC.

The first step in the design review process is an introductory meeting between the owner and the DRC. The purpose of this meeting is to informally discuss the proposed modifications. At this meeting, the DRC will provide the owner with a general indication of design guidelines and other regulations that may be relevant to the proposed modification.

The DRC will also outline submittal requirements that will be necessary to review the proposal. Submittal requirements will vary depending upon the nature of the proposed modification. Generally, required submittal material will include architectural plans, written information or material samples sufficient to demonstrate the nature of the proposed modification.

Compliance with Town of Frisco or Summit County rules, regulations or permitting is the responsibility of the owner, and not the responsibility of the DRC or the Board. If required, prior to initiating construction of any approved modification, owners are responsible for obtaining a building permit from the Town of Frisco **and providing a copy to Mountain Managers. All exterior alterations require a permit.**

Owners shall submit their planned modifications, including all final design drawings and written approval from adjacent owners, to the DRC in writing. The DRC will take formal action within 30 days, and can either approve, approve with conditions, or deny the application. The DRC will notify the requesting owner of the decision by postal or electronic mail, and the decision will be posted on the Water Dance homeowners Website under the Design Guidelines tab.

Any DRC decision, whether approved or denied, can be appealed by any Water Dance owner. Appeals should be directed to the Board within 15 days from the date the decision was posted. The Board will consider each appeal at the next regularly scheduled Board meeting, and the Board decision will be final. The Board may agree to an interim meeting if circumstances dictate.

III. **DESIGN GUIDELINES**

As outlined in the Master Declaration of Covenants, Conditions and Restrictions for Water Dance, owners are required to obtain approval from the DRC for any improvement to their unit or surrounding area. As such, any modification made to a building or a site requires review and approval of the DRC. Generally, the DRC shall utilize its best judgment to ensure that all improvements conform and harmonize with any existing structures as to external design, quality and type of construction, seals, materials, colors, location, height, grade, finished ground elevation, and the schemes and aesthetic considerations set forth in the following guidelines and other Water Dance documents. The DRC shall evaluate proposed modifications in its sole discretion based

upon concerns for good planning and design, the aesthetic, architectural and environmental interests of Water Dance.

The following outlines specific guidelines and standards that will be used by the DRC in order to evaluate proposed improvements.

Building Additions

Phase I of Water Dance is a townhome development and as such, opportunities to physically enlarge buildings are very limited. Bay windows, dormers, or minor building additions may be considered by the DRC provided, however that any addition to a building shall be located entirely within the boundary of the lot. In order to protect views, light and air, and privacy of adjoining units, written approval from the owners immediately adjacent to the proposed building expansion shall be required. Written approval of adjacent owners shall be submitted to the DRC prior to the formal review of the proposed expansion.

All additions to buildings shall be constructed of materials and colors consistent with the existing building. Roof forms and windows, and trim details shall also be consistent with existing buildings.

Windows and Doors

Windows and doors should be designed in proportion to the building. Openings of unusual shapes or sizes and reflective or mirrored glass are not permitted. All window and door trim shall be consistent with existing buildings.

Window Coverings

Building materials and colors used in Water Dance have been selected to blend with existing vegetation and other colors found throughout the natural landscape of the site. In order to ensure that buildings harmonize with their surrounding, interior window coverings shall be limited to colors that blend with buildings, vegetation and natural colors of the site. Window coverings made of bright colors or colors that call undue attention to any portion of a building are not permitted.

Site Improvement – Generally

Phase I of Water Dance is comprised of a townhome development and individual lots include relatively little land outside of the footprint of each unit. All land outside of individual lots is owned in common by the Homeowners Association. As such, all modifications proposed by an owner shall be located entirely within individual lot lines. No improvement shall be permitted that adversely impacts the use and enjoyment of common area by other owners of Water Dance. At the discretion of the DRC, certain improvements outside the building envelope may be approved. Minor encroachments such as overhangs may be approved on a case by case basis.

Patios

On-grade patios must be located entirely within individual lot lines. Preferred materials for patios include native stone (such as sandstone) or concrete. Patios shall be designed such that drainage does not adversely impact adjoining units. Unless a residence has a walkout lower level, on-grade patios are discouraged and must be approved by DRC. Even with walkout residences, patio size should be kept to a minimum. All patio plans require prior approval by the DRC.

Fences

In order to maintain a sense of openness throughout Water Dance, fences around individual units or buildings are not permitted. Privacy fences between individual units are discouraged and must be approved by the DRC. Privacy fences shall not exceed 7' in height, must be designed as an extension of the building, must be constructed of materials consistent with existing buildings, and must be located entirely within individual lot lines.

Hot Tubs

Hot tubs are allowed on an owner's deck or patio, and must conform with the Town of Frisco's wiring and safety requirements.

Satellite Dishes and Antennas

No exterior radio, television, microwave or other antennae dish or signal capture or distribution device shall be permitted without prior written approval of the DRC and concurrence of the Board.

Solar Panels.

No exterior solar panels or solar collectors shall be permitted without approval of the DRC and concurrence of the Board.

Exterior Lighting

Exterior lighting has been provided on all homes within Water Dance and as such, the installation of additional lighting is not encouraged. Any exterior lighting proposed in Water Dance shall require the review and approval of the DRC. No landscape lighting or uplighting of trees shall be permitted. When proposed for safety or security purposes, lighting shall be low-level down lighting installed so as no direct light source is visible from adjacent units. All lighting shall be located entirely within individual lot boundaries.

Landscaping

All Water Dance owners are encouraged to landscape commensurate with the Water Dance theme. Prior to planting trees, owners should contact the DRC to ensure that

locations do not conflict with snow storage, views, restrictions of light and air, and site drainage. Owners are encouraged to landscape areas immediately surrounding their home within their property boundary. Any landscaping outside of the owners boundary requires approval of adjacent neighbors and the DRC.

Signage

“For Sale” signs must conform to Water Dance “For Sale” sign guidelines. The signs must be green and white, 30” X 24” maximum, one per lot. Only DRC approved signs are permitted. No business signs of any type are allowed.

Pets

Only Water Dance owners may have pets at Water Dance. Renters or guests are not allowed to have pets in Water Dance units unless approved by the owner.

Other Improvements

Statues, monuments, pylons or other similar features are not permitted within Water Dance.