

**HARMONY MASTER
HOMEOWNERS ASSOCIATION, INC.
DESIGN GUIDELINES**

Single Family Detached Homes, Lots,
and Association Common Area

Revised

October 1, 2020
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Association Common Area

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I. INTRODUCTION

Harmony is a community designed to respect the visual character of its site, minimize environmental impacts, and maximize water and energy conservation principles. To preserve and enhance these principles, Harmony Design Guidelines (“Design Guidelines”) are established to maintain the standards by which the community will grow and develop.

Each Builder or Owner (“Homeowner”), as applicable, desiring to construct new Dwelling Units, make additions, or make modifications to their lot and/or Dwelling Unit is responsible for ensuring that the Design Guidelines are adhered to and, if required under Article IV of these Design Guidelines, make application and receive approval from the Design Review Committee prior to making such additions or modifications. The term “DRC” is used in this document to mean the Design Review Committee (“DRC”). The DRC is appointed by the Declarant until expiration of the Special Declarant Rights period (as specified in the Master Declaration of Covenants, Conditions and Restrictions for Harmony, which is hereafter called the “Declaration”) or earlier relinquishment of the right by the Declarant, and thereafter, is appointed by the Board of Directors of the Harmony Master Homeowners Association, Inc. (the “Board of Directors”). If not defined in these Design Guidelines, other capitalized terms are defined per the Declaration. As used herein, the term “home” shall have the same meaning as “Dwelling Unit” in the Declaration.

The Design Guidelines provide an overall framework to allow the community to develop and progress in an orderly, cohesive, and attractive manner by implementing planning concepts and philosophy which are required by regulatory agencies and desirable to residents. The Design Guidelines include minimum standards for the design, size, location, style, structure, materials, color, mode of architecture, and mode of landscaping and relevant criteria for the construction, addition, or modification of improvements of any nature exterior to a home. They also establish a process for judicious review of proposed new developments and changes within the Community. However, the Design Guidelines are not the exclusive basis for decisions of the DRC, and compliance with the Design Guidelines does not guarantee approval of any application.

Please note, as Harmony has various filings/neighborhoods built in different years by different builders, specific improvement criteria (e.g., requirements for installation or denial of proposed improvements) may vary from filing to filing or neighborhood within the community.

The Design Guidelines have been approved for the Harmony Master Homeowners Association, Inc. (the “Community Association”) pursuant Article 6 of the Declaration. The Design Guidelines may be enforced by the Board of Directors but may also be enforced by the Declarant. For the purposes of this document, all applications for approval are assumed to be made to, and written approval issued

by, the DRC.

To the extent that any government ordinance, building code, or regulation requires a more restrictive standard than that found in the Design Guidelines or the Declaration, the government standards shall prevail. To the extent that the local ordinance is less restrictive than the Design Guidelines, and any standard contained therein, or the Declaration, the Design Guidelines and the Declaration shall prevail.

Pursuant to the Declaration the DRC may amend the Design Guidelines, except that, upon expiration of the Special Declarant Rights period when the Board of Directors has the right to appoint the DRC, any amendments must be approved by the Board of Directors. Upon amendment, the Design Guidelines shall apply to all regulated work within the Property approved following such amendment. Once requests have been submitted and approved by the DRC, and modification has commenced, any subsequent changes of the Design Guidelines shall not affect or delay the approved project. Any work that has commenced prior to the approval of the DRC and not conforming to the Declaration will not constitute approval of the project.

Owners are responsible for all cleanup of any improvement project. All debris, sod, soil, etc. shall be removed from the lot and hauled to the proper waste sites. If the project causes damage to any neighboring property, public or private, the Owner is responsible for any necessary repairs.

II. RESIDENTIAL DESIGN GUIDELINES

A. Architectural Character:

1. **Design:** The architectural design of all additions, alterations, and renovations to the exterior of an existing home or Lot shall be compatible with the design of the original home in style, detailing, materials, and color. Any such improvement shall be made only after an application is submitted to the DRC and written approval is received from the DRC. A variety of design elements contribute to the overall character of a home's elevation and appearance. These include but are not limited to the following: porches, entry features, window sizes, shapes, and placement, and roof forms and pitches. Each of these key elements shall be considered in the design and the resultant review by the DRC. Decorative louvers, vents, color bands, trim, and other architectural accents shall be incorporated at appropriate locations to provide interest on the building elevations.

2. **Height of Additions:** The height of any addition to an existing single family detached home shall not be higher than the original ridgeline (peak of roof).
3. **Setbacks:** All additions to homes shall be built within the building setback lines originally established for Harmony, or as modified by the original homebuilder (“Builder”) with the requisite approval of the City of Aurora, regardless of more lenient requirements of any local governmental authority. It is the responsibility of the Owner to verify that any proposed addition or structure complies with the established setbacks and any other relevant zoning conditions.
4. **Materials:** All materials used in maintenance, repair, additions, and alterations shall match, as closely as possible, those used by Builder in color, composition, type, and method of attachment. The DRC may allow substitute materials if such materials are deemed, in the sole discretion of the DRC, compatible with the theme of the home and the community.
5. **Sheds:** Approval is required. Approval will be based upon, but not limited to, the following criteria:
 - a. Storage sheds must be aesthetically compatible and consistent with the style and character of the home.
 - b. Storage sheds shall not be more than ten feet (10’) by ten feet (10’) and shall not be more than eleven feet (11’) high at the peak. The roof pitch must be complementary to the existing roof on the home, unless otherwise approved by the DRC.
 - c. Storage sheds must be affixed to the property to ensure stability..
 - d. Siding, roofing, and trim materials must match those on the home, unless otherwise approved by the DRC. Metal, plastic, PVC, and other materials not consistent with original home construction by the Builder are not permitted. Engineered composite wood type products consistent with original Builder construction are permitted.
 - e. The DRC, in reviewing and approving or denying an application of a storage shed shall take into consideration lot size, square footage of the home, location of other structures, the existing grading, fence locations, landscape screenings and other related factors.
 - f. Any utilities serving the storage shed shall be underground.
 - g. Building setbacks and easements on a Lot must be observed when placing storage sheds, except that the rear yard setback for such items may be decreased to three feet (3’) in rear

yards with “Good Neighbor Fences” or fifteen feet (15’) in rear yards with “3 Rail Split Fences”. A copy of the home’s plot plan showing the location of the proposed shed is required for the application to the DRC. Placement of a shed over any easement may require the Owner to coordinate with the applicable utility provider that controls the easement.

Shade Structures and Gazebos: The height of any approved separate open shade structure, such as gazebo or arbor (but not patio cover—see Section II.A.8.), shall be limited to eleven feet (11’) above existing grade and shall have a minimum roof pitch/slope of two inches (2”) per running foot (12”). Any separate open shade structure must be properly sealed and maintained cedar, redwood, or painted to match the existing color of the fence, house body, or house trim. Permanent shade sails are permitted provided that the color, size, hanging materials, and construction are approved by the DRC. All shade sails must be maintained in good condition.

6. **Decks & Patios:** All decks and patio covers, extensions and additions shall be approved by the DRC. The installer of decks and patio coverings, extensions and additions must adhere to local building codes. Open style patio covers may have open beam or solid roofs. The slopes of open beam covers may be generally flat. Solid patio covers must have a slope in accordance with local building codes. Patio covers must be properly sealed and maintained cedar, redwood, or painted to match the existing color of the house or trim. Shingles must match those used for the house.
7. **Warranty:** Alteration of the original condition of the home or lot may void builder warranties applicable to the property. Neither the Association, the Declarant, the DRC, nor any of their individual members, directors, officers, employees, or agents shall be liable or responsible for any voided warranties.
8. **Impact:** No additions, alterations, or renovations shall be permitted if it is determined to have an adverse impact upon neighboring properties and/or the community. The size of any project shall be determined by the available space within the Lot. The DRC reserves the right to deny, or limit the size and location of, modifications.
9. **Drainage:** When any additions, alterations, or renovations are performed to an existing home, the established Lot drainage shall not be altered.

All roof drainage and sump pump ejector lines shall drain to the ground solely within the deeded lot area and not be discharged

closer than two and one-half feet (2-1/2') to the property line.

- I. Drain line alignments shall be set so that discharge water flows in the same basic direction as the existing drainage patterns on the Lot. Erosion control measures must be provided to eliminate erosion of the soil from the Lot, towards the adjacent property.
 - II. Roof drain downspouts, sump pump ejector lines, or any surface runoff or groundwater shall not be connected directly or indirectly to any public storm or sanitary sewer system.
 - III. Gutters and downspouts shall match those originally installed in color and composition.
- b. Any owner proposing modifications to existing drainage shall submit plans prepared by a professional engineer to the City of Aurora for approval prior to final approval by the DRC.
10. **Storm Doors:** All storm door additions must be as shown in Appendix "G" (Approved Storm Door styles). These doors must be white or black or match the approved color of the doorframe/window frame trim or adjacent door. If other than an Appendix G Approved Style is proposed, an illustration of the storm door and proposed location on the home is required with the application. Security doors with bars, other than as allowed in Appendix "G" (Approved Storm Door Styles), are prohibited.
 11. **Front Doors:** Front Doors shall be consistent with the architectural style of the home.
 12. **Garage Doors:** The design and style of the garage doors shall be consistent with the architectural style of the home. Adequate trim must be provided surrounding the garage doors.
 13. **Exterior Lighting:** Soft, outdoor pedestrian-oriented lighting shall be used on both the property and the house. Two-car garages shall have a minimum of two (2) 'coach light' fixtures on the face of the garage and three-car garages should have a minimum of three (3) 'coach light' fixtures on the face of the garage.
 14. **Windows:** All windows shall be trimmed with a material consistent with the architectural style of the home on all building elevations. Replacement windows must match the architectural style of the window being replaced. Window trim color must match the approved

trim color of the original window. Replacement windows must be approved by the DRC prior to installation.

15. **Window Tinting:** All window tinting must be approved by the DRC prior to installation. Tinting shall not be too dark to “black out” a window or be reflective (i.e., mirror-like).

B. Landscaping Requirements:

1. **Installation & Maintenance:** Each owner shall landscape their front yard and back yard, unless installed by Builder, within a period of 180 days from close of escrow. The DRC may allow reasonable extensions to account for inclement weather, material shortages or other constraints on landscape installation. It is the responsibility of each Owner to ensure the front and rear yard have adequate erosion protection and are kept free of weeds prior to, during, and after landscape installation.

SINGLE FAMILY DETACHED UNITS

- a. **Drought Tolerant:** The use of native or compatible drought-tolerant species is strongly encouraged for all yard landscaping
- b. **Xeriscape:** In conformance with City Code and Colorado House Bill 19-1050, Xeriscape is allowed provided the design is consistent with the overall design intent of the Community.
- c. **Irrigation:** All landscaped plantings shall be maintained with a fully automatic underground watering system. Irrigation systems that use drip emitters instead of spray heads are highly encouraged. When it is necessary to use sprinklers overspray on hardscape, and structures shall be minimized to the greatest degree possible.
- d. **Vines:** Vines are allowed but shall not be allowed to grow on any common fence.
- e. **Minimum planting requirements for landscaping are set as follows (see Appendix “I” for landscape detail and Appendix “H” for minimum size requirements):**
 - Front Yard Turf or Artificial Turf:
 1. 1 shade tree (2.5” or larger caliper) and 1 ornamental (2.0” or larger caliper), or 1 evergreen (6’ min height) may be substituted for the ornamental tree

2. 16 (5-gallon minimum) shrubs or substitute 3 (1 gallon minimum) perennial or ornamental grass per 5-gallon shrub
 3. Maximum turf area forty percent (40%) or as allowed per City Code.
- Front Yard Xeric Treatments (Minimum turf area zero percent (0%):
 1. Maximum mulch (wood and/or rock) area without landscape plantings fifty percent (50%)
 2. Maximum of forty percent (40%) of landscaped area can be brick pavers, concrete, and natural stone
 3. One (1) or more of the following features shall be incorporated: wall, berms, natural boulders
 - Rear Yard
 1. Maximum turf area forty-five percent (45%) or as allowed per City Code.
 - Internal Side Yard (not exposed to public view)
 1. Mulch (rock or wood) is required for soil stability, no plant material is required
 - External Side Yard or Corner Lot (exposed to public view)
 1. Landscape the area outside the homes backfill zone with turf, shrubs, and trees at a rate of one tree and ten (10) shrubs per forty linear feet (40') of side yard. The backfill zone shall be wood or rock mulch and not irrigated. Xeric treatments are allowed.
 2. Exception to External Side Yard landscaping requirements: landscaping is not required in a side and/or rear yard behind a fence or whenever the width between the fence and walk is twenty-four inches (24") or less. In this instance, the Internal Side Yard requirements apply.
 - Parkway / Tree Lawn (the area between the walk and curb)
 1. Artificial turf is not permitted
 2. Street Tree
 - 1 shade tree (2.0" or larger caliper) per forty linear feet (40') of parkway. Existing trees shall not be removed

unless replaced with other allowed species

- Dead trees are to be replaced with community approved tree

3. Natural turf or Xeric treatment is permitted as allowed per City Code.

4. Required Plant Material

- May not exceed twenty-four inches (24") in height in sight distance zones.

5. Mulch (rock or wood) must be natural stone or wood products

- Recycled concrete, plastic, or rubber are not permitted (rubber products are allowed in play area safety zones).
- Quartz rock is not permitted
- Red or pink mulch are not permitted

f. **Allowable Plantings:** The plantings allowed are set forth in Appendix "H" (List of Allowed Plantings and Minimum Sizes.)

g. **Turf/Shrubs:** Subject to the overall approved landscape plan for the Lot, turf, shrubs and other plantings, which do not exceed thirty-six inches (36") in height, do not require the approval of the DRC.

h. **Planting Setback:** All landscape plantings shall be planted a minimum of twenty-four inches (24") from foundations and structures or as required by the home builder. Trees with shallow and/or invasive roots planted within five feet (5') of concrete walks shall include root barriers.

i. **Vegetable or Seasonal Plantings:** No vegetables which grow to exceed thirty-six inches (36") in height shall be permitted in the front yard and must be setback a minimum of twelve (12) feet from the sidewalk and be located in planter boxes. Vegetables planted within the rear yard of the Lot may not exceed seventy two (72) inches. Any dead growth shall be removed at the end of the growing season. Planter boxes may not be over two feet – six inches (2'6") tall, may not cover more than fifty percent (50%) of the rear yard, with a maximum of 2 planter boxes allowed in the front yard, and shall be cedar, redwood, or painted to match the house. Water troughs used as planter boxes shall be no larger than six feet (6') x two feet (2') and no more than four (4) are permitted in the rear yard

only. Water troughs must be galvanized steel, maintained in good condition.

- j. **Composting:** Composting is allowed in commercially made containers only. No more than two (2) containers are allowed in the back yard. Open pits and compost piles are not permitted.
- k. **Future Growth/Live Barrier:** Plantings of trees, shrubs, groundcovers, perennials, grasses, and vines shall consider future growth, be at a reasonable distance from foundation walls.
- l. **Ground Cover:** The ground surfaces of all portions of the Lot shall be covered with turf or approved xeric or inert material. The following turf blends are strongly recommended: "Thermal Blue" by Scotts or "Reveille" available from Graff's Turf Farm, Ft. Morgan CO 1- 800-280-TURF. Artificial or synthetic turf is acceptable in the front yard and all rear lots provided that turf material is green in color, approximating the natural color of turf grass, and is approved by the DRC. Artificial turf must be regularly maintained and replaced upon fading or as required by the association. Approved inert materials are described in Appendix "E" (Approved Inert Materials).
- m. **Decorative Rock:** Decorative rock shall be permitted as ground cover only. It may not be used as a parking area. Ground cover or inert material shall not be used to spell out names, nicknames, names of states, athletic teams, slogans, emblems, or any other communication. The DRC reserves the right to limit the number of stones or boulders used as decoration in a landscape. See Appendix "E" (Approved Inert Materials) for allowed size and type of decorative rock.
- n. **Concrete/Driveway Extension:** No concrete, asphalt, or pavers may be located in the driveway areas other than that which is initially included with the home. Additional walking area(s) adjacent to the driveway may be installed to extend the overall driveway width a maximum of three feet (3') per side, provided the addition meets the following criteria: (1) does not extend past the overall width of the garage (2) is attached to or abutting the driveway (3) does not alter drainage (4) is the same hue as to blend or match the existing driveway.

- Non-permanent flowline curb ramps are allowed subject to DRC review. Styles allowed shall be similar to “BRIDJIT” or like devices.
 - Walkway extensions that are detached from the edge of the driveway must be a minimum of eighteen inches (18”) from the edge of the driveway. Walkway extensions are not subject to the driveway extension requirements.
- o. **Project Clean up:** Homeowners are responsible for removal and disposal of all debris, sod, soil, etc. at appropriate waste sites outside of the community. It is prohibited to dump waste in open space Common Areas, or private property.
 - p. **Damage:** If the project causes damage to neighboring properties or Common Areas, the homeowner causing damage is responsible for all associated repairs.

C. Lawn Accessories:

1. **Rain Barrels:** Use of rain barrels is subject to Colorado law. No more than two (2) rain barrels are permitted per residence in the rear yard. Rain barrels must be neutral in color and complement the house colors.
2. **Water Features:** Fountains and water features shall be limited in height to four feet (4’) in the rear yard and two feet (2’) in the front yard. All fountains shall be of natural material, color, and design. Design of these features shall not allow the creation of stagnant pools of water and must be recirculating to avoid excessive water use.
2. **Statues/Artifacts:** Decorative components such as statues and artifacts shall be limited in height to four feet (4’). Statues and artifacts are defined in Appendix “F” (Statues and Artifacts).

Statues and artifacts will be allowed in if they meet the following criteria:

- a. Seasonal statues, artifacts, lighting, and other decorative landscaping items will be allowed between November 15th and January 15th, and ten (10) days before and after a nationally recognized holiday. Illumination of holiday lighting is only allowed between November 15th and January 15th. Under the sole discretion of the DRC, this timeframe may be extended due to extreme weather conditions. During such extension, lighting is not to be illuminated. Seasonal lighting shall be installed in a manner that does not shine into a neighbor’s home. Sound effects from seasonal lighting displays shall be operable only between 6:00pm to 9:30pm. Seasonal items

that conform to this section are not required to obtain DRC approval.

- b. Other than seasonal elements, Plastic statuary, ornamentation, and planters are not allowed.
- c. Other than seasonal elements, no ornaments or statuary shall be attached to the home.
- d. The DRC reserves the right to limit the number of statues and artifacts.
- e. The DRC reserves the right to require screening of statues and artifacts from neighboring lots or the street.

3. **Flowerpots and Hanging Baskets:** Flowerpots and hanging baskets are permitted to be displayed within the front porch area and front yard without approval if they meet the following requirements:

- a. Colors of the containers must complement and/or coordinate with the current color scheme of the house. If an accent color is selected, the accent color shall be uniform with all flowerpots and hanging baskets.
- b. Flowerpots and hanging baskets may remain out as long as they contain living plants. Flowerpots and hanging baskets must be removed during the winter months. Artificial plants are prohibited.
- c. The DRC reserves the right to limit the number of flowerpots and hanging baskets on a Lot.
- d. Flowerpots and hanging baskets must be maintained and in good condition. Damaged or broken flowerpots or hanging baskets must be removed immediately.

4. **Hanging Door Items:** Seasonal door decorations will be allowed without DRC approval if the following requirements are met:

- a. Decorations are maintained and in good condition.
- b. Damaged, broken, or faded decorations must be removed immediately.

The DRC reserves the right to have hanging door items removed if they are distasteful or fail to meet requirements.

5. **Architectural Features:** Landscape architectural features shall include such items as benches, planters, yard lights, gas/propane fire pits, etc. that are an integral part of a landscape architectural design. A site plan must be provided to the DRC, which clearly show the location, size, and materials planned for these features. In addition, an illustration or photograph of the home and the relationship of the feature to the existing or proposed landscape and property line must accompany the submittal. With the exception of benches, planters and low voltage yard lights, landscape architectural features are only allowed in the rear yard of the lot.

Any screening of ground-mounted equipment (HVAC) shall be of a material and color compatible with the design of the residence. In no event shall plastic sheeting be used for screening. All screens (landscape structures, fences, or plant materials) shall be located a minimum of two feet (2') from the equipment to allow for adequate air circulation around the equipment, however, screening may not encroach or trespass onto neighboring property.

6. **Flag Policy:** In accordance with 38-33.3-106.5 of the Colorado Common Interest Ownership Act (CCIOA), the Association may adopt reasonable rules regarding the number, size, and location of flags displayed on a property.

a. Front of House

Owners are allowed to have one (1) pole with two (2) flags on a flag mount on any one (1) residential lot, attached to the front face of the home, not exceeding four feet (4') above any eave, to display a flag. The primary flag may not exceed three feet (3') x five feet (5'). A secondary flag may not exceed two feet (2') x three feet (3').

Novelty flags, whether that of a college, professional sports team, or purely decorative in nature are allowed.,

No flag may be displayed which is, in the opinion of the Covenants Coordinator, Declarant, or Board of Directors, offensive to good taste or decency.

b. Free Standing Pole

Owners must apply for approval for a free standing flagpole; the pole must:

1. Not exceed twelve feet (12') in overall height
2. Must be located within the rear yard only

3. Flags must conform to the provisions outlined in Section 6.(a)..

D. Landscape Maintenance:

1. **Landscape Fabric:** The use of solid plastic sheeting or polyethylene over ground areas will not be permitted. If landscape fabric is used, it must allow the free flow of water, air, and gases to and from the soil.
2. **Tree Pruning:** Pruning of trees must follow good horticultural practices.
3. **Maintenance:** Owners are responsible for mowing and maintenance of all turf and landscaping on their entire lot and in the street right-of-way between the front lot line and the back of curb. The Community-wide Standard for landscape maintenance is described in the following. If an Owner fails to adhere to these standards, the Community Association may assume the landscape maintenance, including watering from the Owner's external hose bib, and charge the Owner for this maintenance through a Specific Assessment and such other remedies the Community Association deems appropriate.
 - a. Turf shall be mowed regularly and maintained at a height not exceeding three inches (3"). During the spring and fall months, increased mowing is recommended to reduce stress on the grass. Walks and driveways must be swept or blown free of grass clippings and kept free of weeds. Walkways and planting beds are to be edged regularly. Tree rings shall be edged and kept free of weeds, either manually or through appropriate post-emergent herbicides.
 - b. Watering, fertilizing, and aeration shall be conducted to keep the quality of turf consistent with that of neighboring residential lots. Owners shall be responsible to treat turf as necessary to control broadleaf weeds. Owners are encouraged to use environmentally sensitive products and techniques in the management of landscapes and weeds.
 - c. Spring cleanup shall consist of thorough raking of turf areas to remove winter debris and promote new growth. Fall cleanup shall consist of leaf removal at reasonably frequent intervals.
 - d. Trees should be spot pruned during the growing season to promote shaping and remove branches that interfere with

nearby improvements or pedestrian traffic. During the dormant season trees must be pruned to remove dead, damaged, or crossing branches in an effort to develop the natural form of the tree. Dead or diseased trees must be removed or trimmed as soon as discovered to protect against the spread of disease. Trees that have been removed shall be replaced to maintain the appearance of the Lot as approved by the DRC. An Owner may not cut down or remove any tree that is greater than six inches (6") in diameter, measured twelve inches (12") from the ground, without the approval of the DRC.

E. Yard Fences:

1. **Fence Installation:** Installation of any fencing must be approved by the DRC.
2. **Fence Construction:** No fences shall be allowed in the front yard area. Please refer to Appendix "C" (Approved Design and Materials for Yard Fences and Homeowner Installed Retaining Walls) for allowable fence design and location on the property. No wall or fence shall be constructed that alters the established drainage pattern for the lot. Wire mesh (four inches (4") x two inches (2") grid size) may be attached to the inside portion of a fence. If wire mesh is attached to shared fencing, any damages resulting from the installation and/or removal of the mesh will be corrected at the Owner/installer's cost within the timeframe determined by the DRC.

Galvanized hexagonal wire mesh (also known as chicken wire, chicken fencing, hexagonal wire mesh, and hex wire mesh) with holes one inch (1") wide or small square or rectangle wire mesh with half-inch holes (1/2") may be attached on the inside of a fence, to the height of first or second rail from the bottom of the fence, for the purpose of rabbit control. Hexagonal wire mesh cannot be attached to the entire height of the fence for the purposes of keeping pets inside a fence. If galvanized hexagonal wire mesh is used, it must be attached with galvanized wire ties, staples, or clips. The top edge of the mesh must be hidden from view by being attached behind the fence rail, edges may not be visible between fence rails. Wire mesh must be maintained. If it becomes loose, rusty, or if broken wires extend outside the fence line, the property owner is responsible for removing or replacing the mesh. If wire mesh is attached to shared fencing, any damages resulting from the installation and/or removal of the mesh will be corrected at the Owner/installer's cost within the timeframe determined by the DRC.

Plastic mesh is not permitted.

Wire mesh may only be used in instances where there is an existing fence. Wire mesh may not be used around the borders of a yard unless it is attached to an existing fence.

Wire mesh may be installed pursuant to this section without DRC approval.

3. **Fence Materials:** Please refer to Appendix “C” (Approved Design and Materials for Yard Fences and Homeowner Installed Retaining Walls) for allowable fence materials and color. Fences and gates must be stained to a color as close as possible to Diamond Vogel, Regal Brown – Solid Latex #GS214SO. Chain link fencing is not permitted. A site plan showing fence alignments must be submitted for approval prior to construction in accordance with the review procedures hereof. Wing fence gates may be installed in accordance with Appendix “C” (Approved Design and Materials for Yard Fences and Homeowner Installed Retaining Walls). Gates must egress and ingress on to the owner’s property and be approved by the DRC. Gates are not allowed to be installed in common area fences or fences owned or co-owned by another party.
4. **Fence Maintenance:** All fences must be maintained in good working condition. In the event of a fallen rail or damage to a fence (cracked, leaning posts, etc.), the Owner must have a contract for repair within thirty (30) days.
5. **Invisible Fence:** Invisible fencing may be used for the restraint of pets. All wiring must be buried no less than six inches (6”) inside the Lot line. No alterations of the yard grade shall be permitted from the installation of such system. Neither the Declarant nor the Community Association shall be responsible for repair to any system that is damaged by normal maintenance of the yard by the Community Association or their designee.
6. **Gates to Common Areas:** Gates that lead from the Owner’s property to Common Areas are not allowed.

F. Walls:

1. No wall shall exceed forty-eight inches (48”) in height.
2. On sloping terrain, the top and bottom of the wall sections shall be relatively level. The wall segments must step down in equal increments, not to exceed eight inches (8”) [per segment] adjusting to the changing grade. No wall or fence shall be constructed that

conflicts with the established drainage pattern for the lot.

3. Courtyard walls may be installed in the rear yard area. The courtyard wall must be designed in accordance with the architecture of the home and match the material and color as offered by Builder.
4. Approved finish material for walls include stucco, cultured/natural stone, or masonry block as described in Appendix "C".

G. Privacy Screens:

1. If not provided by Builder at the time of construction, privacy screens will be allowed solely within the rear yard portion of the lot. Privacy screening may enclose three (3) sides of a deck or patio area. No privacy screen shall be allowed in the front yard area. Unless installed within a roofed patio, no privacy screen may exceed seventy-two inches (72") in height. All privacy screens must have approximately ninety-degree (90°) corners and unless the topography of the Lot warrants, generally run parallel as well as perpendicular to the primary wall surfaces of the home as originally constructed. On sloping terrain, the top and bottom sections shall be parallel. The privacy screen segments must step down in equal increments, not to exceed eight inches (8") per segment, adjusting to the changing grade. The bottom of a privacy screen must be no more than six inches (6") above finished grade of the lot. A privacy screen shall not be constructed if it conflicts with the established drainage pattern for the Lot.
2. Approved materials for a privacy screen are vinyl, cedar, redwood, or painted wood. The privacy screen, if other than cedar or redwood, must be installed as primed and painted white or the color of the trim of the house.

H. Trellises:

1. One (1) or more trellises may be installed in the rear yard. Individual trellises must have a maximum height of eight feet (8'), and have a maximum width of eight feet (8'). Each trellis must be designed to support plant or vine growth. Trellises must remain plumb, level, and structurally sound with continued plant or vine growth. Trellises may not be used as substitutes for a perimeter Lot fence. Please see Appendix "D" (Examples of Pergolas, Trellises, and Arbors) for an example of a typical trellis.
2. Approved materials for trellises are vinyl, cedar, redwood, or painted wood. The trellis, if other than cedar or redwood, must be installed as

primed and painted white or the color of the trim of the house.

I. Pergolas and Arbors:

1. Approved materials for pergolas and arbors are vinyl, metal, cedar, redwood, or painted wood. The pergola or arbor, if other than cedar or redwood, must be installed as primed and painted white or the color of the trim of the house. Detailed illustrations, including elevations, must be submitted for all pergola and arbor applications.
2. Structures are limited to the rear yard of the Lot and may not exceed forty percent (40%) of the width of the home.
3. Pergolas and shade structures must be structurally sound and anchored in accordance with local codes. When framed, the highest point of the structure may not exceed eleven feet (11'). Please see Appendix "D" (Examples of Pergolas, Trellises, and Arbors) for an example of a typical structure.
4. Arbors may be installed and must be structurally sound and in accordance with local building codes. Arbors shall not be attached to the home nor exceed eight feet (8') in height, four feet (4') in width, and four feet (4') in depth. The arbor must be designed to support plant or vine growth, Please see Appendix "D" (Examples of Pergolas, Trellises, and Arbors) for an example of a typical arbor.

- J. Guardrails:** A guardrail may be installed only to surround a decks, patios or other elevated areas. All guardrails must be constructed with a smooth top to serve as a handrail. Rails cannot exceed forty-eight inches (48") in height, from decking or patio grade. Guardrails must be installed as primed and painted white, black or the color of the trim of the house. Guardrail must be constructed as described in Section II.K.

K. Decks, Patios, Seat-walls, and Shade Devices:

1. Decks, patios, seat-walls, and shade structures must be designed in accordance with the architecture of the home and must match or complement the material and color of the home. All handrails, rim joists, stringers, spindles, and any other vertical member shall be constructed of composite, vinyl, redwood, metal or cedar. Treated lumber can be used to construct the deck flooring and understructure. Piers/columns/posts with a height over thirty six (36) inches for elevated decks shall be constructed using masonry or stucco cladding consistent with the main home with a minimum dimension of twelve inches (12") square. Construction of decks that conflict with the established drainage pattern of the Lot are not allowed. Rear yard

concrete patios will be reviewed on a case-by-case basis. Colors, materials, and stamping are to match or complement the architecture of the home. Materials are to be concrete pavers, concrete or natural stone. Color representations of pavers, stones, and stamping must be provided.

2. The allowable size of decks and patios shall be determined by the available space per lot, within the rear yard.
3. Man-made screens and shade devices must appear as an integral part of the building elevation. Roof-mount installation is prohibited. Awnings or similar shading devices are permitted on the side and rear of the home. Awnings and shade devices must be canvas or other woven material, consistent in color, and complement the home. No rigid metal or plastic awnings are permitted. No advertising or logos are allowed on awnings.

L. Ancillary Equipment:

1. All additional ground mounted mechanical equipment and ground mounted solar heating equipment must be installed within the rear yard and inside the side-yard setbacks. All types of equipment shall be screened from street view and neighboring property. Screening shall be installed no less than six inches (16") above the equipment, or by plant material of adequate density to accomplish the same result. A screening structure or planting shall not exceed four feet (4') in height. With the exception of power vents for attic fans and approved lightning protection devices, roof-mounted and window-mounted equipment (including mechanical and air conditioning equipment) will not be allowed. For further clarification please refer to Appendix "J" (Rules for Installation of Renewable Energy Generation Devices and Energy Efficiency Measures).
2. Satellite dishes greater than one meter in diameter are not permitted. Satellite dishes shall be placed where not visible from the street provided such placement can be made without impairing reception. If such a placement prevents an acceptable quality signal, then the satellite dish or antenna may be placed in another location approved by the DRC.
3. Swing sets and other non-portable play structures may not exceed twelve feet (12') in height. Fall zones around play structures may be rubberized material or other acceptable safety material. All portable play equipment, excluding portable basketball hoops, must be stored nightly inside the house, or within the rear yard, and shall not be left on other portions of the Lot. For further clarification please refer to

Appendix “K” (Outdoor Equipment Policy).

M. Trash Containers:

1. All trash containers shall be covered. Trash containers may be left out for collection at dusk on the day prior to collection and must be returned to storage by 9:00 p.m. on the day of collection.
2. Trash containers must be stored in the garage or along the side of the home screened from neighboring properties. Trash containers shall be covered and limited to two (2) standard size trash containers and shall be designed to keep animals out of the container.

N. Signage: Signage is restricted per the Declaration, Exhibit C “Use Restrictions”, and the following additional provisions will apply, unless otherwise restricted by the City of Aurora:

1. Signage erected for the purpose of advertising a home for sale or rent must be removed within two (2) days following the closing of the property, termination of the listing agreement, or signing of the rental agreement.
2. “No Soliciting”, security/alarm notifications, and dog warnings shall be limited to placards or stickers, not to exceed seventy-five (75) square inches in size, placed in a window near the front door or the mulch bed nearest the front door.
3. Notwithstanding the above, the Declarant shall be allowed to install any sign(s) necessary for purposes connected with the development of Harmony and/or as described in the Declaration.

O. Landscape Lighting: Low-voltage, solar and decorative lighting is allowed only within the rear yard area and within five feet (5’) of the front of the house and along the front service walk. Landscape lighting may be installed along the perimeter of the driveway at a minimum spacing of four feet (4’) to provide additional safety and security in low light areas.

1. Low Voltage Lighting:

- a. Low voltage and Solar light fixtures may be used in the areas described above for low-level path lighting, up lighting, down lighting, and landscape architectural accent lighting. Tree-mounted down lights shall be shielded from the street and neighbors’ view.
- b. Low voltage fixtures shall be located and aimed carefully, as

to not shine directly into neighboring homes. Fixtures shall not constitute a nuisance or hazard to any Owner or neighboring resident.

- c. A lighting layout plan for low voltage fixtures shall be submitted to the DRC for review and approval. The submittal shall include a plan of existing landscaping and hard surface locations, proposed light fixture locations.
- d. Junction boxes shall be placed below grade or screened to minimize daytime visibility of hardware.
- e. Low voltage light fixtures may not exceed thirty inches (30") in height.

2. Decorative Lighting:

- a. Exterior fence, building, or deck-mounted light fixtures including spotlights, floodlights, lantern lights, and stair lights shall conform to the architecture of the home. Enclosures of light fixtures shall be designed to conceal the lamp bulb. No lighting shall be permitted that constitutes a nuisance or hazard to any Owner or neighboring resident. String lights are only permitted over decks and patios and must be maintained in good condition.
- b. All security spotlights and floodlights must be motion activated and only installed above the garage door or access door areas. Installed spotlights and floodlights shall be adjusted to point straight down.
- c. Fixtures may be LED, incandescent, metal halide, mercury vapor, and high-pressure sodium or gas lamps. Colored lamps are not allowed.
- d. Junction boxes and other lighting hardware shall be placed below grade or screened by landscape material to minimize daytime visibility.
- e. Post-mount light fixtures shall not exceed a height of six feet (6') from finished grade. Post-mounted light fixtures shall conform to the architectural character of the home.
- f. Bollard light fixtures shall not exceed a height of forty-eight inches (48") from finished grade. Bollard light fixtures shall conform to the architectural character of the home.

P. Swimming Pools and Spas:

1. Only in-ground swimming pools and spas shall be allowed, with the exception of aboveground spas not exceeding forty-two inches (42") in height above the existing grade level. Such spa must be adequately screened from street view and the view of any neighboring property, and common areas.
2. All swimming pool and spa equipment shall be screened from street view. Swimming pools and spas must be constructed entirely within the rear yard and side yard. All swimming pools and spas shall be installed according to City of Aurora ordinances. The DRC may require additional plant materials to be planted to screen the swimming pool or spa from neighboring properties. Please refer to Ancillary Equipment, Section II.L. for equipment screening requirements.
3. No swimming pools or spas may be drained onto open space or any other property.

Q. Barbecues: Built-in and portable barbecue units shall be located within the rear yard. All built-in barbecues must be designed as an integral part of the home. All barbecues must be located at least four feet (4') from any wall of the residence. Allowed barbecue unit styles include natural gas/propane, wood pellet and charcoal.

R. Exterior Paint: All exterior paint color changes will need approval prior to the start of the project. All painting requests will be subject to the following requirements:

1. No two (2) adjacent houses (side by side or front to back) may have the same paint scheme. Photos of your home and neighboring houses will be required at time of submittal.
2. Colors must be selected from the approved Builder color packages for the filing. Custom colors are not permitted.

S. Prohibited Structures: Pursuant to the Declaration and/or Design Guidelines, the following structures or improvements shall be prohibited:

- Detached garages
- Tents of a permanent nature
- Above-ground swimming pools

- A bird or squirrel house exceeding the roof eave in height
- Artificial vegetation (artificial or synthetic turf is acceptable see Section II.B.)
- Greenhouses.
- Guest houses may be considered on a case-by-case basis provided that the City of Aurora and DRC approves, and the guest house is attached to the existing home and the architecture, materials, and color scheme match the existing home.

Notwithstanding the above, the Declarant shall be allowed to install any structure(s) necessary for purposes connected with the development of Harmony and/or as may be described in the Declaration.

III. COMMUNITY ASSOCIATION COMMON AREA AND RECREATIONAL FACILITY DESIGN GUIDELINES

The following Design Guidelines govern the maintenance and operation of the Common Area, Neighborhood Facilities, and Recreational Facilities owned by the Community Association. In the event and to the extent additional Recreation Facilities are constructed in future phases, the singular reference herein shall include such additional assets owned by the Community Association.

A. Architectural Character:

1. The physical structures constructed by Builder and conveyed to the Community Association shall be maintained and/or replaced by the Community Association utilizing the same or similar design, size, location, style, structure, materials, color, and architecture.

B. Landscaping:

1. The Community Association shall be responsible for the maintenance of the landscape corridors, medians, and other Common Areas not owned by the metropolitan district.
2. All Common Area at build out, where not built upon, paved, or included in a wetland or other natural preserve area, will be landscaped or retained as native area in accordance with the site improvement plans approved by the City of Aurora.
3. The minimum density of plant material shall be in accordance with the approved development plans. There shall be an appropriate amount of specimen sized trees (at maturity) and shrubs. Ground shall be covered with a combination of inert and living materials.
4. All landscaping shall be designed and maintained so as not to interfere with the view of any ground signs on the site or adjacent

properties, and not obstruct the view of traffic entering, exiting, or passing by the site.

5. Where the landscaping of a new project is to adjoin an existing landscaped area, the new landscaping shall include an appropriate transition between the two areas.

- C. **Ancillary Equipment:** Heating, ventilation, and air conditioning equipment, ancillary mechanical equipment, radio and television transmitting and receiving antennas, trash receptacles, and similar appurtenances (as approved by the DRC and in compliance with the Declaration) shall be screened from the general view from neighboring properties, residential areas, pathways, open areas, parks, and streets. Roof-mounted units are permitted on roofs with screening where the screen is integral with the building forms and materials.
- D. **Site Development – Fences and Walls:** Fences up to six feet (6') in height (or higher if required by the City of Aurora or a utility) may be used to screen and create privacy between the commercial or institutional developments, streetscape, and residential areas of the Community. Such fences must be constructed of materials described in Appendix "C".
- E. **Lighting:** All lighting installed by Declarant on Common Area, or installed by the Community Association, shall comply with any applicable local, state, or federal law. The Community Association shall maintain lighting on, in or around tennis courts, parking lots, Recreation Centers, Common Areas, Limited Common Areas, Neighborhood Areas, and other areas where such lighting is necessary or appropriate for the use and enjoyment of the community or for health and safety reasons and not owned by the metropolitan district.
- F. **Temporary Facilities:** Temporary buildings or permanent storage sheds shall be allowed to be placed on Common Areas by Declarant or the Community Association. Such uses shall be for marketing the project by Declarant, temporary buildings during construction by Declarant, and temporary buildings used for Community Association purposes. There shall be no other temporary private facilities on the Common Area.
- G. **Flagpoles:** Declarant and the Community Association may install flagpoles and flags at the Sales and other Recreational Facilities, Model Park, the entrance to the project, and on any other Common Areas.

IV. DESIGN REVIEW AND RESIDENTIAL PROPERTY OWNER REQUIREMENTS

The architectural review process has been established to maintain the integrity of the architectural and design character of Harmony. To this end, the DRC will review all proposed additions, improvements, or alterations on homes for conformity with the Design Guidelines. Article 6 of the Declaration sets forth provisions with respect

to the review process.

- A. Residential Property Owners:** Owners are required to submit plans to, and receive written approval from, the DRC prior to performing any exterior additions, alterations, or modifications to existing homes as promulgated by these Design Guidelines.

If additions, alterations, or modifications are made in accordance with these Design Guidelines, Owners are not required to obtain approval from the DRC prior to performing the following:

1. Landscaping or plantings less than thirty-six inches (36") in height
2. Roof replacement or repair with materials matching the original materials installed by Builder
3. Painting in accordance with original, or prior approved, paint scheme
4. Reconstruction in accordance with original construction plans of Builder
5. Seasonal statues, artifacts, lighting, and other decorative landscaping per Section II.C.2.
6. Radon fans contingent that the components external to the home are painted to match the approved house color. All piping shall be painted to match the structure it is attached to.
7. Flowerpots, hanging baskets, and hanging door items per Section II.C.3-4.

However, it is the responsibility of each Owner to comply with all standards and guidelines of Article II of these Design Guidelines, as well as all requirements of the Declaration.

B. Submissions for Changes and Additions:

1. The Owner shall submit an electronic or paper application form as provided in Appendix "B" (Application for Approval of Architectural, Site, or Landscaping Changes) showing the plans for the proposed improvement as follows:
 - a. For landscaping plan approval, or amendments to an approved landscaping plan, the Owner shall submit a copy of the landscaping plan for the Lot, including a description of all varieties and sizes of trees and shrubs with the location of each tree and shrub delineated on the plan. To the extent the Owner can color code the trees and shrubs and provide a legend, it will facilitate review. If the submittal is for an amendment to a previously approved landscape plan, the existing trees and shrubs shall be indicated on the plan. All deleted materials shall be described as part of the submittal. The initial submittal shall also describe any proposed irrigation system. All irrigation systems shall have an automatic timer.

In the event the Owner desires to install any hardscape, including but not limited to brick, masonry, landscaping ties, wood trim, concrete, rocks, or other inert material, such items shall be clearly marked on the landscape plan and a legend provided so the DRC can easily determine the location and type of material.

- b. For changes or additions to the home, the Owner shall submit a copy of illustrations, elevations, along with a site plan. On such plans, the Owner shall draw the proposed changes or additions to the exterior elevation. If the Owner has a photograph of another house, or illustration of the proposed which will assist the DRC, such illustration or photo shall be submitted. The application must contain a description of the materials the Owner plans to use in such changes or additions, along with illustrations that display the materials and colors to be used.

If the change or addition affects the roof or roofline, a roof plan shall also be submitted. A building section may be requested depending on the complexity of the change or addition.

- c. Owners are advised that the City of Aurora may require permits depending on the proposed change, alteration, or addition. It is the Owner's responsibility to comply with permit requirements. Owners should contact the City of Aurora for further information.
 - d. Prior to submittal of a request for a permit to be issued by the City of Aurora, the Owner must obtain the approval of the DRC of any plans, changes, alterations, or additions to the Lot
 - e. Any permit or approval issued by the City of Aurora shall in no manner whatsoever bind the DRC with respect to approval or denial of any application submitted for consideration. The DRC shall be fully independent and will have full authority for approval or denial of any such matters.
2. The DRC shall review such submittals based solely on the information contained within each submittal. Every effort shall be made to respond within thirty (30) days of receiving application from an Owner. If no response is provided by the DRC within sixty (60) days of submittal, the application will be deemed approved. The DRC's decision shall be final on all reviews.
 3. The DRC will reference the Design Guidelines in reviewing requests. Although these Guidelines address a broad range of exterior building and site conditions, they are not intended to be all- inclusive.

Variances to these Design Guidelines may be permitted by the DRC in accordance with Section 6.9 of the Declaration.

4. Upon completion of review by the DRC, one (1) copy shall be returned to the Owner accompanied by a letter indicating the DRC's decision and shall be rendered in one (1) of the following three (3) forms:
 - a. "Approved" - The entire document submitted is approved.
 - b. "Approved with Conditions" - The document submitted is partially approved. An Owner may proceed with the work to be performed as modified but must comply with all notations on the submittal.
 - c. "Disapproved" - The entire document submitted is not approved and no work may commence.

C. Fees: Review of all applications and all landscaping plans shall be subject to a fee structure payable to the DRC to cover costs if and when applicable. The DRC may, at its discretion, hire a third-party consultant to aid with review of the application and may pass along the cost of such review to the Owner. If the DRC deems it necessary to hire a third-party consultant to aid with review of the application, the Owner will be notified prior to incurring such cost.

D. Effect of Building Permit: If the plans submitted by an Owner require a building permit, the approval by the DRC is not assurance or a guarantee that such plans will be approved by the City of Aurora. If the City of Aurora requires modification to such plans, such modifications must also be approved of by the DRC for the Owner to remain in compliance with these guidelines.

V. NON-LIABILITY FOR APPROVAL OF PLANS

Article 6 of the Declaration contains a disclaimer by the Declarant, the Community Association, and the DRC of liability or responsibility for the approval of plans and specifications contained in any request by an Owner.

IT IS THE RESPONSIBILITY OF THE OWNER TO READ AND FULLY UNDERSTAND THE DESIGN GUIDELINES PRIOR TO SUBMITTING PLANS OR INFORMATION FOR REVIEW.

VI. ENFORCEMENT OF INSTRUMENTS

The Declaration describes scope of authority of the Community Association, including the review and determination of alleged violations by Owners and Residents, execution of certain remedies, and recommendations to the Board of

Directors of the Community Association for further action. The Declarant or the Community Association may execute certain remedies as provided for in the Declaration.

- A. **Non-compliance by Owner:** Section 6.8 of the Declaration describes the remedies for non-compliance.
- B. **Appeal of Decision:** See Declaration to determine if an appeal is permitted.

VII. CHANGES AND AMENDMENTS TO THE DESIGN GUIDELINES

The Design Guidelines may be amended as follows:

- A. **Amendment During Declarant's Right to Amend:** In accordance with Section 6.7 of the Declaration, the DRC shall have sole and full authority to amend the Design Guidelines during the Special Declarant Rights period.
 1. Changes to the Design Guidelines may be proposed by the Board of Directors of the Community Association and/or the DRC. An Owner may submit proposed changes to the DRC for future review and consideration.
 2. If the DRC approves the proposed amendment, it shall become an amendment to the Design Guidelines. Such amendment shall be promptly posted online and copies made available at the Community Association office.
 3. All amendments shall become effective upon adoption by the DRC. Such amendments shall not be retroactive to previous work or approved work in progress.
- B. **Amendment After Termination of Special Declarant Rights Period:** In accordance with Section 6.7 of the Declaration, upon expiration of the Special Declarant Rights period, the DRC may amend the Design Guidelines with the written consent of the Board of Directors.
 1. Changes to the Design Guidelines may be proposed by the Board of Directors of the Community Association and/or the DRC. An Owner may submit proposed changes to the DRC for review and consideration.
 2. Any DRC recommendation to amend the Design Guidelines shall be approved by a majority of the DRC members and be forwarded to the Board of Directors for consideration.
 3. If the Board of Directors approves the proposed amendment, it shall

become an amendment to the Design Guidelines. Such amendment shall be promptly posted online and copies made available at the Community Association office.

4. All amendments shall become effective upon adoption by the Board of Directors. Such amendments shall not be retroactive to previous work or approved work in progress.
5. Applications approved prior to any amendment shall be grandfathered to the Guidelines adopted at the time of that approval. Modifications to grandfathered elements shall only be subject to the amended Design Guidelines if changes affecting more than 50% of the approved element(s) is/are requested.

In no way shall any amendment to the Design Guidelines change, alter, or modify any provision of the Declaration, any Supplemental Declaration, or the Articles of Incorporation or Bylaws of the Community Association.

VIII. DECLARANT'S IMPROVEMENTS

As part of the planning and development of Harmony, the Declarant has prepared a development plan and provided certain architectural designs, color palettes, landscaping design packages, parks, wetlands, mitigation areas, streets, model home packages, a sales pavilion, and recreation center. Market conditions, styles, marketing strategies, regulatory conditions or other factors may cause Builder to change the type of models, size of homes, location of future amenities or streets, color palette of homes, landscaping styles or plant materials, construction methods or materials or the landscaping on the Common Area. Notwithstanding the current provisions of these Design Guidelines, the terms of the Design Guidelines may be amended in the future as defined in Section VII of these Design Guidelines.

IX. AUTHORIZATIONS

These Design Guidelines are to be adopted by the DRC of the Harmony Master Homeowners Association, Inc. and may be amended from time to time in accordance with the governing documents of the Harmony Master Homeowners Association, Inc.

Name

Date

Name

Date

Name

Date

APPENDICES