

**DESIGN GUIDELINES  
FOR  
LARKSPUR**

## TABLE OF CONTENTS

Article I Introduction and Image Statement	6
Introduction	6
Relationship to Protective Covenants and Other Regulations	6
Authority of Design Review Committee	6
Non-Compliance	6
Image Statement	6
LARKSPUR Philosophy	6
Article II Definitions	7
Association Lot	7
Basement	7
Condominium	7
Essential Single Family Lot	7
Essential Multi-Family Lots	8
Footprint	8
Garage	8
Gross Residential Floor Area	8
Indigenous Species	8
Insubstantial	8
LARKSPUR Community Association, Inc.	8
LARKSPUR Design Review Committee	8
LARKSPUR Water Association	8
Owner	8
Plan Submission Date	9
Protective Covenants of LARKSPUR	9
Recreation Lot	9
Screening	9
Set Back	9
Sewer Main	9
Sewer Service Line	9
Single Family Lot	9
Unit	9
Water Main	9
Water Service Line	9
Variances	9
Article III Review Process	9
Approval of Design Review Committee Required	9
Submission and Decision Procedure	10
Optional Preliminary Meeting	10
Plan Submittal and Review	10
Submission Place and Date	10
Variances	10
Design Review Committee Review Meeting	11

Board Action	11
Requirements Upon Plan Approval	12
Performance Guarantee	12
For Single Family Lots, and Essential Lots	12
For the Recreation Parcel	12
Appeal	12
Plan Changes	13
Design Review Committee and Board of Directors	13
Pre-Construction Check	13
Work in Process	13
Completed Work	13
Article IV Plan Submission Requirements	14
Design Intent	14
Mountain Architecture	14
Prepared by Professionals	14
Plan Contents Requirements	14
Design Review Requirements	14
Preliminary Review Checklist	14
Plans	14
Exterior Finishes	15
Fee	15
Erosion Control Plan	15
Site Plans	16
Water Mitigation Plan	16
Other Information	16
Final Approval Requirements	16
Plans	16
Development Timetable	16
Fees	16
Project Information and Acknowledgement of Regulations	16
Gunnison County Approval Required-Recreation Tract	16
Article V General Restrictions and Requirements	16
General	16
Building Siting	17
Set Back Restrictions	17
Single Family Lots, both Essential and Otherwise	17
Essential Multi-Family Lots	17
Recreation Parcel	17
Association Lot	17
Utility Easements	18
Minimum and Maximum Size of Dwelling Units	18
Single Family Lot and Essential Family Lot	18
Essential Multi-Family Duplex Lot	18
Essential Multi-Family Four-Plex Lots	18

Garages Required	18
Building Location	18
Primary Dwelling Unit to be Constructed First	18
Scale and Form	19
Continuity of Construction	19
Repetitive Design and Continuous Wall Restrictions	19
Building Height	19
Architectural Provisions above Height Limit	19
Exterior Materials	19
Reflective Finishes	19
Mirrored Glass	20
Foundations	20
Roofs	20
Chimneys	20
Vents	20
Doors	20
Windows	20
Accessory Structures	21
Exterior Lighting	21
Exterior Antennae	21
Housing Numbers	21
Grading	21
Retaining Walls	21
Solar Panels	21
Fences, Walls	21
Privacy Fencing and Walls	22
Perimeter Fencing and Walls	22
Front Fencing	22
Landscape Walls	22
Pools	22
Hot Tubs	22
Driveways, Parking and Storage	22
Recreational Equipment	22
Open Space and Ponds	23
Signs	23
Fireplaces	23
Article VI Construction Regulations	23
Construction	23
Construction Trailers, Portable Field Offices and Signs	23
Storage or Materials and Equipment	23
Debris and Trash Removal	23
Sanitary Facilities	23
Parking Areas	24
Excavated Materials	24
Damaged Property	24



Blasting	24
Conduct and Behavior	24
Stop Work Authority	24
Housing	24
Pets	24
Hours of Construction	24
Music	24
Article VII Landscaping and Screening	25
General	25
Clearing of Trees and Vegetation	25
Conservation of Landscape Material	25
Landscaping Required	25
Trees	25
Grass	26
Recreation and Maintenance Parcels	26
Screening	26
Article VIII Drainage	26
General	26
Article IX Driveways and Parking Areas	27
Single Family, Essential Multi-Family, and Essential SF Lots	27
Driveways	27
Common/Shared Driveways	27
Article X Power, Phone, Natural Gas and Cable Television	28
<b>Appendices</b>	
Appendix A – Design Review Administrative Checklist	
Appendix B – Design Review Guidelines & Protective Covenants Acknowledgement	
Appendix C – Design Review Committee & Board of Directors Not Liable	
Appendix D – Application for Design Review and Review Fee	
Appendix E – Preliminary Review Checklist	
Appendix F – Design Review Guidelines Checklist	
Appendix G – Larkspur Fees and Sewer Tap Receipts	
Appendix H – Construction Regulations Acknowledgement and Construction Management Plan	
Appendix I – Design Review Approval	
Appendix J – Change Request Form	
Appendix K – Performance Refund Checklist	

**DESIGN GUIDELINES  
FOR  
LARKSPUR**

**ARTICLE I**

**I. INTRODUCTION**

**A. Relationship to Protective Covenants and Other Regulations**

The Design Guidelines are supplemental to restrictions and processes established in the Declaration of Protective Covenants for **Larkspur** recorded in the record of Gunnison County, Colorado. Owners of each lot are encouraged to review both documents together.

Compliance with the design review process is not a substitute for compliance with all building permit requirements of Gunnison County, Colorado. Each Owner is responsible for obtaining all approvals, licenses and permits as may be required by Gunnison County, Colorado and any special district or other entity providing services to the Lot prior to commencement of construction.

---

**B. Authority of Design Review Committee (DRC)**

No Single-Family Residence, Multi-Family Structure, Maintenance Structure, Recreation Structure, Garage, Building or Improvement shall be commenced, constructed, erected or maintained upon any Lot, nor shall any landscaping be done, nor shall any exterior addition, change or alteration be made until the plans and specifications have been submitted to and approved in writing by the Design Review Committee, hereafter know as the **DRC** in the manner set forth in these guidelines.

**C. Non-Compliance**

Failure of compliance with these Guidelines and/or approved plans, the Board of Directors of **Larkspur** Community Association, Inc. may levy a fine against the owner in an amount up to \$500.00 per day and/or may order the owner to comply with these Guidelines and/or approved plans. If the owner fails to pay such fine and/or make their project comply, the Board of Directors may levy a Non-Compliance Assessment in the amount of the fine, plus the cost of compliance, plus attorneys' fees and interest, and a written notice of assessment lien may be signed and recorded in accordance with the provisions of the Declaration of Protective Covenants of **Larkspur**.

## II. IMAGE STATEMENT

### A. LARKSPUR Philosophy

Larkspur is designed to *harmonize with neighboring properties: the Country Club subdivision to the north, the agricultural land to the east and the residential subdivision to the southeast*. A large amount of recreational open space is massed in the western portion of Larkspur to provide a buffer between the county road and the lots, and in the southwest to create a transition between the Lots and the agricultural land. The Larkspur philosophy is to provide an atmosphere of community. The objective of the Design Review Guidelines is to encourage a high standard of homes, both in terms of construction and aesthetics. Larkspur recognizes the need to meet the Owner's needs, tastes, and individuality. The intent of the DRC is to encourage individual expression and outline a basic set of criteria. These criteria have been established to govern *building massing, color, and materials*, and to set standards for landscaping, in order to reduce visual impact by conforming to the existing topography, and to increase privacy of each Single-Family Residence. Building Sites defined by setbacks have been established for each Lot to protect the natural terrain, views, privacy, and the relationship between adjacent sites.

The underlying goals of these Design Review Guidelines are to protect and enhance the natural landscape, minimize the visual impact from other areas in the community and from within the community, and to maximize the long-range views from each lot.

## ARTICLE II

### DEFINITIONS

1. **Association Lot**. That lot designated on the plat preceded by an "A". This lot is for the purpose of maintenance, offices, garages, and one employee unit to be owned and used by Larkspur Community Association, Inc.
2. **Basement**. That portion of a structure as defined by the International Residential Code (IRC) and the current adopted Gunnison County Building Code.
3. **Condominium**. A building or group of buildings in which the land is owned in common by the owners of individual airspace units.
4. **Essential Single Family Lot**. Those lots designated on the plat preceded by an "E". These lots are deed restricted in their nature per Gunnison County Housing Authority

Guidelines. (When the developer is allowed by the county to change the designation of a lot, the lot will be required to conform to the requirements of lots of the new similar designation closest to the lot in question. DRC to have final authority over actual requirements to match).

5. **Essential Multi-Family Lots**. Those lots designated on the plat preceded by an “EM”. These lots are deed restricted in their nature per Gunnison County Housing Authority Guidelines. (When the developer is allowed by the county to change the designation of a lot, the lot will be required to conform to the requirements of lots of the new similar designation closest to the lot in question. DRC to have final authority over actual requirements to match).
6. **Footprint**. Building square footage outside the foundation edge of the house, including garage, excluding decks.
7. **Garage**. A fully enclosed structure or an area within a fully enclosed structure with one or more doors for parking motor vehicles. Each parking space within a garage shall be a minimum of 20 feet by 10 feet.
8. **Gross Residential Floor Area (GRFA)**. The usable interior floor space within dwelling units, excluding all exterior walls, porches, carports, garages, decks, basements, areas less than 5 feet in finished height and floor areas less than 7 feet finished width in any dimension. Square footage of stairs count on each floor minus space under the stairs that is less than 5 feet in height. In general, GRFA is defined as it is defined by Gunnison County Building Departments.
9. **Indigenous Species**. Any species of flora naturally occurring within Gunnison County, Colorado.
10. **Insubstantial**. Any building, addition, renovation of structure or any clearing of trees or vegetation which is found by the DRC chairperson or designee of Larkspur Community Association, Inc. to be insignificant so that a full DRC review will not be required.
11. **LARKSPUR Community Association, Inc.**. A Colorado nonprofit corporation, formed for the purpose of enforcing the Declaration of Protective Covenants and adopting Design Guidelines for the purposes specified in Article I hereof.
12. **LARKSPUR Design Review Committee**. (Also referred to as DRC or Committee) A group of three to five persons who shall be appointed by the Board of Directors of the Larkspur Community Association, Inc. responsible for the adoption, administration and enforcement of these Design Guidelines.
13. **LARKSPUR Water Committee**. A committee formed for the purpose of operating, maintaining and providing potable and non-potable water service and fire protection to all lots within Larkspur.

14. **Owner.** The owner of record, whether a person, firm, corporation, or partnership, of fee simple title to any tract or lot in **LARKSPUR NEIGHBORHOOD**.
15. **Plan Submission Date.** The date of hand delivery or the date of receipt as shown by a certified mail receipt, of any documentation required to be submitted to the **Larkspur Community Association** hereunder.
16. **Protective Covenants of LARKSPUR.** A separate document entitled “**Declaration of Protective Covenants, Larkspur**” which has been recorded with the Gunnison County Clerk and Recorder and runs with all lands located within **Larkspur**.
17. **Recreation Lot.** That lot designated on the plat preceded by an “R”.
18. **Screening.** Shrubs, trees, fences, or other structures utilized to hide or shield from view unsightly objects, such as garbage storage areas.
19. **Set Back.** Distance from any building wall to the property line, road easement or right-of-way line.
20. **Sewer Main.** A primary sewer collection or outfall line, at least (8) inches in diameter, which is part of the East River Regional Sanitation District central sewer system.
21. **Sewer Service Line.** A branch sewer line with a diameter less than eight (8) inches.
22. **Single Family Lot.** Those lots designated on the plat and preceded by an “S”. (When the developer is allowed by the county to change the designation of a lot, the lot will be required to conform to the requirements of lots of the new similar designation closest to the lot in question. DRC to have final authority over actual requirements to match).
23. **Unit.** Any condominium or townhouse unit created by re-subdivision of either the Recreation Lot or any Essential Multi-Family Lots.
24. **Water Main.** A primary water distribution or transmission water line at least four (4) inches in diameter, which is part of the **Larkspur Water District** central potable or non-potable water system and used to serve water customers.
25. **Water Service Line.** A branch water line with a diameter less than four (4) inches.
26. **Variances.** A request to the DRC or the Board of Directors from an Owner, contractor or architect/designer for permission to deviate from these Guidelines or the Declaration of Protective Covenants with regard to a construction project.

### ARTICLE III

#### **REVIEW PROCESS (Appendix A)**

1. **Approval of Design Review Committee Required.** No building or other structure,

including but not limited to dwellings, outbuildings, swimming pools, tennis courts, parking areas, recreational equipment, fences, walls, garages, drives, flagpoles, curbs, patios or walks, shall be constructed, erected or maintained on any lot, nor shall any addition to or alteration or change therein be made, nor shall any vegetation be altered or destroyed on any lands, nor any landscaping be performed on any tract or lot, except for minor landscaping changes to improved tracts or lots, until complete plans and specification meeting the submission requirements set forth below have been submitted to the DRC and approved by said Board prior to the commencement of such work. Compliance with the standards and procedures set forth in this document does not necessarily satisfy compliance with applicable Gunnison County building codes or regulations. An owner or his representative must consult with the Gunnison County Building Department with reference to compliance therewith.

## 2. Submission and Decision Procedure.

- A. **Optional Preliminary Meeting.** Persons or entities who anticipate constructing improvements on lands within Larkspur, whether an owner in Larkspur or who are contemplating becoming an owner, may submit preliminary sketches of such improvements to the DRC. Any persons or entities not record owners must have the written consent of record owner before submission of such preliminary sketches. The DRC shall never be finally committed or bound by any preliminary or informal approval or disapproval until such time as complete plans and specifications are formally submitted and approved or disapproved.
- B. **Plan Submittal and Review.** No submittal shall be considered complete until receipt of a plan meeting all plan submission requirements under Article IV below (Appendices B, C, D and E).
- C. **Submission Place and Date.** Physical plans shall be submitted by delivery, mail and/or email to the DRC chairperson or by certified mail. If hand delivered, plans shall be stamped with the date of delivery, which shall be the submission date for purposes of determining the time limit for Board action. If sent by certified mail, the date of receipt shall be the submission date. In addition, electronic copies of all files shall be emailed to the DRC chairperson.
- D. **Variances.**
- i. For a good cause shown and special circumstances not caused by and out of the control of an Owner, an Owner may apply for a variance from these Guidelines and/or the Declaration. A variance shall only be granted upon a finding of "undue hardship." The Owner shall bear the burden of establishing undue hardship in order for the DRC or Board of Directors to grant the variance application. An Owner's or architect/designer's disagreement with the Guidelines does not qualify as undue hardship. The expense for a certain project presented by the Owner does not qualify as undue hardship.
  - ii. The application for a variance shall contain a detailed explanation of the reasons, as well as any supporting documentation.
  - iii. On a new project, the Owner shall submit the request for variance during the Plan Review process.



- iv. For variances requested during construction, the DRC shall hear the request as soon as possible, prior to the installation/execution of the variance as if it were requested at Plan Review. The DRC may require that work installed or completed prior to the approval or denial of the variance be removed and relocated, and the Owner may be subject to a deposit retention.
- v. Additional review fees may apply for variance requests applied for during a construction project.
- vi. The DRC will review the variance request as soon as possible, for approval or denial, dependent on the nature of the variance being requested. The DRC may request from the Owner, contractor or architect/designer additional information from a third party regarding the request at the Owner's expense.
- vii. Criteria for Approval: In granting a variance, the DRC shall find all of the following:
  - There are special circumstances or conditions with respect to the land, lot, topography, natural features, vegetation, or other matters on the subject lot or for the subject project which would render strict compliance with these Guidelines and/or the Declaration impracticable if not impossible;
  - That such special circumstances or conditions are unique to the particular use for which the Owner requests a variance and does not generally apply to all uses;
  - That such special circumstances or conditions were not created by the Owner and are out of control by the Owner;
  - That the granting of the variance is in general harmony with the purpose of these Guidelines and the Declaration and will not be materially detrimental to the subdivision as a whole; and
  - That the variance does not depart from these Guidelines and/or Declaration any more than necessary.
- viii. All variance requests are made on a case-by-case basis.
- ix. If the DRC approves the variance application, it shall forward the variance application with all supporting documentation and information to the Board of Directors, which shall also carefully consider the variance application. Any variance granted by the DRC or the Board of Directors shall not set any precedent for any future decisions. If the DRC denies the variance application, the Owner may submit the request to the Board of Directors.

E. **Design Review Committee Review Meeting.** The Design Review Committee shall review all the plans and materials submitted, and may also make a site visit to ascertain plan accuracy and to obtain a visual sense of the site. The DRC shall review the plans for: 1. Compliance with the general design objectives, 2. the specific design requirements, and 3. General use requirements set forth in the Declaration of Protective Covenants.

F. **Board Action.** The DRC chairperson will schedule a meeting with the Committee and Homeowner or designated representative within 60 days of the date of complete plan packet submission, the Design Review Committee shall, in writing, either:

- i. Approve the items submitted, in which case the applicant may proceed with construction, subject to the provisions herein regarding performance guarantee fee, and any other provisions of these Design Guidelines or the Declaration of Protective Covenants and subject to any requirement of Gunnison County to obtain Gunnison County approval.
- ii. Conditionally approve the items submitted, in which case the applicant must revise the items submitted to comply with the stated conditions, and file the revised items with the DRC for its approval prior to commencing construction.
- iii. Disapprove the items submitted, with written statement as to the reasons for disapproval and any suggestions as to changes that would make the designs acceptable. In this case, the applicant will be required to submit new plans and fees as requested and shall be premised on a finding that the proposed construction does not comply with general objectives and provisions of the Design Guidelines and Covenants.

**G. Requirements Upon Plan Approval.**

**i. Performance Guarantee**

- a. **For Single Family Lots, Essential Lots, and Essential Multi-Family Lots.** Upon the approval of construction plans, the lot owner shall be required to deposit funds to guarantee completion of construction, landscaping and cleanup on said lot. A deposit of \$10,000 shall be submitted to the DRC, which shall hold said deposit in a bank account of the Larkspur Community Association. If cleanup, landscaping, or project completion is judged by the DRC to be incomplete or unsatisfactory according to the approved plans and these Guidelines, the DRC is hereby authorized to use or hold the escrow funds to properly cleanup and/or landscape said lot, or make the project compliant with approved plans and these Guidelines.
- b. **For the Recreation Parcel.** Upon approval of construction plans, the developer of this parcel shall be required to escrow funds to guarantee completion of construction, landscaping and cleanup on said lot. A deposit of up to 100% of the construction budget in the form of cash, bond, or irrevocable letter of credit shall be submitted to the DRC payable to the Larkspur Community Association, Inc. If at the end of this period, cleanup, landscaping or project completion is judged by the DRC to be incomplete or unsatisfactory according to the approved plans and these Guidelines, the DRC is hereby authorized to use or hold said deposit to properly cleanup and/or landscape said lot, or make the project compliant with approved plans and these Guidelines.
- c. **Appeal.** In the event the DRC shall disapprove any plans and specifications, the person or entity submitting such plans and specifications may appeal the matter. Appeals shall be delivered in writing to the Board of Directors



within 30 days of disapproval by the DRC. The appeal shall be placed on the agenda for the next regular or special meeting of the Board of Directors of the Larkspur Community Association, Inc. where a majority vote cast at said meeting shall be required to change the decision of the DRC.

- d. **Plan Changes.** Any changes to the approved plans before or during construction of a dwelling must first be submitted to the DRC for approval before starting the requested changes.
- e. **Design Review Committee and Board of Directors Not Liable.** Neither the Design Review Committee nor the Board of Directors of the Larkspur Community Association, Inc. shall be liable in damages to any person or firm submitting any plans and specifications for approval or to any owner or owners of lands within Larkspur, by reason of any action, failure to act, approval, disapproval, or failure to approve or disapprove with regard to such plans and specifications. Any person or entity submitting plans to the Design Review Committee for approval, by so doing does agree and covenant that he or it will not bring any action or suit to recover damages against the Design Review Committee, its members as individuals, or its advisors, employees or agents. In addition, the lot owner shall fill out and deliver Appendix C to the DRC chairperson as a part of the Plan Submittal Package.
- f. **Pre-Construction Check.** At least three days prior to commencement of construction Appendix H shall be completed and delivered to the DRC chairperson.
- g. **Work in Process.** The DRC may inspect all work in process and give notice of non-compliance. The absence of such inspection and notification during construction does not constitute either approval or compliance with the Declaration of Protective Covenants or Design Guidelines.
- h. **Completed Work.**
  - i. Upon completion of any Dwelling or other improvement for which final Approval was given by the DRC, the Owner shall give written notice of completion to the DRC and provide proof of the Certificate of Occupancy for the residence.
  - ii. Within such reasonable time as the Committee may determine, but in no case exceeding twenty (20) days from receipt of such written notice of completion from the Owner or its duly authorized representative, the Committee may inspect the improvements (Appendix K). The performance deposit shall be refunded to the Owner when the DRC finds the project is in full compliance with the Design Guidelines, Protective Covenants, and the approved plans.
  - iii. At the discretion of the DRC, up to 50% of the performance deposit may be refunded if the DRC finds all work to be completed with the

exception of established revegetation. The remaining 50% performance deposit shall be returned when all landscaping and re-vegetation is established (return of land to a close approximation of its natural condition prior to disturbance) and the absence of noxious weeds. Re-vegetation may include neighboring lots if ground was disturbed during construction and because of the construction.

- iv. If it is found that such work was not done in strict compliance with the final plan submitted or required to be submitted for its prior approval, the DRC shall notify the Owner in writing of such non-compliance within such period, specifying in reasonable detail the particulars of non-compliance and requiring the Owner to remedy the same. The DRC may fine the proponents up to \$500 per day until non-compliance is remedied. The Board of Directors may use their discretion to use Owner's performance deposit to pay this fee.
- v. If upon expiration of thirty (30) days from the date of such notification by the Committee, the Owner shall have failed to remedy such non-compliance, the Board of Directors shall notify the Owner, and it may take such action to remove the non-complying improvements as is provided for in the Declaration of Protective Covenants.

## ARTICLE IV

### PLAN SUBMISSION REQUIREMENTS

1. **Design Intent.** The DRC does not intend that one plan, elevation option or color scheme be repeated to the extent that it creates an excessively similar appearance of neighboring homes. Therefore, the DRC in its sole discretion, but subject to Owners ability to appeal to the Larkspur Board of Directors as allowed in the Protective Covenants, will have the authority to determine which design and color scheme will be used on a specific lot if an excessively similar or dissimilar pattern of design occurs.
2. **Prepared by Professionals.** All plans must be stamped by a Colorado licensed architect or licensed structural engineer.
3. **Plan Contents Requirements: Single Family Lots, Multi-Family lots & Recreation Parcel.** The lot owner must submit, as a minimum, the following:
  - A. **Design Review Requirements (Appendix F)**
    - i. **Preliminary Review Checklist.** Completed Larkspur Preliminary Design checklist. (Appendix E)
    - ii. **Plans.** (2) Sets of printed drawings including all elevations at 1/8" scale, floor plans at 1/4" scale, cross section, and site plan (see site plan requirements below) must be at least 1"=10'-0". In addition, pdf formatted files of the same drawings shall be emailed to the DRC Chairperson.

- iii. **Exterior Finishes.** Printed and electronic copies of exterior materials, exterior doors, deck railings, proposed exterior lighting fixtures and a color palette should be submitted. (Appendix E)
- iv. **Design Review Fee** - \$950 per residential application for S and E lots. plus costs incurred for expertise outside the DRC.
- v. **Erosion Control Plan.** A statement of proposed methods of erosion and sedimentation control both during and after construction is required. It is the intent of the guidelines that adequate protection is provided to adjacent properties and the open space. As a condition of construction, prior to any disturbance on the lot, owner shall ensure silt fencing is installed at all property lines where required. Silt fence shall be in place and maintained throughout the course of construction and after, as needed to establish re-vegetation. The requirement for the installation of silt fencing along the sides of the lot may be eliminated if written approval of such is obtained from the adjoining property owner and submitted to and approved by the DRC, and/or waived by the DRC.
- vi. **Site Plans:** Two (2) copies, at a scale of 1 inch equals 10 feet or larger, including:
  - 1. Name, address and phone number of lot owner, lot identification number for **Larkspur**,
  - 2. North arrow;
  - 3. Boundaries of lot or lots to be built upon, with indication and labeling of required setback lines as a fine dashed line.
  - 4. Existing topography as a solid line and proposed topography as a dashed line, with two feet contour intervals, in the area of the proposed structure or structures and extending fifty feet from all sides of the proposed structure, and also, in any area where earthwork is proposed such as along access driveways, fills, and re-graded areas;
  - 5. General features such as large rocks, existing drainage courses;
  - 6. Outlines of all proposed buildings and structures including decks, porches, patios, walls, building eaves, fences, storage and utility areas, enclosures, hallways, breezeways, garages, dog runs, pools, paths, walks, steps;
  - 7. Proposed driveways and parking areas with notation as to grade and surfacing materials.
  - 8. Proposed location of all underground utility connection lines including water, sewer, phone, power, and cable television;
  - 9. Lot Drainage including culvert no longer than twenty (20) feet and valley pan;
  - 10. Proposed landscaping, including the varieties and approximate sized of plants, trees and grass or vegetation to be planted;
  - 11. Utility easements;
  - 12. If applicable, site plans must include information showing the lot's existing elevation and detailing the proposed changes in elevation;
  - 13. Snow storage area (twenty-five percent (25%) of driveway area).

- vii. **Water Mitigation Plan**: All basements must have a water mitigation plan.
- viii. **Other Information**. The DRC may require submission of any other materials or information it deems necessary to enforce the provisions and achieve the purposes of these Design Guidelines.

#### 4. **Final Approval Requirements**

- A. **Plans**. (1) Set of plans stamped by a Colorado licensed Architect or Engineer consisting of 1/4" scale plans for floor and cross section, 1/8" elevations, 1" = 10' or larger site plan.
  - B. **Development Timetable**. A statement of planned starting and completion dates for dwelling and landscaping, and utility hookup. (Appendix H)
  - C. **Fees**. Paid Performance Guarantee fee and receipts for water tap fee and sewer tap fee.
  - D. **Project Information and Acknowledgement of Construction Regulations**. Both the proponents and the General Contractor sign an agreement stating that they have read and understand the Larkspur Design Guidelines and Larkspur Protective Covenants. (Appendix H)
  - E. **Construction Management Plan**. A site plan that shows locations of dumpster, parking, job trailer(s) port-a-potty, material storage including dirt, silt fence, concrete washout areas and other job site uses.
5. **Gunnison County Approval Required – Recreation Tract**. Developers of this tract may be required to obtain a Land Use Change Permit from Gunnison County, Colorado. Garland Properties, Inc. a Colorado Corporation has previously obtained a Land Use Change Permit for the entirety of Larkspur. As a result of said Land Use Change Permit already obtained, the general land use classification, allowable uses, the maximum number of units and gross square footage allowable upon this tract has been specified in the protective covenants of Larkspur. After receiving approval from the DRC, the developer of this parcel must comply with the requirements of the Gunnison County Land Use Resolution in order to obtain its approval for the final plat of such tract.

## ARTICLE V

### **GENERAL RESTRICTIONS**

- 1. **General**. The DRC, in its plans and specifications review process, will specifically review every structure and building proposed to be constructed within Larkspur for compliance with these Design Guidelines. The DRC's goal shall be to encourage variation within an overall theme of interesting architecture using natural materials, colors and textures, shapes suited to solar exposure and high snowfall, and multiple levels

to adapt to topography, with site design that maximizes protection of the mountain environment, views, rural quality and privacy. “Box like” appearances are discouraged.

2. **Building Siting.** Most building sites in **Larkspur** are relatively flat. The underlying goal of site planning guidelines is for all buildings, structures and site improvements to be integrated with the natural features of a site. Building form, orientation and massing should respond to natural landforms, drainage patterns, topography, vegetation, views, and sun exposure. Buildings should step rather than rely on extensive site grading. Building forms and rooflines should relate to site contours and surrounding landforms. Exposed building profiles atop ridgelines and harsh angular forms that are in contrast to natural slopes are discouraged. The location and design of buildings should minimize disturbance to existing vegetation on a site. Access should also be considered during the site planning building design process. Extensive cut and fill slopes to accommodate site access are generally not acceptable and should be avoided or minimized by effective site planning.
  
3. **Set Back Restrictions.** The following set back restrictions shall apply within **Larkspur**:
  - A. **Single Family Lots, both Essential and Otherwise** There shall be a 10 foot wide clear zone easement along the entire boundary of each lot or tract. Within said clear zone easement, no improvements of any nature may be constructed, except only landscaping, fencing, sidewalks and driveways. Residential structures may be constructed on that line where a platted road easement encroaches into the lot except on cul-de-sacs where structures must be a minimum of 10 feet back from the easement line. The set back for all structures and improvements from all side lot boundaries shall be 10 feet. All front setbacks shall be 20 feet. All rear lot setbacks shall be 15 feet. Rear setbacks for lots S33, S34, S35, S36, S37, S38, S39, S41, S42, S43, S44, S45, and S46 along the lake shall be 20 feet.
  
  - B. **Essential Multi-Family Lots.** No residential or building structure of any kind may be constructed nearer than 10 feet from that line where a platted road easement encroaches into the lot. The setback for all structures from all side lot boundaries shall be 15 feet. All rear lot setbacks shall be 15 feet.
  
  - C. **Recreation Parcel.** No building or structures of any kind may be built on that part of the parcel that is within the platted road easement. This area that is part of the parcel and that lays within the road easement may be used for parking, sidewalks, landscaping, snow storage and driveways. For all structures there shall be a 20-foot setback from all lot lines held in common with either single-family lots or open space. There shall be no setback from where the road easement line encroaches into the lot.
  
  - D. **Association Lot.** There shall be a minimum 10-foot setback from all lot lines. There shall be a 10-foot setback from where the road easement line encroaches into the lot.

- E. **Utility Easements.** No permanent structures or buildings of any kind shall be permitted to be constructed upon any utility easements. There is no setback from the easement itself unless specifically addressed above.

4. **Minimum and Maximum Size of Dwelling Units**

**Single Family Lot and Essential Family Lot.** The total gross residential floor area shall not be less than 800 square feet and not more than 4,000 square feet. Buildings of more than one story shall have a main floor footprint, as determined by the DRC, including garage, of not less than 800 square feet, excluding decks.

**Essential Multi Family Duplex Lot.** The total gross residential floor area for the entire structure that includes both units shall not be more than 3600 square feet. The units do not have to be the same size. A maximum of two units can be built on the lot; however, it is permissible that only one unit be built upon receipt of permission of Gunnison County Housing Authority. The units must be attached to each other by either common walls or by stacking. Each unit must have two enclosed garages.

**Essential Multi Family Fourplex Lots.** The total gross residential floor area for the entire structure shall not be more than 4400 square feet. A maximum of four units may be built on each of these lots; however, a lesser amount may be built upon receipt of said permission from the Gunnison County Housing Authority. The units on each lot do not have to be the same size; however, all the units must either be attached or stacked. Each unit must have two enclosed garages.

5. **Garages Required.** All structures on single family and essential single family lots shall have a minimum of two (2) enclosed attached garages. The measurements of each garage space shall be a minimum of ten (10) feet by twenty (20) feet. It is permissible, at the discretion of the DRC where lot dimensions dictate, to allow these two spaces to lie tandem, with one space in front of the other. All garages must have doors that are covered in wood or other DRC approved material.
6. **Building Location.** All buildings and structures shall be located within the setbacks on the lot or tract so as to minimize the impact on the natural beauty of the land. Particular attention will be paid to building location, sun direction, orientation and views from adjacent lots and roads during the design review process. All single-family dwellings shall be sited so as to be 'square' to the road easement or as 'square' to lot lines as possible. Compliance with this requirement shall be at the absolute discretion of the DRC.
7. **Primary Dwelling Unit to be Constructed First.** No garage shall be constructed on any residential lot prior to construction of the primary dwelling unit. Exception: On the Association Lot the permanent garage or a temporary garage structure may be constructed prior to any dwelling unit or office being built.



8. **Scale and Form.** Generally, residential buildings should be based upon a central rectilinear massing with simple forms added to create scale, and to allow for the adaptation to natural landforms. The underlying rectilinear form should have the visual impression of “growing” out of the site. This impression can be reinforced by a strong, horizontally proportioned massive base.

9. **Continuity of Construction.** All building and structure construction and alteration work shall be pursued diligently. Each structure shall be entirely completed within eighteen (18) months after commencement of construction.

10. **Repetitive Design and Continuous Wall Restrictions.**

A. Monotony of design shall be avoided. Variations of detail, form and location are appropriate and desired. Designs which are essentially identical to nearby houses will not be permitted. There must be significant individual variations, making each unit unique.

B. Building designs with the tendency to have parallel, repetitive or “barracks-like” buildings are discouraged. An offset of at least four (4) feet shall be provided for every twenty-five (25) feet of continuous exterior wall surface, or thirty (30) feet of continuous roof plane, to break up monotonous planes.

11. **Building Height.** Maximum building heights of all structures including S Lots, E Lots, Essential Multi-Family Lots, the Recreation Parcel, and the Association Lot shall be Thirty (30) feet as measured by the Gunnison County’s Land Use Regulations (LUR) with the exception of Lots S9, S11, and E8 which shall have the maximum building height of Twenty-Two (22) feet.

A. **Architectural provisions above height limit.** Towers, spires, cupolas, chimneys, flagpoles and similar architectural features not useable as habitable floor area may extend above the height limit at the discretion of the DRC.

12. **Exterior Materials.** For all housing units and garages, wood siding, vertical and horizontal with wood corner and trim boards, and stone siding (natural materials) are encouraged for the primary siding. At the discretion of the DRC, secondary siding may consist of “muted earth tone” stucco, non-reflective metal, or other material. Fascia boards shall have a minimum dimension of 2 inches thick by 10 inches wide for primary roofs. All fascia and soffit shall be wood. Secondary roofs shall have a minimum dimension of 2 inches thick by 8 inches wide. Asbestos shingle, T 111, vinyl, cinder block, poured concrete or aluminum exterior siding will not be permitted. Fiber cement planking is allowed in earth tone colors that have been pre-approved by the DRC. All exterior windows and doors shall be trimmed with wood. Corner boards shall be wood.

13. **Reflective Finishes.** Reflecting or contrasting finishes are not acceptable. All exposed materials such as flashing, wall and roof vents, metal enclosures, and other items shall be anodized or painted an approved color.

14. **Mirrored Glass.** Mirrored glass windows and doors are not permitted.
15. **Foundations.** Concrete, foam or block foundation walls may not be exposed above the finished grade.
16. **Roofs.** Roof massing shall consist of a primary roof and secondary roofs. A primary roof is defined as the main roof structure and all roofs that enclose a two-story structure. Secondary roofs are considered roofs that cover garages, porches or one-story living spaces. All roofs shall be designed to comply with Gunnison County loading requirements. Roofing materials consisting of fireproofed wood shingles, and non-reflective metal roofs are encouraged, other materials may be considered as an acceptable roofing material. Roofs shall be of a muted natural color theme. The Design Review Committee shall consider the impact to the neighborhood for all roof designs. If an excessively similar or dis-similar pattern of roof design occurs, the Design Review Committee in its sole discretion will have the authority to determine on a case-by-case basis if a roof material is allowed. It is also encouraged that differing roof materials be utilized between the primary and secondary roofs to help break down the mass and scale and to help distinguish between building elements and masses. Roofs with overhangs to deflect rainwater and block summer sun are encouraged. Primary roofs shall have an overhang of no less than 18" rake and 24" eave, and secondary roofs shall have an overhang of no less than 12".
17. **Chimneys.** No exposed reflective metal cylinder chimneys shall be permitted. Metal chimneys shall be enclosed in a casing of a material compatible with the house siding material in a manner not creating a fire hazard. ~~Chimney material and design shall be selected to withstand high wind conditions and heavy snowfall typical of mountain weather.~~
18. **Vents.** All exposed plumbing, roof equipment, ducts and other vents and pipes shall be painted an approved color that matches the roof area nearest the vent or pipe.
19. **Doors.** Unpainted or primer coat painted metal doors are prohibited. Exterior doors, especially main entry doors, should be designed with great attention to detail in order to create an individual identity for the building. Richly detailed doors are also very characteristic of the design theme. Flush panel exterior doors are not allowed. Doors should be made of wood, glass, metal or fiberglass. Garage doors shall be finished with wood or other approved materials. Cut sheets for all proposed exterior doors and overhead doors must be submitted to the DRC for approval.
20. **Windows.** Window shapes must generally be of vertical or square proportion and avoid complex and attention calling shapes. Divided light windows are required. Proponents wishing to avoid obstruction of major views should consider using a grouping of windows such that a large undivided window is surrounded by smaller divided light windows.



21. **Accessory Structures.** Structures such as garages, porches and greenhouses shall be of similar construction materials and quality as the principal building and shall be attached to the main structure. No outbuildings are allowed. Garages may, at the discretion of the DRC, be connected to the main structure by “breezeways.”
22. **Exterior Lighting.** All exterior lighting shall be shaded and shall be approved by the DRC for harmonious development and the prevention of lighting nuisances to other lots in **Larkspur**. Fixtures shall be full cutoff type and shall direct light downward. No exposed or un-shaded bulbs are allowed. Ground mounted floodlighting is prohibited. All outside lighting shall comply with these regulations in addition to those of Gunnison County in place at the time the permit is applied for. Holiday lighting is allowed from November through the end of January.
23. **Exterior Antennae.** No exterior antennae or satellite dishes shall be allowed except those which meet the following requirements:
- a. Shall be fixed with maximum 18” in diameter or diagonal measurement;
  - b. Color shall blend with building color;
  - c. Location shall be approved by the DRC.
24. **Housing Numbers.** Each single family dwelling unit shall have a lighted house or unit number visible at night from roadway, conforming to a design and location approved by the DRC.
25. **Grading.** Grade changes, cut, fill and soil removal shall be minimized in site design. Cut and fill slopes should be no steeper than 4:1 (horizontal to vertical). Cut and fill slopes should have good surface drainage and must be re-vegetated with native ground covers and terraced or controlled by retaining walls to protect against erosion and sedimentation. All lots shall be finish graded to prevent ponding of water and surface drainage detrimental to adjacent properties.
26. **Retaining Walls.** Retaining walls may be constructed of stone or treated landscape timbers. The use of exposed concrete, cinder block and stucco will not be permitted. Retaining walls should be constructed to a maximum of four feet in height. If a taller wall is required, two or more shorter walls should be used, if feasible, with at least four feet horizontal distance between them instead of one tall wall. Weep holes must be provided to release trapped drainage water. Walls over four feet must be engineered.
27. **Solar Panels.** Solar panels on roofs will be considered on a case-by-case basis.
28. **Fences, Walls.** The design and location of fencing and privacy walls shall be submitted and approved by the DRC prior to installation. Fences and/or walls, if approved, shall be constructed of natural or cultured stone, and/or wood materials or faced with natural or cultured stone, and/or wood material. Other materials may be considered on a case-by-case basis.

- a. **Privacy Fencing and Walls** Subject to the approval of the DRC as to design, size and location, privacy fencing and/or walls will be permitted to screen a small portion of a yard, or to screen a patio, pool or dog run. Fences or walls of more than six (6) feet in height will not be permitted. Privacy fencing must be in harmony with the exterior design and materials of the residence.
  - b. **Perimeter Fencing and Walls** on Lots S 2,3,4,5,6,7,8,9,10,17,18,19,20,21,22, Lots E3, E4, E5, E6, E7, E8 “perimeter” fencing or walls will be allowed commencing at the midpoint of the dwelling or further towards the back, out to the lot line, along the side lot line to the back lot line, along the back lot line to the side lot line, up the side lot line until it reaches the approximate same point of the dwelling opposite of where the fence or wall started. If an owner chooses to build a “perimeter” fence or wall then that fence or wall must follow the lot lines and the fence or wall will not be allowed to only fence or wall a portion of the lot lying in back of the house. Fences or walls of more than six (6) feet in height will not be permitted.
  - c. **Front Fencing** No fencing will be allowed on the front (roadside) portions of the lots. Decorative walls may be approved at the discretion of the DRC.
  - d. **Landscape Walls** The developer of **Larkspur** is allowed to install walls that are for the purpose of landscaping, utility screening and entry features. These walls must be of the same material(s) as that specified in paragraph 29 above.
29. **Pools.** Above ground pool structures shall not be allowed. The top surface of any pool must be not more than 12 inches above grade. All pool equipment shall be screened from view of neighboring lots, tracts or roads. All pool equipment shall be located or sound attenuated in such a manner as to not disturb the occupants of adjacent or nearby properties.
30. **Hot Tubs.** The DRC must approve the location and appearance of all outdoor hot tubs. The exterior surface area must be covered with an earth-tone color siding. The hot tub shall be covered using a hard cover consisting of a durable foam inner core and plastic covering and finished with an earth tone color.
31. **Driveways, Parking and Storage.** Each single-family residence shall have at least two parking spaces within a fully enclosed garage. In addition, each residence shall have one additional space stacked in front of, or to the side of, the garage. Curb cut, on any drive shall not exceed 20 feet. All driveways shall have a valley pan and a minimum 12” culvert extending no more than one foot in either direction from the edge of the drive. All driveways and parking areas shall be paved with an all weather hard surface such as concrete or asphalt.
32. **Recreational Equipment.** The placement of recreational equipment including, but not limited to swing sets, jungle gyms, trampolines, basketball hoops and sports nets must be approved by the DRC.

33. **Open Space and Ponds.** The open space and ponds within Larkspur are for the use and enjoyment of the residents of Larkspur and their accompanied guests. No destructive, loud or obnoxious behavior will be tolerated.
34. **Signs.** No signs of any type other than residence identification numbers shall be allowed within **Larkspur**. During the construction period, temporary signs identifying the name, telephone number of the construction company and lot number are allowed.
35. **Fireplaces.** Solid fuel burning devices as approved by Gunnison County will be allowed if it is determined by the DRC that operation and approval with such devices will not adversely affect any neighboring properties. Chimineas and barbecues are specifically allowed provided they are not placed on or near flammable materials.

## ARTICLE VI

### CONSTRUCTION REGULATIONS

- i. **Construction.** The following restrictions apply to the construction of all buildings and structures within **Larkspur**:
- A. **Construction Trailers, Portable Field Offices and Signs.** Owners or contractors who desire to temporarily set a construction trailer, or contractor sign on a construction site must first obtain written approval from the DRC. The DRC will designate a specific location and a maximum period of use.
- B. **Storage or Materials and Equipment.** Owners or contractors are permitted to store construction materials and equipment on an approved construction site only during the construction period. All equipment and materials shall be neatly stored or stacked, properly covered and secured. Owners or contractors will not disturb, damage, trespass or store materials or equipment on other lots, tracts, roadway, or other easements.
- C. **Debris and Trash Removal.** Owners and contractors shall clean up all trash and debris on the construction site. Trash and debris shall be removed from the site at least once a week to the nearest solid waste disposal site or other location approved by Gunnison County. All persons are prohibited from dumping, burying or burning trash anywhere in **Larkspur**.
- D. **Sanitary Facilities.** Each owner or contractor shall be responsible for providing adequate sanitary facilities on site for all construction workers and subcontractors.

- E. **Parking Areas**. Construction crews or other construction personnel may park on only one side of the road adjacent to the construction site or use other lots or tracts, pre-approved in writing by the DRC, for parking purposes during construction.
- F. **Excavated Materials**. Excess excavated materials shall be hauled from **Larkspur**, or placed in areas approved by the DRC.
- G. **Damaged Property**. Damage to or scarring of other properties, including but not limited to other lots or tracts, roads, driveways or other improvements is not permitted. If damage occurs, the person or persons responsible will repair it promptly.
- H. **Blasting**. If any blasting is to occur, the DRC shall approve and then be informed in writing forty-eight hours in advance to allow it to make such investigation as it deems appropriate to confirm that adequate protective measures have been taken prior to blasting.
- I. **Conduct and Behavior**. All property owners in **Larkspur** shall be responsible for the conduct and behavior of their representatives, builders, contractors and subcontractors.
- 
- J. **Stop Work Authority**. The DRC shall at all times have the authority to stop all work on any construction site within **Larkspur**. Contractors or contractors' personnel violating any of the provisions of this instrument or the Declaration of Protective Covenants shall be just cause for stopping all work. A stop work order will be issued directly to the lot or tract owner in writing and posted at the work site.
- 
- K. **Housing**. No construction worker or lot or tract owner shall set up a temporary residence on any construction site in a trailer, motor home, or tent. All construction workers must be housed in permanent housing within or outside **Larkspur**.
- L. **Pets**. Dogs and other pets owned by contractors or construction workers shall be prohibited from construction sites.
- M. **Hours of Construction**. Construction is permitted from 7am-6pm Monday through Saturday and work is not permitted on Sunday.
- N. **Music**. Construction workers and/or crews may only play music at a level that does not interfere with neighboring properties. The determination of acceptable levels is in the sole discretion of the DRC or its designated representatives.

## ARTICLE VII

### LANDSCAPING AND SCREENING

1. **General.** It is the intent of this article to improve the natural appearance of **Larkspur**, and to maintain such appearance and maximize the seclusion of each home site from other homesites, insofar as possible. Landscaping is encouraged but the types and treatment of plant materials are subject to approval of the DRC. The intent is to reinforce the natural setting through well-designed use of existing grade and drainage and drought tolerant native plant materials.
2. **Clearing of Trees and Vegetation.** No brush growing on any residential lot or other tract or parcel shall be felled or trimmed nor shall any natural areas be cleared or formal lawn areas planted or landscaping performed on any residential tract without the prior written approval of the DRC. Any brush cleared from any lot or tract shall be disposed of by the owner of said lot or tract in such a way that all lots, whether vacant or built upon, shall be kept free of accumulations of cut brush, logs or other materials that may constitute a fire or insect infestation hazard or render a lot unsightly. If the owner of a lot or tract violates this section, the Board of Directors of **Larkspur Community Association, Inc.** may levy a fine against the owner in an amount up to \$1,000.00 and/or may order the owner to restore the lot or tract to its previous condition, as it existed before the violation. If the owner fails to pay such fine and/or restore the lot or tract, the Board of Directors may levy a Non-Compliance Assessment in the amount of the fine, plus the cost of restoration, plus attorneys' fees and interest, and a written notice of assessment lien may be signed and recorded in accordance with the provisions of the Declaration of Protective Covenants of **Larkspur**.
3. **Conservation of Landscape Material.** Owners and contractors are apprised of the fact that lots and tracts contain fragile native plants and other landscape materials that should be salvaged before and during construction, such as topsoil, rock outcroppings and native shrubs, grasses and trees. Materials that cannot be removed must be marked by flagging and protected by barriers, fencing or screening.
4. **Landscaping Required.** The landscaping of lots and tracts within **Larkspur** is required and must be completed in conjunction with the construction of buildings and other structures by the end of growing season following substantial completion of the building. In accordance with the "Plan Submission Requirements" set forth herein, all proposed landscaping must be shown on the "Site Plan" submitted to the DRC for review and approval as a condition of plan approval. Required landscaping is as follows:
  - A. **Trees.** All single-family lots, essential single family and essential multi-family housing lots shall landscape as follows:
    1. Not less than 200 vertical feet of deciduous and/or conifers will be planted per lot. Of this 200', there must be three (3) conifers, each a minimum of 8' planted height.
    2. Evergreens will be calculated at a 2-1 ratio for vertical feet.

3. If multi trunk trees are used then only the tallest trunk of the grouping may be counted for this section.
4. All trees must be watered through use of an automatic watering drip system.
5. Owner will replace required trees that die within the first 5 years of planting, with trees of similar size and species. This requirement is waived if the owner installs more than the required number of vertical tree feet, as long as the remaining trees on Owner's lot meet the minimum standards in Subsection 1 of this section.

**B. Grass.**

1. All residences are allowed a maximum of 800 square feet of irrigated lawn (sod or seeded grass) per lot. All lawns (sod or seeded grass) must be planted at the time of construction clean up (weather permitting). All sod or seeded grass areas must be watered through use of an automatic irrigation system. NOTE; upon a call for water, irrigation may need to be reduced or eliminated temporarily.
2. All other areas disturbed during the construction process shall be re-vegetated with low maintenance drought resistant plants and/or grasses.

**C. Recreation and Maintenance Parcels.** The developers must provide the DRC with a landscape plan in conjunction with proposed building plans. While there are no exact landscaping requirements for this parcel, it is expected to have a minimum of 500 vertical feet of trees. The DRC reserves the right to modify this amount.

**D. Screening.** Electric meters, garbage and rubbish areas, clotheslines, air conditioning equipment, pool filters, dog runs, and any other improvements where the DRC deems necessary shall be screened or enclosed from view from public roads, other lots and tracts. Screening enclosures or fences shall be of materials and colors that conform to this instrument and are harmonious with the primary buildings or structures on the lot or tract. If plantings are used for screening, they shall be of species equally effective in winter or summer.

## ARTICLE VIII

### DRAINAGE

1. **General.** There are several minor drainage ways that work their way across **Larkspur**. Detailed drainage analysis must be utilized in planning for drainage on individual tracts or lots. Local storm drainage must be provided for in the design of proposed improvements on any lot or tract within **Larkspur**.

In the design of storm drainage improvements for any tract with **Larkspur**, every effort should be made to utilize existing ditches and watercourses, and to prevent soil erosion. The plans and specifications for any tract will not be approved by the DRC until adequate



provision for storm drainage has been made. Any plans and specifications containing inadequate provision for storm drainage will be disapproved by the DRC.

## ARTICLE IX

### DRIVEWAYS AND PARKING AREAS

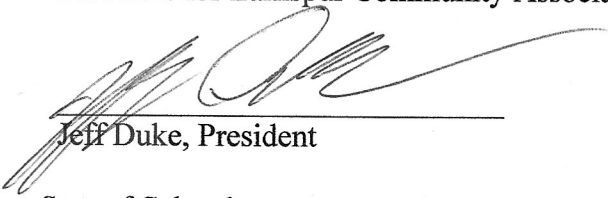
1. **Single Family, Essential Multi-Family, and Essential Single Family Lots.** Access to primary dwelling units on all lots shall be by driveways that allow easy access to the road system. When driveways are considered during the design review process, the following factors will be taken into consideration.
  - A. Good visibility and sight distance should be obtained along the roadway together with an intersection as close to 90 degrees as possible.
  - B. Where practical, gradients should be not greater than 4% along the driveway and no greater than 2% within 20 feet of the roadway shoulder.
  - C. All driveways including that portion in the public road easement shall be paved in asphalt or concrete at the lot owner's expense at a minimum 16 foot width for all single family residential lots and a minimum of 20 feet width for multi family lots. All driveways must be completed prior to the refunding of escrowed moneys for landscape construction and within 10 months of residential completion.
  - D. Paving of driveway (whether new construction or existing construction) shall be the sole expense of the lot owner or lot developer
  - E. Prior to installing any driveway the owner shall install a minimum 12" culvert under the planned driveway at the point where it meets the road.
  - F. A valley pan may be required such that the driveway shall not allow drainage to the road.
2. **Driveways.** Lots S-1, S-10, and EM-3 must access from curved portions of the cul-de-sac and not adjoining roads.
3. **Common/Shared Driveways** With the permission of the Crested Butte Fire Protection District, adjacent lots may share a common driveway such as agreed to by owners of both lots through an easement stating such that is recorded prior to the time of granting a building permit for either structure. Once a common driveway easement is granted and recorded it must be used for access to both structures and both lots.

ARTICLE X

**POWER, PHONE, NATURAL GAS AND CABLE TELEVISION**

Individual lot, tract or parcel owners are responsible for providing for the extension of private utilities to buildings or structures. Extensions should be provided for through the appropriate private utility company and their contractors. All extensions must conform completely to the rules and regulations of the private utility companies. All power, telephone, natural gas and cable television cables must be installed underground in all areas throughout **Larkspur**. Overhead lines or wires, poles or any other aboveground appurtenances, except typical junction boxes, are strictly forbidden within **Larkspur**.

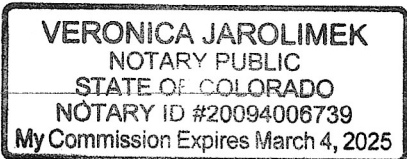
These Design Guidelines are hereby adopted this 29<sup>th</sup> day of October, 2024, by the Board of Directors for Larkspur Community Association, Inc.


  
\_\_\_\_\_  
Jeff Duke, President

State of Colorado                    )  
  ) ss.  
County of Gunnison                )

This document was acknowledged before me on this 20 day of Nov, 2024 by Jeff Duke, as President of Larkspur Community Association, Inc., a Colorado nonprofit corporation.

Witness my hand and official seal.  
My commission expires: March 4 2025.




  
\_\_\_\_\_  
Notary Public

**CERTIFICATION and AFFIDAVIT**

I, Robert A. Pannier, as Secretary of Larkspur Community Association, Inc., a Colorado nonprofit corporation, hereby certify, swear and attest that pursuant to Article IV, Section 6, the Board of Directors published the amendments to these Guidelines in the Crested Butte News for two consecutive weeks, received written comments tendered by Owners, held a public hearing at which Owners commented on the proposed Amendments, and voted upon and adopted the within Amendments to these Guidelines.

Larkspur Community Association, Inc.,  
a Colorado nonprofit corporation

By:   
\_\_\_\_\_  
Robert A. Pannier, Secretary

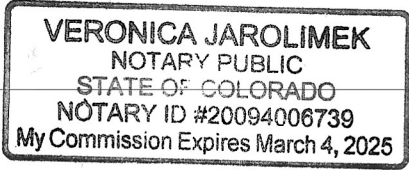
State of Colorado                    )  
  ) ss.

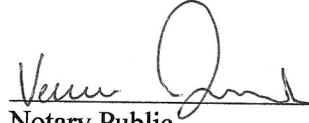


County of Gunnison )

This document was acknowledged before me on this 20 day of Nov, 2024 by Robert A. Pannier as Secretary of Larkspur Community Association, Inc., a Colorado nonprofit corporation.

Witness my hand and official seal.  
My commission expires: March 4 2025.



  
\_\_\_\_\_  
Notary Public