

# Cherry Creek Estates Owners Association

## Rules & Regulations

### **1. Maintenance of Lots**

Each Owner, at such Owner's sole cost and expense, shall promptly and continuously maintain, repair and restore his or her Lot (including the yard and landscaping) and Home and other improvements located thereon, in a good, clean, attractive, safe and sanitary condition and in full compliance with all applicable governmental laws, rules and regulations and the provisions of this Declaration and the rules and regulations of the Association.

### **2. Residential Use**

Lots and improvements located thereon shall be used for:

sleeping, eating, food preparation for on-site consumption by occupants and guests, entertaining by occupants of personal guests and similar activities commonly conducted within a residential dwelling (without regard to whether the Owner or occupant resides in the Home as a primary or secondary personal residence or on an ownership, rental, lease or invitee basis),

such other reasonable ancillary purposes commonly associated with residential dwellings (including without limitation home-offices and home-occupations) which do not cause unusual traffic, parking, noise or similar problems, or otherwise violate provisions of this Declaration, Association rules and regulations, or applicable law for residential dwellings, the common social, recreational or other reasonable uses normally incident to such purposes, and for purposes of operating the Association and managing the Project. Nothing herein shall be deemed to prevent the Owner from leasing a Home and improvements subject to all of the provisions of this Declaration.

### **3. Business Use**

No business of any kind shall be conducted on any Lot or Home with the exception of (a) the business of creating, improving and selling the Lots and Homes located in the Project, (b) uses otherwise permitted per the Declarations and (c) such other non-residential business and commercial uses permitted by zoning and other laws applicable to a particular Lot. The Lot Owners shall comply with all of the requirements of the appropriate local governments. No materials, supplies or equipment used by a business shall be stored on any Lot or Home within the view of another Lot or Home, except for items relating to an improvement which is under construction in conformance with this Declaration. Nothing in this section shall be construed so as to prevent or prohibit an Owner from maintaining his or her professional personal library, keeping his or her personal business or professional records or accounts, handling his or her personal business or professional telephone calls, or conferring with business or professional associates, clients, or customers, in such Owner's Home.

#### **4. Parking**

Every Home must have a garage which holds at least one full-size car, truck, boat, recreational vehicle or other motor vehicle ("vehicle"). All vehicles must be stored in garages or in a manner which the Board reasonably determines is not offensive when viewed from the street or from the ground level of adjacent Lots.

Unless substantially screened from view from the street or from the ground level of adjacent Lots in a manner reasonably approved by the ACC, no disabled vehicles, recreational vehicles, commercial vehicles, construction or like equipment, or trailers (utility, boat, camping, horse or otherwise) shall be allowed to be parked or stored on any rights-of-ways, setback areas or street. If parked on rear or side yards, vehicles must be adequately screened with at least a six foot solid fence and otherwise in compliance with the regulations of the ACC. The Board shall have full authority to determine if any vehicle is obnoxious or undesirable to other Lot Owners and take appropriate steps to correct such a violation of this covenant.

The Board's position is that homeowners be encouraged to park in garages and driveways and on-street parking be restricted to short-term guests who may park for up to 72 hours. In addition, RV's and boats may park in the street for up to 24 hours for loading and unloading purposes.

#### **5. Fencing**

Fences may only be placed along the rear property line and from the front building line to the rear lot line, cannot exceed 6 feet in height, under no circumstances may obstruct view from any other Lot, and must be constructed of wood or other material approved by the ACC. Hedges or other solid screen planting may be used as lot line barriers, subject to the same height restrictions as fences.

All exterior materials visible from the street or right of way shall be painted or stained an earth tone color compatible with the exterior of the home. The

#### **6. Garbage and Refuse**

No garbage, refuse, rubbish, cuttings, or debris of any kind shall be deposited on or left upon any Lot unless placed in an attractive container. All equipment for the storage or disposal of such materials shall be kept clean and in a sanitary condition. All equipment for the storage and disposal of such materials shall be kept clean and in a sanitary condition.

Garbage cans are allowed to be placed alongside the residence which may be seen from the street or neighboring property provided the container is placed parallel and up against the exterior wall of said residence. Garbage containers shall not be placed so that they extend past the front sightline of any residence under any circumstances. Garbage container(s) shall not be placed perpendicular to the exterior of the residence which can be seen from the street or neighboring properties regardless if it is behind the front sightline of said residence.

Garbage containers shall have lids provided and lids shall be in the closed position. No building material of any kind shall be placed or stored on any property within the development until the Owner is ready to commence construction, and then such materials shall be placed within the boundary lines of the Lot upon which its use is intended.

Garbage cans and recycled material containers shall only be placed on the street or sidewalk between the hours of 5:00pm the day before garbage collection until 8:00pm the day of collection. All woodpiles and storage areas must be placed so that they do not obstruct or hamper any other Owner's view and must be suitable screened from all other Owner's views.

## **7. Games and Play Structures**

No platform, dog house, playhouse or structure of a similar kind or nature shall be constructed on any Lot located in front of the rear line of the residence constructed thereon.

### **Significant Recreation Facilities**

The construction of any significant recreational facilities on any Lot including, but not limited to, such items as swimming pool, tennis, badminton, or pickle ball courts shall require the approval of the ACC and shall be subject to the requirements adopted by the ACC.

### **Exterior Additions, Alterations/Repairs**

All buildings, structures and other improvements (including, without limitation, concrete or masonry walls, rockeries, fences, sheds, over-the-air reception devices, swimming pools, if any, or other structures and improvements) to be constructed within the Project, and **all exterior alterations** visible from any public street, common area, or other lot must be submitted to and approved by the Architectural Control Committee prior to construction beginning.

## **8. Pets**

No animal, livestock, or poultry of any kind shall be raised, fired, or kept on any Lot, except that cats, dogs, birds, or other household pets may be kept if they are not kept, bred or maintained for any commercial purpose, and that such pets shall not be kept in numbers or under conditions reasonably objectionable in a closely built-up residential community or in violation of the reasonable rules and regulations of the Association. Animals shall not be allowed to roam loose outside the limits of any Lot in which they are kept.

## **9. Landscaping**

All cleared areas in front of the building line to the street shall be fully landscaped within 30 days, depending on weather conditions, of the time when the house is ready for occupancy. The Owner shall install or cause to be installed within 6 months of occupancy the balance of all landscaping unless a longer time is approved by the ACC.

This is a summary of some of the rules and regulations from the Cherry Creek Declarations and is intended to be for informational purposes only and is not all inclusive and does not amend, or replace any articles of the Declarations. If there is any conflict between this list and the Declarations for Cherry Creek, the Declarations shall supersede.

