

# Enclave Homeowners Association

Seven Lakes Drive  
Loveland, CO 80538

Enclave homeowners are permitted to extend their patios and decks under the guidelines of the Planned Unit Development Program (PUD) Amendment Proposal, which was designed and adopted by the Enclave HOA in 2012. Enclave homes that have zero (0) foot setback from Tract F do not fit the general criteria for expansion due to the homes' closeness to the wildlife fence and require additional direction. Tract F is the conservancy land owned by The Peninsula at Horseshoe Lake (PaHL) Master HOA which has a Conservation Easement held by Colorado Open Lands (which, in 2016, has taken responsibility for Legacy Land Trust easements).

## PROCESS:

The following approval process should be followed for 0 foot setback homes.

Within the PUD Amendment Proposal, there is permission for these homeowners to expand their decks by cantilevering up to but not exceeding three (3) feet at any point over the fence. The homeowner must complete the Enclave's ALRC Deck/Patio Request form and email it to [joel@faithproperty.com](mailto:joel@faithproperty.com) processing through the Enclave's Architectural Landscape Review Committee.

- a. The Homeowner must include the following information with the Form:
  - i. Design Plans including location, setbacks, elevations, dimensions, colors, material, etc.
  - ii. Survey (if required)
  - iii. Site Plan
  - iv. Photographs as appropriate
  - v. Approval Signatures (all co-tract owners and line-of-sight neighbors as defined)
- b. Obtain approval on the application from the Architectural Landscape Review Committee (ALRC).
- c. Homeowner must submit the ALRC approved plans and supporting documentation to Colorado Open Lands (COL) for review and possible site visit. The site visit will help COL determine whether any conservation values would be harmed.
- d. Once COL has approved the plans, the homeowner must submit the ALRC approved plans and supporting documentation, along with the COL letter of approval to Joel/Faith Property Management for processing to The Peninsula at Horseshoe Lake Master HOA Board of Directors.
- e. The PaHL Board of Directors will review the documents at their next scheduled Board meeting. If the plans are approved, the President of the PaHL Board of Directors will prepare a letter of approval for the homeowner to accompany the plans when they are submit to the City of Loveland.

- f. Homeowner must submit plans to the City of Loveland and obtain all required building permits.

Note that there may be legal fees associated with deck expansion over the conservation area; these fees cannot be determined in advance but will be determined as Colorado Open Lands and/or the City of Loveland becomes involved with the expansion.

#### CONSERVANCY LAND RESTRICTIONS DURING AND AFTER CONSTRUCTION:

The following is a list of restrictions that apply to 0 foot setback homes.

1. The design will not include posts or other material to be placed on the Conservancy land.
2. Design will not include stairways or other access from the deck into the Conservancy Area.
3. If construction requires removal of the Conservancy Area fencing, all fencing must be restored to the same configuration and location as before construction. No fence gates are allowed.
4. If construction requires contractor to enter the Conservancy Area, the contractor must enter from the north or south ends of Tract F. Permission from Colorado Open Lands will be needed for vehicles. If approved to enter, vehicles should drive along the fence line. Caution must be taken in two locations due to overly wet conditions which could cause a vehicle to get stuck.
5. Homeowner and contractor must take precautions to minimize impairment of the Conservation Values, i.e., natural, scenic, open space, wildlife habitat, and wetland.
6. Any grasses, plants or trees damaged during construction must be restored at homeowners' expense.
7. All construction trash and materials are to be promptly removed.
8. The homeowner shall not dump dirt or other organic debris onto the Conservancy Area.
9. Fire awareness both during the construction phase and after the deck is constructed is the responsibility of the homeowner. Decorative torches on the deck are prohibited at all times.
10. The homeowner is responsible to promptly remove any trash that comes from the deck into the Conservancy Area.

Getting approval for expanding a deck over the conservation area is time-consuming and not trivial, so please reach out to [joel@faithproperty.com](mailto:joel@faithproperty.com) and/or the ALRC Committee for assistance.