

ROCK CREEK MASTER HOMEOWNERS ASSOCIATION

DECK PATIO PERGOLA AND GAZEBO POLICY

- PURPOSE:** To establish standards and procedures for exterior finishes to ensure consistency with the community’s architectural character, preserve property values, and promote the overall aesthetic harmony of the Association.
- AUTHORITY:** The following procedures have been adopted pursuant to the provisions of C.R.S. 38-33.3-302(1)(a)
- EFFECTIVE DATE:** April 29, 2026
- RESOLUTION:** The Board of Directors of the Rock Creek Master Homeowners Association hereby adopts the following rules and regulations governing decks, patios, pergolas and gazebos for all properties within the Association.

Architectural Control Committee (ACC) PRE-APPROVAL REQUIRED

Except for repairs that do not change the structure’s exterior appearance and are in accordance with previously approved plans or specifications, written permission must be obtained in advance by following the ACC Request process. This applies even if you are completely rebuilding the exact same model on the lot. Failure to do so may subject the homeowner to monetary or other penalty, and the homeowner may be required to change or remove any non-HOA compliant work performed – or to restore the lot or dwelling to its original condition – entirely at the homeowner’s expense, which may include any legal costs incurred by the Association. The review and approval process generally takes 20 to 30 days but can take as long as 45 days if your request is not typical. Please build adequate time for ACC review approval when planning your project. In special situations and where possible, the ACC will try to accommodate requests to expedite the approval process. Such requests may be made to management.

ACC Request Requirements:

1. Plot Plan showing the building footprint, with setbacks, dimensions and easements drawn to scale. A Plot Plan (also called an Improvement Location Certificate, or ILC) can be obtained from the Town of Superior. The requested project plans should be drawn to scale, with dimensions on the Plot Plan. “Footprint” , for purposes of this document is the boundaries of the structure, when placed on the property.
2. A conceptual rendering, sketch or photo of the proposed deck, patio, pergola or gazebo and handrails.
3. Proposed materials, manufacturer (if applicable) colors, textures and finishes to be used
4. Photographs of the yard from various angles as well as the area of the home, relative to the proposed improvement.

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5. Lighting plan (if applicable) with brochures and/or specifications of the proposed lighting.
6. Any additional information pertinent to the application.

DECK, PATIO, PERGOLA AND GAZEBO DESIGN

All Decks, Patios, Pergolas and Gazebos must be “harmonious” with the community and comply with the Rock Creek Master Declaration of Covenants, Conditions and Restrictions (CCRs), Section 8.7.O. Landscaping.

The Town of Superior requires a setback of 10 feet, however, RCHOA may be more restrictive in the required setback depending on your individual lot elevation.

- Patios at grad or decks **less than 36 inches** above grade may be built to the rear **10 foot** setback to the property line.
- Decks **greater than 36 inches** above grade must have a rear **20 foot** setback to the property line.

This is intended to protect your neighbor’s privacy and maintain the “feel” of the Rock Creek Community. The ACC may consider exceptions to the 20 foot rear setback provision in cases where it is impractical. Exceptions may require a modification to the design, structure, or location, with considerations including,, but not limited to, the size of the lot and the extent to which the structure is screened from view, properties that border 100% of the rear property line with open space, legacy structures that are rebuilding or resurfacing their elevated decks or structures, and/or other conditions considered not to impede on the adjacent property’s privacy.

- Any and all exceptions to any policy will be at the ACC’s discretion and are not guaranteed.
- All setback distances outlined above are minimum requirements from the property line to the closest point of the structure. In most cases where a fence is involved, the fence is the property line—but this may not always be the case.

Important: **Other setbacks may apply to your property**, such as utility easements if you border a street or open space, and these can vary by street. These are generally noted on your official plot plan.

- Decks may not exceed the width of the living area of the home, excluding the garage.
- If covered, the deck or patio must be in “harmony” with the design and exterior finish and roofing of the home.
- Pergolas and Gazebos may be allowed with ACC approval.

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Structures that interfere with the quiet enjoyment of a neighboring property, or are deemed to be unsightly from the street or open space, as determined by the ACC, including but not limited to raised decks, lighting, and speakers, may not be approved or may require to be screened from the view of the street, open space and/or neighbors.

Approval from the ACC does not constitute approval from any other regulatory bodies, and therefore all applicable building, utility, and other relevant codes, rules, regulations, statues, etc. should be consulted and complied with prior to beginning work. A Town of Superior building permit is required for structures that meet certain criteria, which can be determined by contacting the Town of Superior Building Department.

Approval from any other regulatory body does not constitute approval from the ACC or the HOA.

**PRESIDENT'S
CERTIFICATION:**

The undersigned, being President of the Rock Creek Master Homeowners Association, Inc. certifies that the foregoing Policy was adopted by the Board of Directors of the Association at a duly called and held meeting of the Board on April 29, 2026, and in witness thereof the undersigned has subscribed his/her name.

ROCK CREEK MASTER HOMEOWNERS ASSOCIATION, INC.

Rachel Stanton

By: Rachel Stanton (May 4, 2026 16:52:34 MDT)