

RESOLUTION 2020-1

A RESOLUTION TO CREATE CLARITY AND CONSISTENCY REGARDING STORAGE BOXES WITHIN THE PUEBLO WEST METROPOLITAN DISTRICT

PUEBLO WEST COMMITTEE OF ARCHITECTURE

WHEREAS, the general purpose of the Pueblo West Committee of Architecture (“PWCOA”) is to provide for the maintenance of a high standard of architecture and construction in such a manner as to enhance the aesthetic properties and structural soundness of the developed subdivision; and

WHEREAS, PWCOA shall be guided by and controlled by the Declaration of Reservations except when in PWCOA’s sole discretion, good planning would dictate to the contrary; and

WHEREAS, PWCOA is charged with a task of enforcing certain conditions, covenants and restrictions called the Declaration of Reservations (the “Declaration”) concerning the development, improvement, protection, maintenance, and use of real property located in Pueblo West; and

WHEREAS, the Declaration provides that PWCOA may adopt reasonable rules and regulations in order to carry out its duties of providing for the maintenance of a high standard of architecture and construction in such a manner as to enhance the aesthetic properties and structural soundness of the community; and

WHEREAS, the Declaration states, *inter alia*:

D. LAND USE AREAS – GENERAL

The following provisions shall be applicable to all property regardless of classification. . .

13. Storage of Tools and Trash: The storage of tools, landscaping instruments, household effects, machinery or machinery parts, boats, trailers, **empty or filled containers** . . . that shall in appearance, detract from the aesthetic values of the property, shall be so placed and stored to be concealed from view from all public right of ways. . .”

WHEREAS, PWCOA believes that the placement of storage containers, conex boxes, conex containers, shipping containers, or other such containers regardless of name, detract from the aesthetic values of the property and the community of Pueblo West; and

WHEREAS, storage containers, conex boxes, conex containers, shipping containers, or other such containers regardless of name, without any aesthetic improvements are not allowed pursuant to the Declaration of Reservations, cited hereinabove; and

WHEREAS, due to the popularity of storage containers, conex boxes, conex containers, shipping containers, or other such containers regardless of name, the PWCOA has been

forced to enforce the Declaration of Reservations through administrative hearings and litigation in court; and

WHEREAS, in order to allow the residence of Pueblo West to own and make use of storage containers, conex boxes, conex containers, shipping containers, or other such containers regardless of name, it is appropriate and reasonable to provide for clarification and consistency regarding the Declaration of Reservations as to when such structures may be allowed.

THEREFORE, BE IT RESOLVED by the Pueblo West Committee of Architecture as follows:

1. The placement of storage containers, conex boxes, conex containers, shipping containers, or other such containers regardless of name, shall only be allowed under the following circumstances:
 - a. Prior to placement of the storage containers, conex boxes, conex containers, shipping containers, or other such containers regardless of name, on any residential property, the owner shall make application to the PWCOA for an accessory structure; and
 - b. The application shall state clearly the manner in which the storage container, conex box, conex container, shipping container, or other such containers regardless of name, shall be concealed from view from all public right of ways; and
 - c. Acceptable concealment shall include placement of the storage container, conex box, conex container, shipping container, or other such containers regardless of name, inside of and concealed from view within an accepted accessory structure; and
 - d. Further acceptable concealment shall include clear and specific plans showing the design of the storage container, conex box, conex container, shipping container, or other such containers regardless of name, which shall include, but not be limited to, approved siding, modified roof, overhangs, gutters, paint, and doors so as to conceal the unaesthetic design of the structure from its unimproved state; and
 - e. The application shall state that all modifications shall be completed within three (3) months from the PWCOA's approval of said plans; and
 - f. The PWCOA reserves the right to prosecute through administrative hearing or legal action any violation of this Resolution or the Declaration of Reservations.

I hereby certify that the foregoing is a full and correct copy of a resolution duly passed and adopted at a regularly held meeting of the Pueblo West Metropolitan District Committee of Architecture on the _____ day of March, 2020, by the following vote:

