

Ski Lake



The Summit at Ski Lake Design Guidelines

Revision: C



Revision Control

Revision	Description of Changes	Date	Name
-	Original converted into Word doc for editing purposes	12-Jul-16	Forshay
A	The following sections were changed nomenclature	Dec-12-21	Forshay
B	Added CC&R cross reference and Attachments	Aug-5-22	McPartland
C	Revised Added Attachments. See below for list of changes.	Mar-1-23	Forshay

Note: No changes were made to any of the Summit at Ski Lake Gated Community Association's original governing documents. (Design Guidelines or CC&Rs). This document simply compiled the various documents to provide a single document for homeowners to review.

- Pg 4: Added Section 1.3 Weber County Zoning
- Pg 31: Added the CC&Rs which apply to construction to provide a single document for homeowners to review.
- Pg 37: Added the Addendum to the Design Guidelines dated May2022 which provided clarity for homeowners doing renovations.
- Pg 39: Attachment A: Pre-design Meeting AC Committee Notes
- Pg 41: Attachment B: Pre-design Meeting Owner Notes
- Pg 44: Attachment C: Architectural Change Request / Variance Form



Introduction

1.1 SKI LAKE PHILOSOPHY

From the edges of Pineview Reservoir, shimmering in the morning sun, billows the lush patchwork quilt of Ogden Valley, anchored by a small, white church; and beyond, the pines of Cache Wasatch National Forest skirt Snowbasin and its snow-covered peaks standing in crisp contrast against blue skies. What a perspective! It can influence one's outlook on life. It's the perspective enjoyed by Ski Lake - the jewel of the Ogden Valley.

Ski Lake is a mountain community born of the philosophy that civilization should embrace the wilderness from which it sprang: Flowing with the natural landscape here is an architecture that fosters and preserves its serenity, a master plan that welcomes outdoor recreation, and an atmosphere that embraces all that's best in life.

Developed under the guiding hand of acclaimed design firm Jack Johnson Company, principal land planners of Deer Valley and Deer Crest in nearby Park City, Ski Lake promises to mature as a magnificently understated, carefully conceived community.

A thoughtful determination to limit the number of homesites will preserve the natural splendor and ensure the finest in mountain resort living. Elk, deer, moose, and a wide variety of birds, including hawks, hummingbirds, geese, turkey, and ducks will always share the 250-acre Ski Lake community. It is a place of escape, of natural beauty, and a place to pursue four seasons of outdoor recreational activities.

Ski Lake is ideally situated: It is the only development in the Ogden Valley that will offer luxury living on the shores of Pineview Reservoir. It's a 10-minute drive from Snowbasin, home of world-class skiing and site of the 2002 Winter Olympics downhill events. It's a mere 45 minutes from Salt Lake City International Airport and 50 minutes from Park City.

"Architecture is going to be our contribution to the great civilization of the future I'd like to have architecture that belonged where you see it, standing with a grace to the landscape instead of a disgrace, where everybody would have room, peace, comfort and every establishment would be appropriate to every man."

-Frank Lloyd Wright

1.2 OBJECTIVE OF DESIGN GUIDELINES

These guidelines are based on a simple premise: If everyone tried to get everyone else's attention, no one will get anyone's attention; if, on the other hand, the atmosphere is calmer and more pleasant, one has to leisure to notice everybody.

It is the purpose of the Design Guidelines to protect and enhance the environment of Ski Lake, to minimize the disturbance of the existing terrain and vegetation, and to blend development into



the setting as unobtrusively as possible. Each lot within Ski Lake possesses unique opportunities and constraints, while being part in a larger fabric of nature. In order to take full advantage of these attributes, each lot will require careful design to adapt its setting. The natural vegetation of the mountain terrain requires special attention to massing, color, height and proper placing on the site. Appropriate design can create a residence compatible with this setting, while providing the owner with a comfortable, livable home to enjoy for many years in harmony with the overall architectural and natural setting of this entire community.

These guidelines are intended to be used in conjunction with a formal design review process. They are not a "building code," but recommendations for good design. They are meant to give the homeowner a good sense of what the Design Review Committee will *be* looking for. The suggestions contained here are a result of considerable research and experience, but the basic intent is to leave as much design freedom as possible to the homeowner.

Because the sensitive treatment of the site is essential to achieving an environment that blends with nature, the guidelines are in two parts: Site Development Guidelines, and Architectural Guidelines. The purpose of the Design Review-Committee is to evaluate the design of a proposed structure by itself and also within its environmental and neighborhood settings.

In the broadest sense, the guidelines are meant to ensure that the "spirit" of Ski Lake isn't undermined by arbitrary, un-thoughtful design. This "spirit" is absolutely critical to the success of the area and the individual homesites, and for this reason alone it will behoove any homeowner to adhere to the design guidelines as much as possible.

1.3 WEBER COUNTY ZONING

Obtained from <https://weber.municipalcodeonline.com/book?type=ordinances#name=Chapter_104-14_Forest_Valley_Zone_FV-3> Summit at Ski Lake HOA is zoned FV-3

Sec 104-14-1 Zone Character And Objectives

The purpose of the Forest Valley Zone, FV-3 is to provide area for residential development in a forest setting at a low density, as well as to protect as much as possible the naturalistic environment of the development.

Site Development Guidelines

The natural topography, vegetation and environment in Ski Lake are unique and require special attention to site design and development. Each lot has particular features of topography, slope, views, vegetation and access that need to be analyzed in the design process. The Committee stresses the importance of integrated design of site and residence so that each home responds to



the natural characteristics of each specific lot. Given this requirement to be site-specific, it is important to realize that designs that may work on one lot most likely will not on another lot. The following site development guidelines deal with issues of siting, grading and landscaping.

The Ski Lake landscape is fragile and, with short growing seasons, may take years to mitigate impacts of disturbance; therefore, regulations have been developed to maintain the area in as natural state as possible. Although an effort has been made to have Ski Lake guidelines be consistent with the County's regulations, each Owner, through their architect, is responsible for reviewing County regulations with other applicable restrictions and making sure they are in compliance.

2.1 THE BUILDING ENVELOPE

The Building Envelope is the portion of each lot within which all improvements must be built and any alterations to the existing landscape are confined except for driveway locations approved by the Committee. The Building Envelope acts as a limit beyond which no construction activity, including grading or storage of materials is allowed. A Building Envelope has been identified for each lot on the approved Homesite Diagram based on the natural features of the lot, views, relationship to building envelopes on adjacent lots and to major drives, open space elements and topography.

This envelope may only be modified if in the sole judgment of the architectural committee a compelling case has been made to modify it. Any such modification would consider view corridors of neighboring lots as well as topographical location of the proposed envelope site. The building envelope for the phase in which a homesite is situated needs to be signed by the buyers to indicate the agreement with the plan.

A 15 foot limit-of-disturbance around each building will be established with the approval of building plans. The building envelope is oversized to allow the homesite owner flexibility on situating the home. Once the building plans have been approved, the 15 foot limit-of-disturbance boundary becomes the new, envelope outside of which vegetation cannot be disturbed without the committee approval.

2.2 ALLOWABLE SITE COVERAGE AREA

Each lot type is limited to Maximum Site Coverage Area of total lot area, for all improvements including building footprint, decks, patios, fenced or walled private areas, paved and landscaped patio areas, excepting automobile driveway area connecting to property line. Any areas outside the Maximum Site Coverage Area disturbed in construction must be returned as near as possible to the natural condition.

The Maximum Site Coverage Area for each lot type approximately 100' by 70' but may vary with the individual lot.

2.2.1 Not to be Disturbed Area



A fifteen foot area around the building footprint is allowed for construction purposes. Outside this area even in the building envelope the natural landscape should not be disturbed.

A plastic or similar construction fence should be placed around the perimeter of the 15' area to prevent disturbance to natural vegetation.

If disturbance to the natural area does occur, the committee will have the authority to require this disturbed area be repaired to the committee's satisfaction at the homesite owner's expense, or if the owner fails to do so the committee may elect to do the repairs and the homesite owner will be responsible for the costs incurred. A penalty of up to \$1500 may be charged by the committee if the natural landscape is disturbed beyond the limit-of-disturbance.

Areas where homesites are located that do not have sensitive natural areas surrounding the building envelope may have these guidelines moderated to be appropriate to the homesites.

2.3 NATURAL AREA

The Natural Area is that portion of the lot which lies outside of the allowable limit-of-disturbance area yet within the Building Envelopment and also includes the rest of the natural area of the homesite. This must remain a natural area. Additional plant material may be added In the Natural Area if specific approval is granted by the Committee. If allowed, only plants indigenous to the general area of Ski Lake may be used in the Natural Area. In addition, the density and mix of any added plant material in the Natural Area should approximate the density and mix found in the general area. Trees should not be of height to significantly block a neighbor's view as they mature, 21 feet being a usual high maximum for mature trees.

2.4 GRADING AND SITING

In order to maintain Ski Lake in as natural state as possible, control of grading is absolutely critical. The objective is to limit the disturbance of existing terrain and vegetation, and therefore minimization of grading is essential. Residences should be designed to fit the existing topography of the property without excessive manipulation of the site by cut or fill. Changes in the natural grade by cutting or filling for structures, walks and driveways must be kept to a minimum to preserve the existing land form and to prevent scars, erosion and damage to root systems of natural vegetation which are to remain.

General siting and grading principles are as follows:

Buildings and Improvements should step down slopes, so as to be part of the site rather than altering the site to fit a non-responsive structure. The finish grade around the residence and any site walls should remain as close as possible to the original natural grade. No change in ground level may be made on any lot in excess of one foot from existing grades without approval of the Committee obtained prior to the commencement of the work.

Significant cut and fill conditions should be contained with retaining walls or within the construction so as to avoid cut and fill slopes from being exposed.

Flat building pads will generally not be allowed to extend beyond the perimeter of the building and/or site walls. Cut slopes may be re-graded and naturally contoured to match existing terrain



if all grading is contained within the Building Envelope Line and if, in the opinion of the Design Review Committee, the re-graded slope will have a natural appearance upon completion.

No grading may be done outside the allowable site coverage area except for the minimum grading required for driveway access.

Multi-level solutions for buildings and improvements should be used whenever possible. Retaining walls or foundation walls should not exceed 8 feet in height from finished grade adjacent to the wall, to top of wall or finished floor. Additional height may be achieved by use of more than one retaining wall, provided a significant setback, is provided between the two walls.

Screen walls, walls not supporting a building structure or retaining earth, may not exceed 5 feet 6 inches in height measured from finish grade along the exterior side of the enclosure. Screen walls need to fall within the 15 foot limit-of-disturbance area.

Any substructure in stilt or cantilevered construction shall be enclosed with finish materials similar to the main structure, unless a substantial and complementary method of enclosure is approved by the Committee. Open areas under buildings can create special hazards from fires traveling uphill and need careful treatment for this reason as well.

2.5.3 PLANTINGS

When planting, select trees, shrubs, and vegetation that limit or retard fire spread and are drought resistant as suggested below:

Perennial: Choose hardy perennial flowers that are adapted to the Utah climate. These green, leafy, succulent plants are difficult to burn. Watering and regular weeding improves fire resistance.

Trees: Deciduous trees can be clumped, scattered, or planted in greenbelts or windbreak patterns. Evergreen trees tend to ignite easily and this should be considered when planting them near the home.

2.6 PRIVATE AREA

The Private Area is that part of the Building Envelope which is not visible from neighboring property because it is hidden behind walls or structures. The Private Area is the least restrictive in terms of what plants, shrubs, and trees can be planted therein. In designing this private area, views from the property, through the property and exterior to the property by nearby homesite owners must be considered.

2.7 MINIMUM SETBACKS

All setbacks will be reviewed on the merits of the submitted site design plan. The minimum setbacks are determined by the underlying zoning of the property, modified in some cases in the Preliminary Plat approved by Weber County. Setbacks are further restricted by the Building Envelope defined for each lot which supersedes the standards of the County approved for this project. Refer to the Building Envelope on the plot map furnished with the copy of the CC&R's



you sign upon purchase of this property. The minimum County setbacks are not grounds for any increases in a Building Envelope.

2.8 LANDSCAPE

The goal of these landscape guidelines is to ensure that developed areas within Ski Lake harmonize and blend with, rather than dominate the natural environment or significantly change its color or texture. This sensitive approach to landscaping will help protect and preserve the wildlife and flora that contribute to the unique experience of living within the environment of Ski Lake.

To achieve this goal, proposed vegetation used at Ski Lake must be predominately the *same* as native species growing on the site. To maintain the existing character of the natural terrain, native plants will be inspired from plant communities which are found on the property. Plant communities are groups of plants that thrive within similar sun, soils, topographic and water conditions.

2.8.1 PLANT MATERIALS

All disturbed areas that are not paved or graveled shall be re-vegetated with appropriate native plant materials or drought resistant plants that grow well in this area. Homeowners are encouraged to utilize plant materials that require little water other than that initially required for their establishment and to use slope-stabilizing shrubs and ground covers on new cut and fill banks.

The design and scale of newly landscaped areas must reflect and integrate well with the natural mountain landscape. New plantings should complement native plant communities and should be visual extensions of existing vegetation masses and edges. Plant massing should look natural in form, scale, and position on the land. Care should be taken to choose plant materials, whether native or not, that are suited to the micro-climatic conditions in sunlight, soil, and moisture conditions in the locations where they will be placed.

A mix of sizes for newly planted trees is desirable to emulate natural patterns of forest growth. Minimum height for new coniferous trees shall be six feet, With fifty percent of new trees measuring over eight feet; minimum caliper for new deciduous trees shall be one to one and a half inches, with fifty percent having a caliper size over two inches. A minimum of 15 trees of varying height at maturity shall be planted on each new plot-with a maximum size at maturity of 21' unless specific approval of the committee is received.

2.8.2 PRIVATE AREAS

Within private areas, plantings immediately adjacent to the residence are not restricted and may include ornamental plants that are not native to the local area. Plant material should be located to maximize positive effects of solar and wind conditions. However, because the natural landscape is considered the most important character-giving feature of Ski Lake, groomed lawns; patios and decks shall be screened by buildings, walls or natural screening elements so that they are minimally visible from roadway. Fenced walls and retaining walls of all kinds should be kept



within the 15-foot limit-of-disturbance areas. It is also recommended to have soil in the building envelope analyzed before the final selection of plant material. A layer of mulch at least three inches deep is recommended in all plant beds to reduce evaporation of moisture from the soil.

2.8.3 ROADWAY VEGETATION

The entrance drive and internal circulation of Ski Lake has a significant visual impact as both meander throughout the site. Trees may be planted in landscaped areas within the right-of-way in a variety of informal patterns as to blend in with the natural surroundings. It is recommended that deciduous trees be planted at least five feet from the edge of the road pavement to minimize breakage from snow plowing operations. Evergreen trees should be planted at least ten feet from the edge of pavement. No trees shall be planted within the sight triangle at roadway intersections. No tree branches that extend into the sight triangle shall be lower than eight feet.

No shrubs in the sight triangle shall exceed 18 inches in height at maturity. Streetscape design within the right-of-way will have to be approved by Weber County.

2.8.4 RETAINING WALLS

All retaining walls must be approved by the Committee, and shall be used wherever total vertical exposure of cuts and fills is greater than six feet.

Wherever possible, retaining walls should appear to be an extension of the residence and are subject to the same criteria relative to color, materials, and durability as the building itself. If not connected to the residence, walls should be constructed of architectural materials compatible with those employed in the residence. Otherwise, natural stacked indigenous stone walls are preferred. Stone walls should appear to be structural, not veneered, with deep-raked mortar joints. Concrete block, brick and railroad ties are not permitted materials for retaining walls.

The maximum total vertical exposure of approved walls shall not exceed six feet unless the Committee determines that an exception is warranted because of extraordinary circumstances or unavoidable topographic constraints. Where walls taller than six feet would be required to solve a grading issue, terracing with multiple walls is recommended, with a plantable area of at least thirty Inches between each wall section.

2.8.5 FENCES

Respecting the open space feel of the Ski Lake Mountain environment, perimeter and lot line fencing is prohibited. Within the private area, fencing can be constructed from materials compatible to the residence. No fences or walls of barbwire, chain link, wire mesh or concrete blocks shall be allowed unless specifically approved by the Committee.

2.8.6 DRAINAGE

Significant natural drainages that traverse the homesites shall be maintained in their original condition. Eroding areas must be stabilized and re-vegetated. Where construction and development will obstruct natural drainage patterns, surface run-off should be carefully



redirected to existing drainage areas or new swales designed to look natural. Swales may be required above new cut of fill slopes to protect them from erosion. French drains are encouraged where appropriate.

2.8.7 SWIMMING POOLS AND OTHER AMENITIES

Owners may construct swimming pools within the property's private areas but due to limited water availability in this largely desert area, pools are normally discouraged. However, with special permission of the architect committee they may be constructed but the design must not cause visible scars, excessive grading or unacceptable removal of native vegetation.

Other amenities such as gazebos may be considered by the committee if in the sole judgment of the committee, they do not impair the aesthetic and building constraints of the homesite.

2.8.8 TRASH & BARBECUE GRILLS

All trash must be kept in completely enclosed structures. Such as large covered storage receptacles on wheels. They should have minimum visibility from the street except at the trash pick-up time. Barbecue grills should not be left in visible areas to the street when not in use.

2.9 EXTERIOR LIGHTING

The goal of Ski Lake is to maintain the serene natural condition with minimal visual impact, and this extends to nighttime as well as daytime views. In order to preserve the general stillness with the nighttime darkness and the night sky, which tend to be obscured by excessive local lighting, the following guidelines for residential site lighting have been established.

Site lighting is defined as lighting mounted on the building, ground, trees or on-site walls for the purpose of providing security, decorative accent or functional lighting to outdoor spaces.

Building mounted lighting is defined as lighting built into or attached to buildings on walls, ceilings, eaves, soffits or fascia's.

(a) Site lighting must be directed downward onto vegetation or prominent site features and may not be used to light walls or building elements. Up lighting more than 45 degrees above the horizontal is prohibited and lighting aimed between zero and 45 degrees above horizontal must be directed toward the interior of the lot upon which it is located.

(b) Building mounted lighting must be directed downward away from adjacent lots, streets and open spaces, and may not be used to light walls or building elements for decorative purposes.

(c) All exterior lighting must provide significant shielding to ensure that light sources and lamps are not visible from other properties, from roads or from off-site; no bare lamps will be permitted. Recessed lights in exterior soffits, eaves or ceilings shall have the lamp recessed a minimum of 3" into the ceiling.

(d) Only incandescent lamps with maximum wattage of 75 watts will be allowed for exterior lighting unless specific approval is received from the Committee. Low voltage lighting is recommended since these fixtures are typically small and can be easily concealed within the native vegetation. Colored lights will not be allowed for exterior lighting.



(e) No lighting will be permitted in natural areas or outside the areas enclosed by patio or building walls. Low level landscape lighting will be permitted on the perimeter of the entrance driveways and walkways. Site lighting must be confined to areas enclosed by walls or be in the immediate vicinity of the main entrance or outdoor living spaces of the residence.

(f) Lights on motion detectors for the purpose of security illumination are prohibited but may be allowed subject to specific approval of the Committee; if the light, so activated, do not illuminate adjacent properties. If allowed by the Committee, these lights will only be allowed to operate on a motion detector and stay lit for a maximum of 5 continuous minutes. Security lights of any type or location must still meet the requirements of shielding the light sources, and the light sources may not be visible from neighboring property. If problems with these lights occur, the Committee reserved the right to demand that the fixtures be disconnected. If allowed, care must be taken to avoid setting of the motion detector by the motion of vegetation and the movement of wildlife. Generally, the motion detector's range should be limited to the Building Envelope area. These lights will not be allowed to operate for the purpose of general illumination.

(g) All lighting must comply with appropriate Weber County ordinances.

2.10 ENTRANCE DRIVEWAYS

Entrance driveways should be located so as to minimize their visual impact. Driveways shall be a maximum paved width of fourteen (14) feet and shall intersect the street preferably at a right angle, but at a minimum angle of 70 degrees. Generally, only one driveway entrance off of the street will be permitted for each lot, except that when two (2) or more lots are tied together to create a single lot, and the two-driveway arrangement disturbs less area than a single entrance, the Committee may, at its sole discretion, approve up to, but not exceeding, two (2) driveway entrances.

A maximum slope of 12% grade will be allowed in an unheated driveway or 15% slope on a heated driveway. A maximum of 10' adjacent to each side of the driveway can be distributed during the building process. A plastic or similar construction fence should be placed along this 10' wide perimeter line to prevent any damage to the natural vegetation. Proper retaining walls of stone or similar material should be designed to secure the slope of the driveway. No wide scale grading of the parameter which destroys natural vegetation should be done.

2.11 ADDRESS IDENTIFICATION & MAIL BOXES

Individual address identification devices and mail boxes for each approved Residence may be installed by the Owner of a lot. Such devices must be subtle in design and utilize the same materials and colors as the Residence and reflect its design character. No "highly conspicuous" identification devices will be permitted. No additional signage detached from the Residence will be permitted, except temporary construction signs or other signs as permitted by the Declarant and approved by the Committee. The Committee may initially, or in the future, require installation of uniform address identification devices for all Lots, including Lots with previously constructed identification devices. The design of the address identification and mail box should



be submitted with the Final Submittal and must be approved by the Committee before Installation.

Architectural Guidelines

The following architectural standards have been developed to achieve the economic, environmental and aesthetic objectives of Ski Lake in response to its natural hillside terrain, its sensitive ecology and its mountain climate involving wide seasonal change, and to induce a consistent and harmonious character to the built environment.

3.1 DESIGN CHARACTER

These guidelines do not intend to dictate architectural style of design within Ski Lake; although all designs must be of a character appropriate to the environment, climatic conditions, and natural community context. The Committee encourages architecture that uses natural materials in keeping with their physical nature and structural capabilities, construction types that have shown permanence and durability, and architectural integrity. No domed roof or "A" framed structures are allowed on any homesite.

The design character should create a residence that blends with its environment instead of standing out against it. The design character of a residence should be considered uniformly from all sides, not just the front or the rear elevations, and all elevations should maintain the same visual integrity, cohesiveness and design detail. Lower exterior walls of homes must be covered by rock or a similar material approved by the committee. Particular attention should be given to the transition from one residence to another. Transition refers to aesthetic aspects as well as to the relationship of the elevation of the respective floor levels and the comparative overall massing of the structures.

The predominant idea of the Master Plan for Ski Lake is buildings within a preserved and continuous fabric of nature. Continuity of the existing landscape and the relative subordination of buildings are key to attainment of the distinctive character of Ski Lake. Building forms, materials and colors must blend with and complement rather than compete with the natural landscape. Emphasis on natural materials and muted colors is essential. In order to create an intimate residential scale and not dominate the natural landscape, long, unbroken walls and roofs should be avoided and vertical and horizontal offsets need to be included. To further reinforce this concern for scale, architectural forms shall be softened by the inclusion of chimneys, balconies, bay windows, appropriate entrance treatments, and other such devices.

3.2 BUILDING SIZES

It is expected the residences will be at least 2,800 sq feet of enclosed heated living area. Any size residence may be approved by committee if, in its opinion, the design would not result in a residence which would be out of character within the other residences in Ski Lake.



The main floor will contain minimum of 2000 sq feet and maximum of 3000 square feet (excluding the garage, decks, and porches if the home is one main level with a lower walk out basement level). If the home is at least two stories the main level must be 1,800 feet minimum and 3000 square feet maximum with an additional minimum 800 square feet on the second upper floor. An upper level will be no more than 70% of the square footage of the main level. A minimum of 2,800 square feet of finished living area is required.

3.3 BUILDING HEIGHTS

The Weber County maximum allowable height for a residence is 35 feet, measured from the natural grade to highest point of the roof as determined by the Zoning Ordinance. Ski Lake limits height additionally, measured in a different way: 35 feet from the middle of the primary gable of the main roof to the lowest point of the natural grade. However, Weber County height restrictions supersede these guidelines if there is a conflict. See Figure 1 below. However, the terrain of Ski Lake is varied and unique, with ridges, knolls and other changes in elevation, making absolutely uniform applicability of height restrictions for residences inadvisable. The height of any eave line along the perimeter of the house is restricted to 22 feet from finish grade. These Design Guidelines are intended to discourage and/or prevent any residence or other structure which, in the opinion of Committee, would appear excessive in height when viewed from a street, common space, or other lot, and/or which would appear out of character with other residences because of height. Consequently, despite the maximum height permitted, the Committee, even though a proposed residence or other structure may comply with this height, nevertheless may disapprove a proposed residence or other structure. If, in the sole opinion of the Committee, it would appear excessive in height when viewed from a street, common space, or other lot, and/or would appear out of character with other residences or be undesirably prominent because of its height. These considerations are particularly important within residences constructed along tops of ridges or knolls.

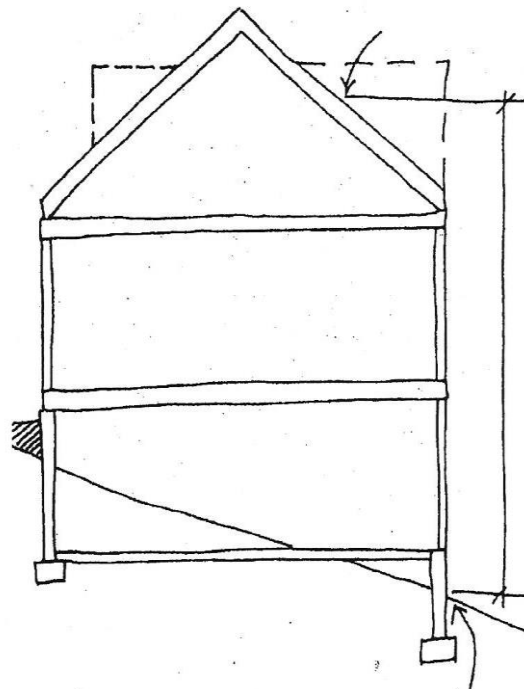




Figure 1: Par. 3.3 Building Heights

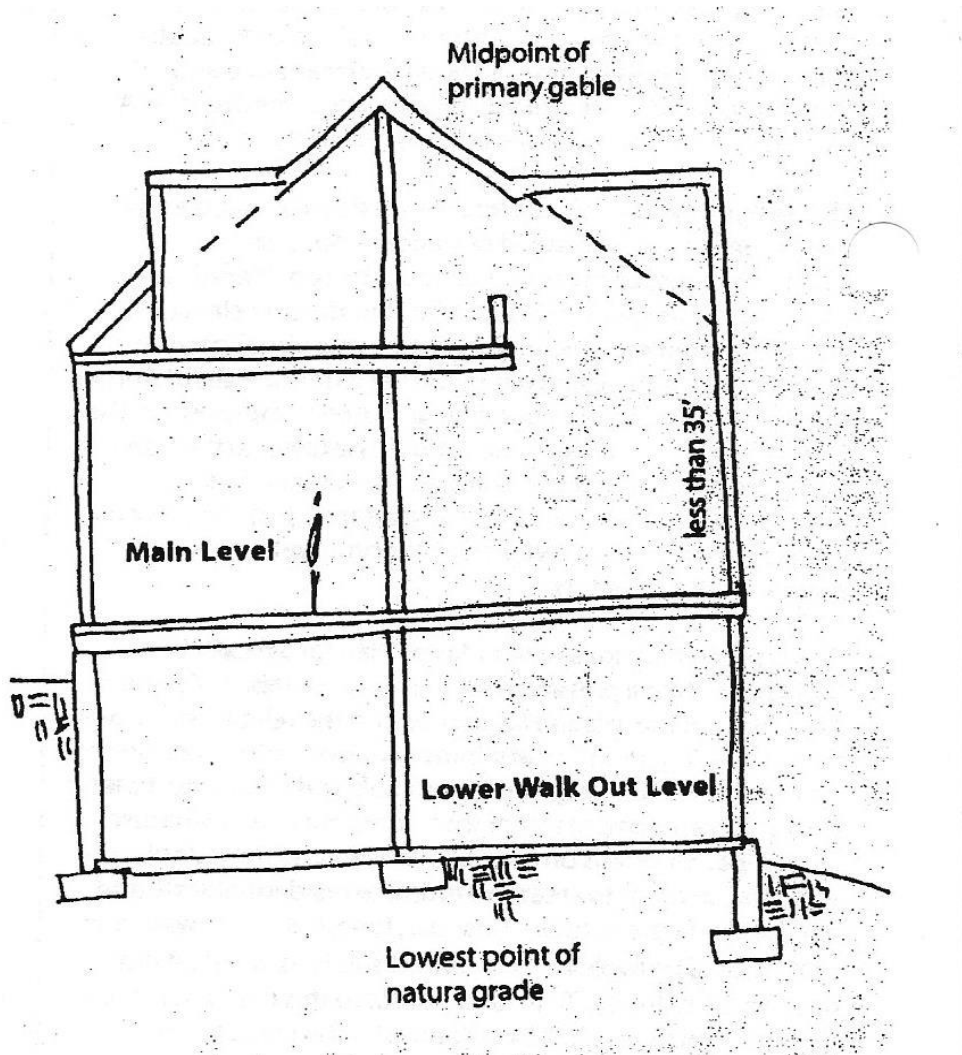




Figure 2: Par 3.3 Allowable Building Height

3.4 MASSING

Scale and proportion can be deceiving. Small structures can at times appear large and dominating against the vegetation and landforms. Therefore, proper massing will reduce the scale of a large structure and create building texture that will help to blend the residence with its environment.

Unless otherwise specifically approved by the Committee, each residence shall be composed of at least three (3) visual building masses. Homes larger than 5,000 square feet, excluding garages, shall be composed of at least four (4) visual masses as viewed from any elevation. To be classified as a visual building mass, the mass shall have a minimum depth and width of 20 feet, be a minimum of 500 square feet in area, and be offset by at least 2 feet horizontally and 3 feet vertically. Depth and width dimensions shall be measured perpendicular to each other. Very large or dominating individual building masses, in particular those created by sloping roofs, are discouraged.

It is expected that all building elevations will not only take advantage of the view from within the residence, but will provide pleasant views from all surrounding areas. All side and rear elevations are expected to be articulated to break up the façade into smaller elements, as well as adding the richness of shade and shadow. Large blank walls will not be allowed. Failure to provide adequate articulation and richness may be grounds for rejection of the design by the Committee.

The preferred building style is a one-story rambler with or without a half story loft above and below a one story walkout level. This is the least obstructive and most easy style to blend smoothly into the mountain terrain.

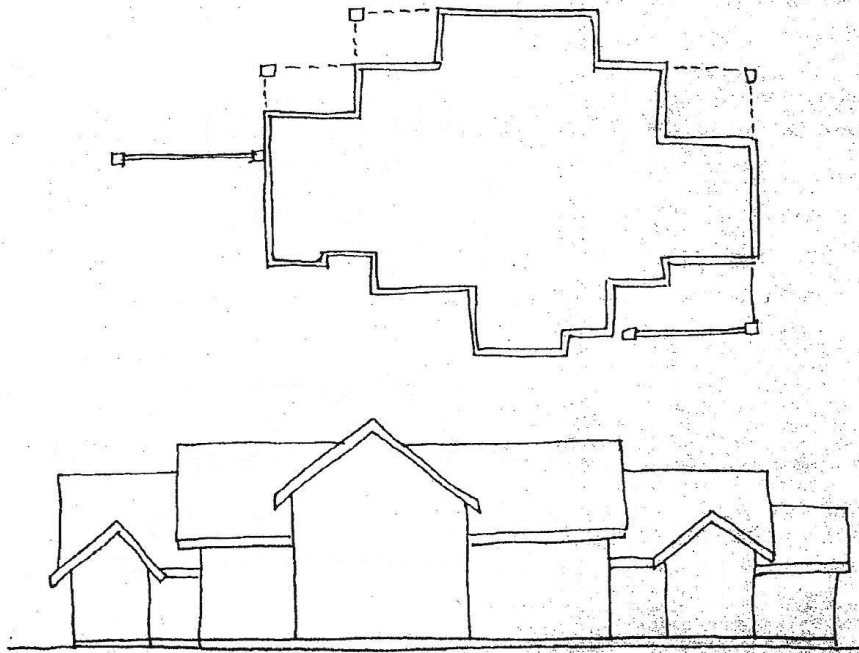


Figure 3: Par 3.4 Massing

3.4.1 MASSING ARTICULATION

The accompanying illustrations (Figures 4 and 5) show houses that have successfully adapted to terrain and setting similar to Ski Lake. Careful massing and composition of building forms, use of appropriate natural materials such as logs, timber and stone, and special attention to the transition between structure and the natural topography, all serve to fit the house sensitivity into the environment.

The breakup of building volumes and roof elements provide a pleasing scale for a large home.

The use of local boulders helps make the transition of structure to site. Roof dormers add scale and interest.

Logs can be used as structural members in ways more expressive than a simple log cabin.

Certain principles can be stated that underlie acceptable designs:

Horizontal and vertical offsets are the devices used in massing the structure to achieve the appropriate residential scale. The stepping up or down of roof lines helps a building blend with the land. Horizontal offsets should be coordinated with the interior plan and the roof pitches of



the design. Combined with architectural massing, good roof lines and offsets, a very Interesting and Individualized building form can result. These horizontal offsets can be accentuated with garages and patio walls.

In general, avoid the use of continuous, unaccented two-story facades. Without horizontal and vertical offsets or wall projections, an uninteresting, barracks-like look will result. The stepping up or down of roof lines helps a building blend with the land.

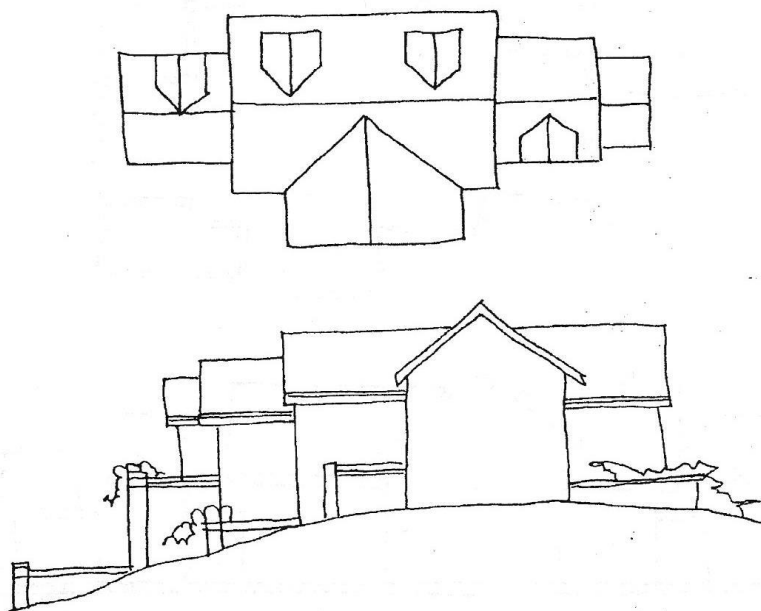


Figure 4 Par 3.4.1

It is usually more effective visually and economically to have fewer, but larger offsets rather than a series of small jogs. A 2-foot jog is barely noticeable; 4 feet is better; 6 to 12 feet cast a significant shadow and have a definite visual impact. Horizontal offsets can also contribute to added privacy and wind protection of outdoor spaces, reducing the need for elements such as fences and wall extensions.



The articulation of massing can be heightened by projections such as decks. However, the deck must be an integral part of the building design, avoiding the "tacked-on" look. Pole structures are sympathetic with a forest setting. Porches and balconies are integral with the design.

A properly constructed stone facade on the base of a home makes it seem to grow out of the site. Stone, logs and board and bottom siding along with muted earth tone paints all help the home blend into the environment.

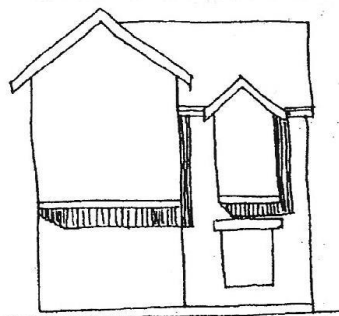
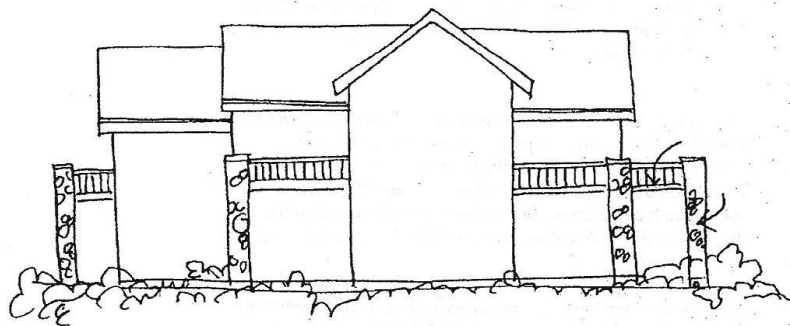


Figure 5 Par 3.4.1.d

3.5 ROOFS

Since roof scapes will form an important part of the visual environment, they must be carefully designed. All roofs should be pitched, with a 4 in 12 slope or greater. Mansard roofs are prohibited. Flat roofs will be accepted if the roof is an integral part of the overall design concept and providing the surface is not visually objectionable from neighboring properties and roads.

The Committee strongly recommends that sloping roofs be designed as sheltering and shading elements, normally with broad overhangs and strong shadow lines. Thin edges or thin fascias



should be avoided. Sloped roof materials should be textural with very dark or deep color tones. Roof surfaces must be non-reflective and, in the opinion of the Committee, not visually objectionable from neighboring properties and roads. Asphalt shingles are discouraged except with special approval of the committee.

The composition of roof forms should be carefully considered. No continuous ridge lines should exceed 35 feet. Changing ridge direction, offsets or major roof projections should be used to break ridge lines. To avoid a thick veneer look, 2 inch by 12 inch nominal wood minimum dimension fascia boards are required. Normal 2 inch roof rafters should not be exposed.

The placement of the various pipes and vents that penetrate the roof should be considered. Combine them in the attic space and project through the roof in a common enclosed stack when possible. Where practical, place stacks on the roof away from the side of greatest visibility. All roof vents are to be colored to match the dominant roofing material. Roof equipment and vents are to be hidden from line-of-sight from street.

3.6 COLORS

It is the intent that structures within Ski Lake utilize natural materials such as wood and stone as much as possible, with limited amounts of painted surfaces. Weathering agents are encouraged on natural wood surfaces to accelerate weathering and avoid uneven coloration.

The colors should be chosen to blend with the natural colors of the vegetation and mountains as seen from a distance. Subdued accent colors may be used, subject to approval by the Committee. Colors for exterior art work, sculpture or any other special features visible from common areas should also be muted tones chosen to blend rather than contrast with the residence and its surroundings.

3.7 FINISHES

No highly reflective finishes, except glass, which may not be mirrored, or opaque, and door hardware, shall be used on any exterior surfaces including exterior art work and sculpture.

3.8 MATERIALS - EXTERIOR FINISHES

Exterior surfaces must generally be of materials that harmonize with the natural landscape. Consistently applied, quality materials are preferred such as heavy wood, log or timber elements, shingles or natural stone. Stucco may be used as part of a total design if relieved with heavy wood, logs or timbers, or other elements. Small areas of materials applied inappropriately for decoration will not be approved.

In order to impart a sense of solid, substantial construction and to avoid a tacked-on thin veneer look, material changes should terminate at a logical inside corner plan shape change or at a major wall opening. Changes at outside corners should be avoided. Exterior finish materials should be continued down to the finish grade, thereby eliminating unfurnished foundation walls.

3.9 BUILDING PROJECTIONS



All projections from a building including, but not limited to chimney caps, vents, gutters, scuppers, down spouts, utility boxes, porches, railings, and exterior stairways shall match the color of the surface from which they project or be an appropriate accent color, unless otherwise approved by the Committee. All building projections must be contained within the Building Envelope.

3.10 ANTENNAE / SATELLITE DISHES

There shall be no antennae or satellite dishes of any sort installed or maintained which are visible from neighboring property or from the roads except as expressly permitted by the Committee. Small satellite dishes, that are placed in a location visible to the neighborhood but in an inconspicuous manner, will be considered by the Committee.

3.11 SKYLIGHTS / INTERIOR LIGHTING

Sky lights shall be flat, low silhouette, and non-glare. Bubble- type, Plexiglas skylights are not permitted. Skylights will not be permitted in locations where light from the interior will be overly visible to neighbors or roads.

Interior fluorescent fixtures must be positioned so that the direct light source is not visible from the outdoors. Consideration must be given to the visibility of the light source from vantage points down slope of the building.

3.12 WINDOWS

Windows should be carefully located and detailed to add substantialness to the residence. The plane of the glass should be recessed from the exterior wall face, with suitable solid trim. Trimless metal windows at the face of the wall will not be permitted.

All exposed aluminum sash and framing shall be an approved anodized color or vinyl coated. Exposed mill finish aluminum, including window screens, is not permitted. Metal finishes on solariums and greenhouses are included in this category.

3.13 SOLAR APPLICATIONS

Passive solar applications or the orientation and design of the residence for maximum winter sun gain will reduce the winter heating needs, and will be encouraged. Active solar collectors can cause excessive glare and reflection, and can only be approved if they are integrated into the structures or landscaping. As with all design elements of a residence or improvements, solar collectors must be integrally designed, aesthetically pleasing and meet all other applicable restrictions set forth in these Guidelines. Solar collectors must meet the requirements of skylights.

3.14 SCREEN WALLS / SITE WALLS

Screen walls should be a visual extension of the architectural design of the residence. They may be used to separate the private areas from the rest of the Building Envelope and as screening for parking and service areas. They may not be used to delineate property lines or delineate the



Building Envelope. Masonry site walls and screen walls are preferred. The colors of these walls must conform to the color standards described in these Guidelines.

3.15 SERVICES YARD

All above-ground garbage and trash containers, clotheslines, mechanical equipment, and other outdoor maintenance and service facilities must be completely screened from adjacent lots streets or common spaces by walls and gates, at least one (1) foot higher than the equipment. Gates, or a "maze" entry that provides complete screening, shall be required around all mechanical and pool equipment enclosures.

3.16 ACCESSORY BUILDINGS

Such structures must be designed as an integrated visual element with the residence, and should be visually related to it by walls, courtyards, or major landscape elements. A free standing building must comply with applicable Weber County building regulations. A free standing accessory building can be constructed on any lot, with approval from the Committee, provided all improvements fall within the Building Envelope and meet the requirements of these guidelines and must meet requirements of the Weber county code. No accessory building shall exceed fifteen feet in height, nor shall any accessory building be less than 6' in height.

3.17 SIGHT DISTANCE AT INTERSECTIONS AND CORNERS

No fence, wall, hedge, or shrub planting which obstructs sightlines at elevations between two (2) and six (6) feet above the roadways shall be placed or permitted to remain on any portion of the subject property, at street corners or curves within the triangular area formed by the front and side lines of such portion of the subject property. Sightline limitations shall apply on any' portion of the subject property within ten (10) feet from the intersection of a street property line with the edge of a driveway or alley pavement. No tree shall be permitted to remain within such distances of such intersections or to obstruct such sightline.

3.18 STORAGE TANKS

All fuel tanks, water tanks, or similar storage facilities shall be shielded from view from adjacent lots, streets or common areas by walls or structures or shall be located underground with all visible projections screened from view from adjacent lots, streets and common areas.

3.19 SIGNS

All security, pool, construction, financing, for sale and other similar signs utilized for advertising are prohibited within Ski Lake. The only exceptions are the Address Identification described in Section 2.11 of these Guidelines, and the temporary construction sign described in Section 5.14 of these Guidelines for new home under construction.

3.20 NO FREE STANDING FLAGPOLES

Free standing flagpoles are not allowed on any lot In Ski Lake. Displaying the American flag is permitted if it is hung from a pole bracket mounted on the residence or if it is suspended from a



roof overhang or by special permission of the Committee a flag pole extending above the roof top.

3.21 GARAGES

Every effort should be made to minimize the impact of the garage and garage door(s). Careful siting and driveway orientation can ensure that the visibility of the garage is minimized from the street and adjacent lots. Garages should normally be set back and oriented away from the street if possible. In an effort to minimize garage impact, no more than three garage stalls will be allowed adjacent to each other. All garage doors shall be no more double bay (max 10 feet wide x 10 feet tall without special permission of the Committee) type. If additional garage space is needed it must be separated from the other garage location or turned 90 degrees to avoid a long uninterrupted row of garage bays.

Where possible, garage doors should orient away from the street. The appearance of the garage door must blend with the home design. The garage doors offer an opportunity to enrich the texture, rhythm and overall composition of the design and the Design Review Committee expects that each home will capitalize on this opportunity. Flush panel doors are prohibited.

Review and Approval Process

In order to assist Owners in taking full advantage of the unique opportunities of their lots in the planning and design of their residence, a design review process administered by the Design Review Committee has been established. This process provides an opportunity for the Owner to draw upon expertise and knowledge which has been acquired during the planning and development of Ski Lake. The Design Review Committee (herein after- "Committee") is charged with the responsibility of maintaining the standards set forth in Ski lake Guidelines (herein after "Guidelines").

In its ongoing attempt to achieve the highest possible quality at Ski Lake, The Design Review Committee may modify or create additional guidelines, policies or procedures. In exercising its discretionary powers the committee may also moderate its interpretations of various portions of the guidelines as it gains experience with their application. **IT IS IMPERATIVE THAT EACH OWNER AND PROPOSED DESIGNER MEET WITH A REPRESENTATIVE OF THE DESIGN REVIEW COMMITTEE PRIOR TO COMMENCING THE PROCESS.** Please contact the Committee for an appointment and to receive the latest amendments to the Guidelines or current policies prior to proceeding with the design.

In general, the design review process is divided into five phases:

1. Meeting
2. Preliminary Submittal
3. Final Submittal
4. Construction Approval



5. Final Construction Review

It is strongly recommended that an Owner retain competent professional services for planning and design. A thorough analysis and understanding of a particular lot and the Owner's special needs and the skill to translate this into building form, as well as the ability to convey to the Committee the concept and design of a proposed residence or other improvements, are all important elements of the design review process. If an Owner elects to do his own design and the result is not approved by the Committee, the Committee has the right to require that an Owner thereafter employ professional design services that have been qualified by the Design Review Committee (DRC). The DRC maintains a list of those designers and builders who are known to them to have demonstrated an ability to work successfully in this environment achieving the high quality and minimum visual impact. The design review process was developed to provide adequate checkpoints along the way, in an effort to minimize time and money spent on designs which do not adhere to the Ski Lake Design Guidelines, or to the overall philosophy of Ski Lake. An attempt has been made to streamline this process to eliminate excessive time delays. Nevertheless, each Owner is directly responsible for complying with Ski lake Design Guidelines, and all applicable provisions of the Declaration, as well as all rules and regulations of any governmental authority, in order to bring the design review process to a speedy and satisfactory conclusion.

The Committee will conduct reviews of projects during their regular meetings or at such other times as it deems appropriate. The Committee will respond in writing to the applicant no later than thirty (30) days after a submittal has been reviewed by the Committee. All official actions, responses and communication from the Committee, any of its members, or the Design Review Coordinator will be conveyed in writing. Any responses an Owner may wish to make in reference to issued contained in the Committee's notice following review of submittals should be addressed to the Committee in writing.

Although the Committee will enforce all provisions of the Guidelines, the following will be of particular concern:

- a) Siting of the residence within the building envelope and on the building lot to be sensitive to views and privacy from other lots or open spaces.
- b) Architectural character as viewed from all sides and specifically from the major streets and common areas and scenic vista areas of Ogden Valley. The massing, texture and materials of the design are critical.
- c) Building heights and masses as per Sections 3.3 and 3.4 of these Guidelines.
- d) Finished floor levels.
- e) Exterior elevations of the residence, including a high level of aesthetic quality and the use of consistent, substantial materials.
- f) Setbacks along the boundary adjacent to the street and, widely visible areas, to maintain visual and safety separation.
- g) Exterior paint and natural colors, as well as color usage and distribution.



- h) Landscape character and plant materials appropriate to the environment.
- i) A grading plan including all of the proposed areas of lot disturbance.

The Developer of the Summit of Ski Lake "Declarant" or his designee will remain in charge of the Architectural Control Committee for a 7 year period from the date of filing of the protective covenants unless he chooses a shorter duration and may be extended for an additional 3 years at the sole discretion of the developer. After that date the Architectural Control Committee will be turned over to The Summit at Ski Lake Home Association. Members of the Architectural Control Committee during the first 7 years of its existence and during an additional 3 year period, if the developer chooses, will be appointed by the Declarant whose decision is final.

4.1 PRE-DESIGN MEETING

To initiate the review and approval process prior to preparing any drawings for a proposed residence or improvement, it is a requirement that the Owner and his architect meet with a designated member of the Committee to discuss the proposed residence and to explore and resolve any questions regarding building requirements in Ski Lake or the interpretation of Ski Lake Design Guidelines. Any amendments to these Guidelines, as well as the current policies and procedures, may be obtained at this time.

This informal review is to offer guidance prior to the initiation of preliminary design and to minimize the possibility that a homesite owner will incur costs for plans which will not be approved by the Committee. An appointment for the pre-design meeting should be made at least one week in advance.

4.2 THE PRELIMINARY SUBMITTAL

Preliminary drawings, including all of the exhibits outlined below, must be submitted to the Committee after the pre-design meeting.

Preliminary submittals shall include:

(a) A Survey, at no less than 1" = 20" prepared by a land surveyor registered in the state of Utah, showing lot boundaries and dimensions, easements, setbacks, centerline of adjacent streets, utility tap locations, existing surface contours at one to five foot intervals, major terrain features including tree areas within 20 feet of any proposed improvements. Each Owner submitting drawings for approval to the Committee shall be responsible for the accuracy of all information contained therein.

(b) A Site Plan, at the same scale as the survey, showing the locations of the building envelope, the residence and all other buildings or major structures, driveway, centerline of adjacent streets, parking areas, patios, walls, proposed utility service facilities and routes, site grading including existing and proposed contours and topographic features, and elevations (datum) of all building floors, patios, and terraces, shown in relation to site contour elevations.



(c) Roof Plans and Floor Plans (at a scale of no less than 1/8"= 1'0"). Roof plans should show areas and heights of flat and sloped roofs, location of crickets, and locations and heights of any roof mounted equipment and skylights. Floor plans shall show vertical elevations for each floor level change.

(d) Exterior Elevations of all sides of the residence, at the same scale as the floor plans, identifying all structure heights, delineating both existing and proposed grade lines and designating all exterior materials and general colors. Color selections may be general and not specific for the preliminary submittal.

(e) To assist the Committee in its evaluation of a submittal, the Owner shall, if requested, provide staking and flagging of ridge lines or highest corners of structures.

(f) A grading plan of all areas to be disturbed during the building process at a 1" to 20' scale and limits of disturbance indicated on the plan.

The Preliminary Submittal shall include any other drawings, materials, or samples requested by the Committee or necessary to explain the design.

A non-refundable Design Review Fee of \$900, for either a new or for an addition to an existing home, must accompany the submittal. Checks should be made out to Ski Lake Corporation or any other entity designated by them.

All accessory improvements contemplated on the lot must be shown on the Preliminary Submittal.

To assist the Committee in its evaluation of the preliminary submittal, the Owner shall, if requested, provide preliminary staking of the locations of the corners of the residence or major improvements deemed by the Committee to be major and of such other locations as the Committee may request. This staking can be reviewed by the Committee, and will need be altered if in the sole judgment of the Committee a revision is required.

4.2.2 PRELIMINARY REVIEW

After the comment period and any staking of the lot, the Preliminary Submittal will be deemed complete. The Committee will then review the submittal for conformance to Ski Lake Guidelines and will provide a written response to the applicant.

4.3 FINAL SUBMITTAL

After preliminary approval is obtained the following documents which clearly comply with, or satisfactorily resolve, the stipulations for preliminary approval, are to be submitted to the Committee for final approval.

Final submittals shall include:

(a) Complete construction documents for the residence including: all utility locations, electric meter, transformer and exterior mechanical equipment locations; height of the top of all skylights shown on the roof plan locations and manufacturer's catalog cuts of all exterior lighting fixtures.



(b) Samples of all exterior materials and colors, and window glass specifications, mounted on an 8 1/2' x 11" (maximum size) heavy stock cardboard identified with manufacturer's name, color, and/or number. Sample boards shall include Owner's, architect's and builder's name, as well as the lot numbers. Samples of exterior materials such as stone should be submitted via the use of photographs that show color and coursing patterns.

c) A complete landscape plan at the same scale as the site plan, showing: proposed contours and grading, if finished grading is different from that on the final site plan; and locations and sizes of all existing trees and groves, a list of all proposed.

d) An approximate milestone construction schedule indicating approximate milestone dates for: start of construction, completion of framing, roofing; and of exterior wall surfaces, completion of all construction, anticipated utility hook-up, completion of landscaping and anticipated occupancy.

(e) Final grading plan at a 1" to 20' scale with the limits of disturbance designated and a site construction plan delineating the items outlined in section 5.5

4.3.1 FINAL SUBMITTAL APPROVAL

Upon receipt of the complete final submittal, the Committee will review the submittal for conformance to the Ski lake Design Guidelines, and to any stipulations by the Committee from the preliminary submittal and will provide a written response to the applicant. If the final submittal is approved, the Committee will provide a Construction Authorization Certificate to be displayed on the rear of the construction sign at the site indicating final submittal approval. This certificate must remain posted during the duration of the construction process.

4.4 CONSTRUCTION APPROVAL

Obtaining plan check approval from the City and securing of a building permit is the responsibility of the Owner and/or builder. Construction shall be in accordance with the final submittal approved by the Design Review Committee.

4.5 ADDITIONAL CONSTRUCTION AND/OR EXTERIOR CHANGES

Any changes to the approved drawings before, during, or after the construction of an Improvement must first be submitted for review to, and must be approved by the Design Review Committee. Failure to do so may result in the removal and reconstruction of non-conforming portions at the expenses of the owner.

4.6 RESUBMITTAL OF DRAWINGS

In the event of disapproval by the Design Review Committee, of either a Preliminary Submittal or a Final Submittal, any resubmission of drawings must follow the same procedure as the original submittal.

4.7 COMMENCEMENT OF CONSTRUCTION



Upon receipt of approval from the Committee, the Owner shall commence the construction pursuant to the approved final submittal within one (1) year from the date of the approval. If the Owner fails to comply with this paragraph, any approval given shall be deemed revoked unless, upon the written request of the Owner made to the Committee prior to the expiration of the one-year period and upon a finding by the Committee that there has been no change in circumstances, the time for commencement is extended in writing by the Committee. The Owner shall, in any event, complete the construction of the foundation and all exterior surfaces (including the roof, exterior walls, windows/doors and all landscaping) of any improvements on his lot within one (1) year after commencing construction except when such completion is impossible or would result in great hardship to the Owner due to strikes, fires, national emergencies, or natural calamities. If the Owner fails to comply with this paragraph; the Committee may, at its option, complete the exterior in accordance with the approved drawings or remove the improvement(s), and the Owner shall reimburse The Committee all expenses incurred in connection therewith.

4.8 WORK IN PROGRESS OBSERVATION FOR DESIGN CONFORMANCE

The Committee may review all work in progress and give notice of non-compliance if found.

4.9 FINAL CONSTRUCTION REVIEW

- a) Upon completion of any residence or other improvement for which final approval was given by the Design Review Committee, the Owner shall give written Notice of Completion to the Committee prior to occupancy by the Owner.
- b) Within such reasonable time as the Committee may determine, but in no case exceeding 30 calendar days from the receipt of a required written Notice of Completion, the Committee may review the residence and/or improvements. If it is found that work was not done in compliance with the approved Final Submittal, the Committee shall notify the Owner in writing of such non-compliance within 30 calendar days of its receipt of the Owner's Notice of Completion, specifying in reasonable detail the particulars of non-compliance, and shall require the Owner to remedy the same at the Owner's expense.
- c) If the Owner has failed to remedy any non-compliance within 30 calendar days from the date of the Committee's notice, the Committee shall notify the Owner; and may take such action to remove the non-complying improvements as is permitted in these Guidelines.
- d) If, after receipt of written Notice of Completion from the Owner, the Committee fails to notify the Owner of any failure to comply within the provided period following the Committee's review, the improvements shall be deemed to be in accordance with the approved final submittal.

4.10 NON-WAIVER

The approval by the Design Review Committee of any drawings or specifications for any work done or proposed, or in connection with any other matter requiring such approval under these



Guidelines or the Declaration, including a waiver by the Committee, shall not be deemed to constitute a waiver of any right to withhold approval as to any similar drawing, specification, or matter whenever subsequently or additionally submitted for approval or of a non-conforming design or aspect that has not been identified earlier. For example, the Committee may disapprove an item not in conformance with the Guidelines shown on the final submittal even though it may have been evident and could have been disapproved at the preliminary submittal.

4.11 RIGHT OF WAIVER

The Design Review Committee reserves the right to waive or vary any of the procedures or standards set forth herein at its discretion, for good cause shown.

Construction Guidelines

In order to assure that the natural landscape of Ski Lake is not unduly damaged during construction, the following Construction Regulations must be made a part of the construction contract documents for each residence or other improvement. All builders and Owners shall be bound by these regulations and any violation by a builder or his subcontractors or suppliers or vendors shall be deemed to be a violation by the Owner of the lot.

The Committee has determined that policing of building sites during construction may be done by Committee members, acting as roving inspectors on their regular rounds. Violations to the construction regulations may be reported to the Committee who will send a letter to the builder involved. Copies of the letter will be sent to the lot Owner.

5.1 PRE-CONSTRUCTION CONFERENCE

Prior to commencing construction, the builder must meet with the Design Review Coordinator to review the construction regulations, procedures, and guidelines of this section.

The builder will be asked to sign a document indicating that he has read the guidelines and agrees to comply with them.

5.2 CONSTRUCTION TRAILERS, PORTABLE FIELD OFFICES, ETC

Any Owner or builder who desires to bring a construction trailer, field office, or the like to Ski Lake shall first apply for and obtain written approval from the Committee. To obtain such approval, the Owner or builder shall submit a copy of the site plan with proposed locations of the construction trailer or field office, the portable toilet, and the trash receptacle noted thereon. Such temporary structures shall be removed upon completion of construction and will be permitted for a maximum of twelve months. No signage shall be allowed on any construction trailers and the color of any construction trailer, or field office, shall blend in with the



environment. The construction trailer, if any, portable toilet, construction material storage and dumpsters must all be contained within the chain link fence and within the Building Envelope.

In an effort to protect the fragile existing conditions at Ski Lake, plastic or similar construction fence will be required to completely enclose the construction area. The fence should be as close as practicable to the ultimate site, coverage area, allowing for construction staging but in no event extending beyond the Building Envelope. The fence shall have a single entrance located at the driveway entrance and shall be maintained intact until the completion of construction. All related construction equipment, including trailer, portable toilet and dumpster shall be sited within the fence.

5.3 DEBRIS AND TRASH REMOVAL

Builders shall clean up all visible trash and debris on the construction site weekly. Trash and debris shall be removed from each construction site frequently and not be permitted to accumulate. Lightweight material, packaging, and other items shall be covered or weighted down to prevent their being blown off the construction site. In no case may debris and trash be allowed to exceed the top of the dumpster. The Committee reserves the right to apply fines to builders and owners who fail to control debris from blowing or being disposed of on others lots or common areas. Builders are prohibited from dumping, burying, or burning trash anywhere on Ski Lake except as expressly permitted by the Committee. During the construction period, each construction site shall be kept neat and clean, and shall be properly policed to prevent it from becoming a public eyesore or affecting other lots or any open space. Unsightly dirt, mud, or debris resulting from activity on each construction site, including dirt and debris on the road area near the construction site, shall be promptly removed and the general area cleaned up.

Dumpsters or other waste receptacles must be located within the Building Envelope and within the construction site or in areas specifically approved in writing by the Committee. For physically constrained sites, smaller dumpsters with more frequent removal may be necessary in order to fit the dumpster within the construction fencing.

5.4 WASHOUT AND CLEANING

Washout of concrete trucks or the washout and cleaning of any equipment by masons, plasterers, painters, drywallers, etc. must be contained within the Building Envelope of each lot. Washout or cleaning residue shall not be allowed to flow out of the Building Envelope. The builder will also be responsible for restoring any damaged area to its natural state.

5.5 SANITARY FACILITIES

Each builder shall be responsible for providing and maintaining adequate sanitary facilities for his construction workers. Portable toilets or similar temporary toilet facilities shall be located only within the Building Envelope and within the construction site or in areas specifically approved in writing by the Committee.



5.6 VEHICLES AND PARKING AREAS

Construction crews shall not park on, or otherwise use, other building lots or any open space. Private and construction vehicles and machinery shall be parked only within the Building Envelope and the fenced construction site or in areas designated by the Committee or alongside of the road adjacent to the building site. All vehicles shall be parked so as not to inhibit traffic on adjacent streets or damage the road shoulder vegetation.

5.7 EXCAVATION MATERIALS

Excess Excavation materials must be hauled away from Ski Lake and disposed of properly. Dumping of excess excavation materials within Ski Lake is prohibited, unless approved in writing, for clean fill in approved locations.

5.8 RESTORATION REPAIRS OR OTHER PROPERTY DAMAGE

Damage and scarring to property other than the lot, including, but not limited to, open space, other lots, road, driveways, concrete curbs and gutter, and for other improvements, resulting from construction operations will not be permitted. If any such damage occurs, it must be repaired and/or restored, promptly at the expense of the Builder and/or Owner.

5.9 MISCELLANEOUS AND GENERAL PRACTICES

All Owners will be responsible for the conduct and behavior of their agents, representatives, Builders, contractors/and subcontractors while on the premises of Ski Lake. The following practices are prohibited:

- (a) Changing oil or otherwise servicing any vehicle equipment on the site itself or of any other location within Ski Lake, other than at a location designated for that purpose by the Committee.
- (b) Allowing concrete suppliers, plasterers, painters or any other subcontractors to clean their equipment other than at locations specifically designated for that purpose by the Committee. Residue from cleaning on the lot is not allowed to flow out of the Building Envelope, or in any, enter into drainage ways or natural open areas.
- (c) Removing any rocks, plant material, topsoil, or similar items from any property of others within Ski Lake, including other construction sites.
- (d) Carrying any type of firearms within Ski Lake.
- (e) Using disposal methods or equipment or units other than those approved by the Committee.
- (f) Careless handling of flammable material.
- (g) Use of, or transit over, any common area paths or trails.



- (h) Radios and other audio equipment playing music audible from the construction site within Ski Lake are prohibited. This restriction is to avoid impacting nearby homeowners at Ski Lake.
- (i) Fires, for warming in winter or any other reason area prohibited.
- (j) Storage or parking of non-construction related vehicles, trailers, boats, etc. at the construction site is prohibited.

The following are taken from the Covenants, Conditions and Restrictions:

**CC&R ARTICLE XXII
Architectural Control Committee**

There shall be an Architectural Control Committee composed of at least three (3) Members. Declarant shall have the sole right and absolute discretion to appoint the Members of the Architectural Control Committee during the Class "B" Control Period. Thereafter, committee members shall be appointed by the Board of Trustees of the Association. Committee members shall serve until the appointment of their successor and may be removed without cause at any time by the person or persons entitled to appoint their successor in accordance with this paragraph.

**CC&R ARTICLE XXIII
Approval by Architectural Control Committee**

Guidelines of the Architectural Control Committee shall be furnished to each buyer and must be used as the basis of developing their Lot. Upon purchase of a Lot, the buyer must sign a copy of the Architectural Control Guidelines indicating their agreement to follow said guidelines. The buyer of each Lot is bound by the Architectural Control Committee Guidelines directions and decisions.

The following is a summary of significant parts of the architectural guidelines. However, the developer of each Lot hereby agrees that they will follow all the guidelines in the complete Architectural Control Guidelines packet. The steps for submitting plans as described in the Architectural Control Guidelines must be followed. The salient points are as follows:

1. An overall view of the proposed improvement or improvements must be discussed with the Architectural Control Committee before submitting any preliminary plans. A fee as provided in the Architectural Control Guidelines will be payable to the Architectural Control Committee with the submission of the preliminary plans to help defray costs incurred by the Committee for its work in



the approval process.

2. The preliminary plans must include the following:

- a) site plan with the location of said improvement or improvements on the Lot upon which it or they will be placed or constructed and the location of the proposed improvement or improvements relative to the other improvements on said Lot.
- b) Floor plans of each floor level.
- c) The basic structural system of the improvement or improvements and the materials to be used in the construction thereof.
- d) All building elevations.
- e) A grading plan for all improvements
- f) Site Plan.
- g) Preliminary landscaping design.
- h) Proposed time schedule for construction and completion.
- i) A survey acceptable to the Architectural Control Committee indicating the location of Lot corners and the proposed building position on the Lot.

The final approvals will be given as described in the process detailed in the Architectural Guidelines.

The Architectural Control Committee will not give its consent to the proposed improvement unless, in the opinion of the Architectural Control Committee, the improvement is properly designed and the design, contour, materials, shapes, colors and general character of the improvement is in harmony with existing structures on the Lot and on neighboring Lots, and in harmony with the surrounding landscape. The improvements shall be designed and located upon the Lot so as to minimize the disruption to the natural land forms and vegetation cover and view corridors of other Owners.

The Architectural Control Committee shall have the right to disapprove any application in the event said application and the plans submitted therewith are not of sufficient detail, or are not in accordance with the provisions herein set forth, or if the design or construction of the proposed improvement is not in harmony with neighboring improvements and the general surroundings, or in the judgment of the Architectural Control Committee, would decrease the real estate value of the community, or if the design and the plans for construction do not include sufficient safeguards for preservation of the environment or for any other reason the Architectural Control Committee may deem in the best interests of the subdivision. The decision of the Architectural Control Committee shall be final, binding and conclusive on all parties affected.

CC&R ARTICLE XXV



Non-Waiver

The approval of the Architectural Control Committee of any plans, drawings or specifications for any work done or proposed or in connection with any other matter, requiring the approval of the Architectural Control Committee under these restrictions, shall not be deemed to constitute a waiver of any right to withhold approval as to any similar plan, drawing, specification or matter whenever subsequently or additionally submitted for approval. Upon approval or disapproval of the plans by the Architectural Control Committee, one set of plans shall be returned to the Lot Owner and signed "approved" or "disapproved" by the Architectural Control Committee and one set shall be retained by the Committee. If the Architectural Control Committee fails to approve or disapprove such design and location within thirty (30) days after said plans and specifications have been submitted to it, approval will not be required and this article will be deemed to have been fully complied with. In order to obtain such approval, the Owner must submit for consideration of the Architectural Control Committee such details and information with relation to the contemplated action as the Architectural Control Committee shall request.

CC&R ARTICLE XXVI

Professional Assistance

If at any time the Architectural Control Committee shall determine that it would be in the best interest of The Summit at Ski Lake subdivision for the Architectural Control Committee and/or the Lot Owner to employ professional assistance to design any improvement involved in the proposed work the Architectural Control Committee shall inform such Owner of its determination, whereupon all plans and specifications shall be prepared by such qualified professionals as the Architectural Control Committee shall determine.

CC&R ARTICLE XXVII

Immunity of Architectural Control Committee

Notwithstanding the foregoing provisions, the Architectural Control Committee shall have no affirmative obligation to be certain that all elements of the design comply with restrictions contained in this Declaration, and no member of the Architectural Control Committee shall have any liability, responsibility or obligation whatsoever for any decision or lack thereof, in the carrying out of the duties as member of such Committee. Such Committee and its members shall have only an advisory function and the sole responsibility for compliance with all of the terms of this Declaration shall rest with the Owner. Each Owner agrees to save, defend and hold harmless the Architectural Control Committee and



each of its members on account of any activities of the Architectural Control Committee relating to such Owner's property or buildings to be constructed on his or her property.

CC&R ARTICLE XXVIII

Residential Homesites

All Lots in the subdivision shall be known and described as residential homesites. No structure shall be erected, altered, placed or permitted to remain upon any homesite other than a one-family dwelling, such dwelling not to exceed two (2) stories above grade with a private attached garage for not more than four (4) cars and not less than two (2) cars; and other outbuildings as shall be approved in advance in writing by the Architectural Control Committee, subject to the rules and regulations of Weber County.

CC&R ARTICLE XXIX

Minimum Finished Area

No residential structure shall be erected or placed on any building Lot in said subdivision unless one of the following minimums are met:

1. If the residence is a single level or a rambler style with a walk-out basement, the main floor living areas, exclusive of porches, garage areas or basements, shall be no less than 2,000 square feet or a maximum of 3,000 square feet with a lower-level walk-out. There will be a minimum of 2,800 square feet of finished living area in the home excluding porches, decks and garage areas.
2. If the residence is a multi-level, there shall be at least 2,800 square feet of finished living area of which a minimum of 1,800 square feet shall be on the main level, exclusive of porches, decks, garage areas or basements. A minimum of 800 square feet will be on the upper level.
3. Basement defined as: more than 50% of the total perimeter shall be more than four feet below grade.
4. Lower-level walk-out defined as: less than 50 % of the total perimeter shall be four (4) feet or more below grade.



CC&R ARTICLE XXX

Dwelling Construction and Fence Restrictions

In order to promote a harmonious community development and protect the character of the neighborhood, the following guidelines are set out and described in more detail in the Architectural Control Guidelines:

1. Dwelling style, design, alterations or additions shall conform to standards determined by the Architectural Control Committee.
2. Placement of a home on a Lot shall generally conform to the location of homes on nearby Lots with regard to the boundary lines of the Lots. However, the placement of a home on a Lot shall be such as to minimize the blocking of view corridors of neighboring homes and shall take into account the special features of the Lot regarding desirability for construction purposes.
3. Exterior construction materials shall be limited to stone, stone veneer, brick or brick veneer, wood siding, treated logs, synthetic stucco and shall be in natural tones indigenous to the area.
4. Roof design shall be limited to a minimum of 4/12 pitch.
5. Location of all storage or utility buildings, garbage and refuse containers, air conditioning equipment, clothes drying lines and utility pipes, etc., must be placed in a manner not obvious from the adjacent street and preferably in the rear of the dwelling.
6. Any light used to illuminate garages, patios, parking areas or for any other purpose shall be so arranged to reflect light away from adjacent residences and away from the vision of passing motorists. All exterior lighting must have a minimum effect on the natural dark sky atmosphere of the development.
7. Fences are limited to private areas near the home and are not permitted between the Lots.
8. A maximum of four (4) feet of concrete foundation may be exposed above ground. This must be covered with rock or other material approved by the Architectural Control Committee to give it a more natural appearance.



CC&R ARTICLE XXXI

Building and Landscaping Time Restrictions

The exterior construction of all structures shall be completed within a period of one (1) year following commencement of construction. The front yard of each Lot shall be landscaped within a period of six (6) months following completion of each dwelling. Side and rear yards shall be landscaped within a period of one year following completion of each dwelling including a minimum of fifteen (15) trees with a maximum expected height of tree at maturity of twenty-one (21) feet unless specifically approved by the Architectural Control Committee. Trees shall be placed in a location that minimizes blockage of view corridors from neighboring homes. Areas covered with natural foliage (e.g., scrub oak aspen, sage brush, etc.) will be considered landscaped and must not be disturbed in the building process except by approval of the Architectural Control Committee. Builder shall install native seed mix and/or sod together with landscaping plants and trees in all areas of unimproved land that have been disturbed in the building process.

CC&R ARTICLE XXXVIII

Outside Watering

No more than seven thousand five hundred (7,500) square feet of landscaped area of any Lot in the subdivision shall be irrigated or watered. If a secondary water system is provided by the developer, the Owner is required to use it exclusively for all outside watering needs and not use any culinary water for outside watering. A hookup fee of NINE HUNDRED (\$900.00) DOLLARS will be due from each Owner for the connection to the secondary water system is established by the developer.

CC&R ARTICLE XXXIX

Culinary Water

All plumbing fixtures will be low flow, low water usage type to conserve culinary water. A swimming pool would only be allowed with special written conditions by the Architectural Control Committee due to the high potential use of culinary water. If excessive culinary water is being used over a several month period, the developer reserves the right to investigate the cause and require corrective procedures, including fines for non-compliance.



ADDENDUM to Design Guidelines dated May2022

This document is provided as a general guidance to assist The Summit at Ski Lake Gated Community homeowners in determining what property modifications need Architectural Committee (AC) Review and/or Approval. The document is a guideline and cannot cover all potential property or construction modifications. If a homeowner is unsure whether a modification requires review or approval by the AC, they should contact the AC. It is the homeowners' responsibility to ensure any modifications to your home or property are consistent with The Summit at Ski Lake Gated Community CC&Rs and Design Guidelines. Failure to obtain AC approval prior to work risks non-compliance and potential action against the homeowner. When in doubt please contact the Architectural Committee and/or HOA Board.

The following items require consultation, review and approval by the AC:

- Per the Amendment to Article XXIII of our CC&Rs, dated 27 December 2013 and duly recorded with Weber County on 6 May 2014:
 - New builds require approval of all plans by the AC and a \$5000 construction deposit prior to the review of the plans.
 - Renovations that include exterior modifications and require a county building / work permit require AC review, approval, and a \$5000 construction deposit.
- Modifications to the outside of existing homes:
 - Hardscape changes (driveways, patios, walls) that change elevations by 3 feet or more require AC review and approval.
 - General maintenance and repairs to driveways do not need AC review provided the repairs do not change the layout or design. If maintenance will enlarge the driveway, or change the layout, AC review and approval is required.
 - Installation of fences, changes in overall home exterior paint color, or changes in roof material or color require AC review and approval.
 - Work that involves delivery of dumpsters or building materials requires that those materials be stored on the homeowner's driveway/lot. If it is not possible for materials to be delivered and stored on the homeowner's property, notification and discussion with the AC is required to determine an adequate alternative. Dumpsters should never be placed on or in front



of a neighbor's lot without their written permission, nor should it ever interfere with a neighbor's driveway.

- Boats cannot be parked on the road overnight, and given the narrow roads, parking of boats along the roadway should be avoided when possible.
- Exception to the CC&R 72-hour parking limit for boats and trailers (Article XXXIV of the CC&Rs):
 - Boats and trailers should be stored in the resident's garage when possible. However, from Memorial Day through Labor Day inclusively, boats/trailers may be stored in your driveway for more than 72 hours provided the homeowner has made the request in writing to the AC, and the AC has given their approval before the violation occurs.
 - Storage of boats/trailers outside a garage during this time period applies only for a single boat/trailer and that boat/trailer must be owned or rented by a current resident living on the property for the duration of the storage exception.
 - Boats/trailers utilizing this exception must be registered and in working condition.
 - This exception applies only to boats and a trailer used for that boat. There is no exception for the 72-hour parking limit for other utility vehicles or items listed in Article XXXIV of the CC&Rs.

Requests for Architectural Committee review, or for any questions, please contact ACC committee Chair or the HOA Board President.

Ski Lake



Attachment A: Pre-Design Meeting AC Committee Notes

Summit at Ski Lake Gated Community Association
Pre-Design Meeting

Ski Lake



Committee Notes

Lot Number _____ Lot Address _____ Date _____

Owner Name _____ Phone _____

Owner Name _____ Phone _____

Type of Construction: New Home _____ Other (Please Specify _____)

The following must be submitted to the Architectural Control Committee. Page numbers refer to the Architectural Control Design Guidelines. More information on the approval process in general can be found on pp. 23-30

_____ \$5,000 Building Deposit (p. 3 of Architectural Amendment)

_____ Site Plan (pp. 3-4)

_____ Floor Plans (p. 13)

_____ Exterior Building Elevations (pp. 14-17)

_____ Grading Plan (p. 5)

_____ Acceptable Survey Showing Lot Corners (p. 25)

_____ List of Exterior Materials and Colors (pp. 19-20)

_____ Time Schedule for Construction and Completion of Project (p. 28)

_____ Preliminary Landscape Plan (p. 7-8)

_____ Obtained a Gate Code for Construction use.

I understand that the Architectural Control Committee will not initiate plan review until these documents are submitted, including the \$5,000 Construction deposit. Additionally, my signature below confirms that I have read and agree to abide by the Summit at Ski Lake Gated Community Association Architectural Control Design Guidelines for this building project.

Contractor _____ Date _____

I understand that the Architectural Control Committee will not initiate plan review until these documents are submitted, including the \$5,000 Construction deposit. Additionally, my signature below confirms that I have read and agree to abide by the Summit at Ski Lake Gated Community Association Architectural Control Design Guidelines for this building project.

Owner _____ Date _____

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Attachment B: Pre-Design Meeting Owner Notes

Ski Lake



Summit at Ski Lake Gated Community Association

Pre-Design Meeting

Owner Notes

Lot Number _____ Lot Address _____

Date of Meeting _____

Architectural Control Committee Member Names and Contact Information

Please submit the following to the Architectural Control Committee at least 45 days prior to the expected date to begin construction. Page numbers refer to the Summit at Ski Lake Gated Community Association Architectural Control Design Guidelines where more detailed information can be found. Additional information on the approval process in general can be found on pp. 23-30.

1. A \$5,000 building deposit in the form of a check made payable to Summit at Ski Lake Gated Community Association and mailed to: PO Box 284, Huntsville, UT 84317 (p. 3 of Architectural Amendment)
2. A site plan showing the location of the structures and driveways on your lot (p. 3-4)
3. Floor plans showing a minimum of 2,800 square feet total finished space (p. 13)
4. Exterior building elevations of all sides of the residence (pp.14-17)
5. A grading plan (p. 5)
6. An acceptable survey showing lot corners p. 25)
7. A list of exterior materials (p. 20)
8. A construction schedule including approximate start and completion dates (p. 28)
9. Proposed exterior colors (p. 19)
10. Preliminary landscape plan (p. 7-8)
11. Obtained a gate code for construction use.

When all of the above have been received and approved, the owner will receive a written approval by the Architectural Control Committee for construction to begin. An initial response from the Architectural Control Committee can be expected within 30 days. If you have not received a response within this period of time, please contact a member of the Architectural Control Committee.

Please note that any exterior changes made to the building or property after final approval has been granted requires the submittal of a Change of Plans/Variance Request form before the change can be made. These forms are available from a member of the

Ski Lake



Architectural Control Committee. Failure to submit Change/Variance forms following approval may result in legal action, fees, and additional remediation costs to the lot owner(s).

Ski Lake



Attachment C: Architectural Change Request / Variance Form

Ski Lake



Summit at Ski Lake Gated Community Association

Architectural Change/Variance Request

The following must be submitted to the Summit at Ski Lake Gated Community Association Architectural Control Committee before beginning any changes from the approved construction plans. See page 28 of the Architectural Control Design Guidelines for more information.

Date _____

Lot Number _____ Lot Address _____

Owner Name _____ Phone _____

Owner Name _____ Phone _____

I request the following change to my approved plan. This change is within the parameters of the Architectural Control Design Guidelines.

I request the following variance from the Architectural Control Design Guidelines.

Change Approved _____ Date _____

Change Denied _____ Date _____

Reason Denied (use back if needed) _____

Signature of Committee Member _____

Signature of Committee Member _____