

# **LAST CHANCE LAKES ARCHITECTURAL AND DESIGN** **GUIDELINES**

MARCH 17, 2008

The following minimum standards shall apply to any and all improvements constructed, painted, altered or changed in the Project (collectively "Improvements"), unless the Architectural Review Committee and/or other governing state or local agencies grant a variance in writing.

In reviewing proposed Improvements for approval, the Architectural Review Committee shall consider at least the following:

- a. Does the proposed Improvement conform to the purposes and provisions of the Conditions, Covenants, and Restrictions and other Project Documents?
  - b. Is the proposed Improvement of a quality of workmanship and materials comparable to other Improvements that are proposed or existing on the Project?
  - c. Is the proposed Improvement of a design and character which is harmonious with proposed or existing Improvements and with the natural topography in the immediate vicinity?
  - d. Will the proposed Improvement unreasonably interfere with or otherwise impair the view or solar access of other portions of the Project?
1. **TIME REQUIREMENTS:**
- a. Begin home construction: No time requirement
  - b. Landscaping Lot: Lot must be fully landscaped within 1 year of closing date of Lot purchase. Lots purchased in 2008 will have 1 year from Jan 1, 2009. If a lot is purchased during the fall or winter in which there is no viable opportunity for landscaping due to inclement weather, the property owner will be responsible to complete the landscaping before the following year's winter weather season begins. No additional time allowance will be given for inclement weather.
  - c. Lots with homes under construction within 1 year of closing date will be given a 1-year extension on completing their landscaping.
  - d. The construction of a new home shall be allowed 18 months of construction time from the date of the first on-site work until the home is complete and ready to occupy. Any other project (i.e. outbuilding, patio, shed, etc.) shall be allowed a construction time of 6 months.

2. MINIMUM HOME SIZE:
  - a. Single level: 1800 square feet above grade (excluding garages, carports, accessory buildings, covered or uncovered patios and porches).
  - b. Two Story: 2200 square feet above grade (excluding garages, carports, accessory buildings, covered or uncovered patios and porches).
3. MINIMUM GARAGE REQUIREMENT: All lots shall have a minimum of a two-car garage enclosed with a standard garage door. Boats, RV's, vehicles, and other equipment should be stored within an enclosed garage. No lean-tos, carports, awnings, or similar open storage facilities shall be allowed.
4. GENERAL DESIGN ASTHETICS: Homes are required to have the same general design and aesthetics found in the Watts Development, Dutch Fields, Midway, Utah. All buildings, including all Accessory Buildings, shall conform to four-sided architecture. Four-sided architecture is generally defined by all sides of a home or accessory building being designed for aesthetics and all elevations of a home or accessory building meeting the design criteria stipulated in this document.
5. EXTERIOR MATERIAL:
  - a. Permitted material: Cement board siding (i.e. Hardiplank), rock (both imitation and real), and timber.
  - b. Prohibited material: Stucco, brick, block, and vinyl or aluminum siding
6. EXTERIOR PAINT COLOR: Earth tones are encouraged. The Architectural Review Committee must approve all colors. Multi-tone painting of home exterior is encouraged.
7. ROOF REQUIREMENTS: Minimum 6/12 pitch. Minimum 30-year architectural shingle. Metal roofs permitted – color to be approved by Committee.
8. DRIVEWAYS: Driveways must be constructed of concrete or asphalt and shall run from the garage to the paving of the common road.
9. MAXIMUM BUILDING HEIGHT: Buildings height must not exceed 35 feet.
10. MAXIMUM BUILDING COVERAGE: No more than 40% of a building lot may be constructed upon.
11. PROPERTY LINE SETBACKS:
  - a. Home Set Backs:
    1. Front: 30 feet
    2. Rear: 50 feet
    3. Side: 10 feet

- b. Accessory Building Set Backs:
  - 1. Front: 30 feet
  - 2. Rear: 50 feet lake lots / 10 feet non-lake lots
  - 3. Side: 10 feet
  
- 12. ACCESSORY BUILDINGS: Accessory Buildings shall be considered “conditional uses” requiring a written application and approval from both the Architectural Review Committee and Tooele County Planning and Zoning before construction or installation begins. Any detached Accessory Building must conform in design and construction materials with the primary residential Dwelling Unit. The maximum height of an Accessory Building shall be 25 feet. Tin sheds are not allowed anywhere in the Project. If there is a dispute of any kind whatsoever regarding an Accessory Building, including whether a structure meets the definition of an Accessory Building, the decision of the Architectural Review Committee shall be final, conclusive and binding. If the Architectural Review Committee fails to respond to an application within thirty (30) days, it shall be considered disapproved.
  
- 13. VIEW CORRIDOR: The view corridor is defined as the area within the 50 foot rear set back of Lots 1- 16. The following restrictions apply to the View Corridor:
  - a. No woody trees, plants or bushes are to be planted within the View Corridor. Potted plants / bushes okay.
  - c. No pressurized waterlines (i.e. sprinklers, drinking fountains) within the View Corridor.
  - d. No excavation, such as pools within the View Corridor.
  - e. No structures or landscaping higher than 4 feet above native grade within the View Corridor.
  - f. No fences within the View Corridor.
  - g. No structures requiring a building permit within the View Corridor.
  
- 14. FENCING: Rot iron fences only. Six foot maximum height.
  
- 15. IRRIGATED LANDSCAPING LIMITATIONS: No more than 23.75% of the total area within a lot may be irrigated.
  
- 16. SPRINKLER SYSTEMS: All irrigated landscaping must be irrigated by an automatic, underground sprinkling system.
  
- 17. TREES: Landscaping must include a minimum of six 2-inch caliper trees.
  
- 18. GROUND COVER: Mulch, topsoil, decorative rock, sod, concrete, cement or masonry products, pavers, brick, cobblestone, tile, terrazzo, slate, gravel, and curbing are suggested. Bark is permitted, however, in minimal amounts due to the nature that it can blow into the lakes.

19. Slope and Drainage Control: No structure, plant, improvement or other material may be placed or permitted to remain, or other activities undertaken which may damage or interfere with established Lot ratios, create erosion or sliding problems, or which may change the direction or flow of drainage channels, or obstruct or retard the flow of water through the channels.
- a. The slope control area of each Lot and all improvements therein shall be maintained continuously by the Owner of the Lot, excepting those improvements for which a public authority or utility company is expressly responsible; and
  - b. It shall be the responsibility of the Owner to see that his Lot strictly conforms with the grading and drainage plan established by the Declarant, Salt Lake County and the City.
  - c. Each lot owner shall be responsible for making sure that run-off water does not migrate onto an adjacent property owner's property, including property owned and maintained by the HOA. The HOA shall have the same responsibility as each property owner. Each landowner shall control the subsurface water on their own property and will be responsible for damages resulting from failure to maintain control of this surface run-off water.
20. EXTERIOR LIGHTING: All exterior and decorative lighting shall be, whenever possible, placed in such a manner that the source of the light is not visible to adjacent portions of the Project. Colored landscaping lighting shall be prohibited, unless approved by the Architectural Review Committee. All artificial lighting visible from outside the Lot shall be subject to review and approval of the Architectural Review Committee. The design and installation of all lighting shall limit fugitive light impacts to a non-significant level.
21. RIGHT TO GRANT A VARIANCE: The Architectural Review Committee has the authority to grant a variance according to the Declaration of Covenants and Restrictions. Granting a variance in one situation does not establish a precedence for future situations.
22. FINAL PLANS AND SPECIFICATIONS AND WORKING DRAWINGS: The following must be submitted to the Architectural Review Committee for approval prior to initiating construction.
- a. Plot plans to scale showing the entire site, building, garages, walks, drives, fence, carriage lights, retaining walls, with elevations of the existing and finished grade and contours including those at the outside corners of the buildings and at adjacent property lines and street fronts, and elevations of floors from a designated point on the street.

- b. Detailed floor plans.
  - c. Detailed elevations, indicating all materials and showing existing and finished grades.
  - d. Detailed sections, cross and longitudinal.
  - e. Details of cornices, porches, windows, doors, garages, garden walls, steps, patios, fences, carriage lights, etc. Specifications shall give complete description of materials to be used with supplements, addenda or riders noting the colors of all materials to be used on the exterior of the Dwelling Unit.
  - f. Any and every home design, plan or specification must comply with the Design Guidelines.
23. REMEDY FOR BREACH OF ARCHITECTURAL DESIGN GUIDELINES: Should any Owner fail to comply with Architectural Design Guidelines, the Architectural Review Committee shall have the right to seek an order from a court of proper jurisdiction requiring specific performance to comply with the provisions hereof or to recover damages, or both, and shall also have the authority but not the obligation to complete the landscaping or restore the property to its original condition without being guilty of a trespass, and require the Lot Owner to pay the cost of labor and materials. The costs and expenses incurred, including a reasonable attorney's fee, whether or not a lawsuit is filed, shall be considered the personal obligation of the Lot Owner and shall constitute a lien on the interest of the Owner in such property, enforceable at law or equity, until payment is made.