



Timber Lakes Property Owners Association Architectural Control Regulations

218 Timber Lakes Estates, Heber City, UT 84032
(435) 200-9888 constructiontlpoa@gmail.com

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I. AUTHORITY

The Association shall have the authority to set up regulations as to the height, architectural plan and design and size requirements for all dwellings and all other types of out building and structures, including fences, walls, copings, etc. (Declaration of Protective Covenants for Timber Lakes Property Owners Association, Article VIII Section 5).

II. TLPOA APPROVAL REQUIRED

All plans and specifications for any structure or improvement to be erected on any lot or lots, and later changes or additions after initial approval thereof shall require the approval of the Association's Architectural Committee before any such work is commenced.

III. ARCHITECTURAL CONTROL REGULATION BONDS

All plans and specifications for any structure to be erected on any lot or lots shall require a performance bond of which is to be posted with TLPOA before any such work is to commence. The **Architectural Control Regulation Bond** is to be set for the following construction requirements as set forth in this regulation:

- A. Portable Toilets Requirement
- B. Dumpster Requirement
- C. Drainage Culvert Requirement
- D. Disposal of Removed Trees (proof of off sight disposal or use).

Bond Amount: \$3.00 per sq. ft. (gross) of dwelling, out buildings, and other structures, payable by cash or performance bond, all, of the cash bond, may be refundable upon completion of construction based on compliance with TLPOA requirements. The performance bond is for the duration of 12 months, after which will need to be renewed if construction is not completed.

IV. DWELLINGS (CABINS/HOMES)

A. Utilities;

Temporary power must be set to meter base by Heber Power & Light prior to build. Permanent installation prior to completion is required. Install dates.

B. Dwelling Size:

The main floor shall have a minimum of 900 square feet of floor space, excluding outside decks and any other attached appurtenances.

C. Dwelling Height:

The maximum height of any dwelling, building, or structure shall be thirty-five (35) feet above the natural grade of the property.

D. Exterior Appearance:

The exterior of the dwelling, building, or structure shall be in harmony with the natural beauty and the surroundings of the mountain development. Logs, log siding, natural wood siding, fiber cement board (with wood grain appearance), and stone are approved exterior materials. No T-111 or other similar plywood sidings, aluminum siding, stucco or vinyl siding shall be allowed.

E. Exterior Color Scheme:

Exterior colors shall be compatible with the surrounding environment (earth tones). No colors shall be used contrary to the natural beauty of the mountain development. Color samples of exterior colors shall be provided for approval prior to start of construction.

F. Roof Slope:

Roof slope shall be a minimum of 4 x 12 pitch on the main dwelling, or structure. (Exceptions: shed, dormers, and porches attached to the main dwelling, building or structure.

G. Roof Materials:

The roof surface shall be constructed of fire-resistant materials (fiberglass shingles, aluminum shingles or painted steel).

H. Location on the Lot (Setbacks)

All dwellings, building, or structures, shall be located a minimum of sixty (60) feet from the center of the road or thirty (30) feet from the property line whichever is greater, and a minimum of twenty (20) feet from the side lot lines and thirty (30) feet from the rear lot lines. A property topographical survey is required, to properly determine the recorded property lines.

I. Chimney Spark Screens:

All chimneys shall be covered by permanent spark screens.

J. Lot Identification:

Each lot owner shall install a permanent sign, which identifies the lot number, and which is clearly visible from an access road to facilitate location in an emergency.

K. Material Quality:

All building materials shall be new materials and shall conform to standard construction grade specifications.

V. ADDITIONAL STRUCTURES

All structures separate from the permanent dwelling, shall meet the following criteria:

- A. Structures from the permanent dwelling shall not be constructed until the permanent dwelling is completed or near (approximately 90%) completed.
- B. Exterior design, materials and color schemes shall match the permanent dwelling per Section IV above.
- C. The structure shall be placed on a concrete slab, concrete or block foundation or other permanent type foundation. No wood foundations will be allowed.
- D. The structure shall be located in accordance with the same front, side and rear setback criteria set forth in paragraph III G above.
- E. Use of metal or plastic prefab structures is not allowed.
- F. Permanent outdoor toilet facilities are prohibited.

VI. FENCING

The Owner of any Lot may fence out sheep, cattle or other livestock on property lines adjoining non-Timber Lakes property at his own expense with written approval from the Association. Any Association approved fencing for this use shall conform to the materials and color regulations contained in Section IV above. However; no fence, wall or similar type barriers of any kind shall be constructed, erected or maintained on any Lot in Timber Lakes. No barbed wire or chain link fence may be used at any time.

VII. TEMPORARY BUILDINGS

“No building of a temporary nature; trailer, camper, recreational type (RV’s) vehicles; or overnight camping shall be permitted to be erected or placed upon the lot without written permission of the Association.” (Declaration of Protective Covenants for Timber Lakes Property Owners Association, Article IV Section 2.)

VIII. MOBILE HOME STRUCTURES

No mobile homes or manufactured homes will be allowed. These types of structures are not conducive to mountain environments and detract from the natural surroundings of the development. Some pre-fab and modular structures may be considered on a case-by-case basis by the Architectural Controls Committee. Such structures must meet County and TLPOA ACR requirements, such as, but not limited to: foundation, pitch requirements, exterior materials, fit through front gate.

IX. DRAINAGE CULVERTS

Drainage ditches are necessary along the side of most Timber Lakes roads. To keep in compliance with County ordinances all driveways requiring drainage across a Timber Lakes road right of way, may require an 18-inch by 20-foot culvert or its equivalent in a squashed culvert. (Contact TLPOA to determine if a

culvert is required). Each lot owner shall be responsible for the maintenance of any culverts where the driveway meets the road.

X. EXCAVATION PERMIT AND BOND

Anyone doing excavation in or near the right of way of any Timber Lakes road must obtain a permit from the Association and place a bond pursuant to the scope of work to be performed, before any such excavation begins. A cash bond or surety bond shall be required prior to excavation anytime the excavation crosses onto the Timber Lakes road right of way.

XI. DRIVEWAY INSTALLATION

To prevent the destruction and contamination of the TLPOA roads during the construction process, PRIOR to any construction or the building of any structure, owners are required to provide a driveway of sufficient length and adequate materials. TLPOA Road Supervisor will evaluate site on a regular basis to make sure driveway is adequate.

XII. PARKING ON TLPOA ROADS PROHIBITED

There is no parking on TLPOA roads for any reason or amount of time so work sites must provide ample parking.

XIII. GEOLOGICAL EVALUATION

Each lot owner shall be responsible for obtaining a Geotechnical Hazard Evaluation, if your lot falls within the State of Utah's defined relative landslide hazard study area. Timber Lakes Estates has many lots, which have been designated in the landslide hazard study area. Check with Wasatch County.

XIV. CONSTRUCTION CLEANUP

Before construction begins, the lot owner is required to provide a Dumpster for construction waste. It is the responsibility of each lot owner to remove all building materials that are not used, or that are being discarded. These building materials must NOT be left at the entrance to Timber Lakes or in the garbage dumpster area. They should be taken to the Wasatch County Garbage Disposal Site. Lot owners may be fined by the TLPOA or the County for construction materials found in the TLPOA dumpster or recycle areas.

XV. PORTABLE TOILETS

Before construction begins the lot, owner is required to provide a portable toilet on the lot for construction crews. The portable toilet must be maintained at all times and on a regular basis. The portable toilet must be removed within 1 month of when the water hookup and septic system are complete.

XVI. ASSESSMENTS

All associated dues and assessments must be current before any plans will be approved.

XVII. ACCESS AND ROADS

There is no guaranteed access for construction vehicles, especially during the winter. Based on the weather, road conditions and safety issues, all or portions of roads in the subdivision may be closed to traffic. Any damage done to any Timber Lake road by a vehicle associated with a lot owners' construction project must be repaired immediately at the expense of the lot owner to the satisfaction of the TLPOA Board of Directors.

XVIII. RIGHT TO DISAPPROVE

The Timber Lakes Property Owners Association Architectural Committee shall have the right to disapprove any plans, specifications, color selections, and details submitted to it in the event, that the same are not in accordance with ALL of the architectural guidelines and regulations set forth in this document and the latest edition of the Declaration of Protective Covenants, Conditions, Restrictions and Management Policies.

XIX. GOVERNMENTAL REQUIREMENTS

All requirements of the Federal, State, and local governing authorities, and the current building code restrictions, as approved by Wasatch County, must be complied with in addition to these regulations.

XX. DISCLAIMER

The Association shall not be responsible in any way for any defects in plans, specifications or details submitted, revised or approved in accordance with the foregoing provisions nor for any structural or other defects in any work done according to such plans and specifications. The Association shall not be responsible in any way for effects of occupancy of the dwelling based on winter conditions, road and utility construction, or other requirements deemed necessary by Wasatch County. Approval of the TLPOA Building Plan Application does not allow the owner to occupy the dwelling prior to Wasatch County's final acceptance and written approval for occupancy. Only Wasatch County can issue a final 'Certificate of Occupancy'.

XXI. ENFORCEMENT

The Association shall have the right to enforce, by any proceedings allowed or in equity, all restrictions, conditions, covenants and management policies and reservations and changes hereafter imposed by the provisions of the Declaration of Protective Covenants and these regulations. The Association shall have the right to charge fines and/or assess the lot owner for any required items based on non-compliance and recover all attorney fees and any court costs associated with enforcement of the regulations. Failure by the Association or by an Owner to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.

XXII. PLAN SUBMITTAL REQUIREMENTS

All Submittals for Plan Approval must include the following:

A. One **complete set of plans** with specifications and details (height and exterior finishes must be present and legible), including **site (plot) survey with topographical, electronic plans**, showing the location of the structure on the lot and required appurtenances, in *Electronic* format that can be emailed to constructionlpoa@gmail.com

*Paper sets of prints will not be accepted. Plans on a drive form may be delivered to the Timber Lakes Property Owners Association office.

B. Any improvements or modifications outside of the property line, and within the Association's right of way, will require prior approval including an Excavation Permit and Bond to be obtained by the property owner.

C. Excavation permits, and associated construction, within the Association's right of way will only be allowed between May 1 and October 15.

D. A **signed TLPOA Plan Approval Application** (See Exhibit 'A') with all information filled out with a black or dark blue pen. If the specification does not apply, please write not applicable or N/A. Do not leave anything blank. Form is to be legible, if it is not it will be returned to you.

E. Owner's Contractor information including telephone numbers, license number, and a complete list of subcontractors.

F. A **plan filing fee of twenty dollars (\$20)** needs to be paid to TLPOA before plans can be submitted.

*Future submissions for additions, alterations, or improvements will also require **plan filing fee.** Credit cards may be taken over the phone or in the office. Checks are accepted in the office made payable to 'Timber Lakes Property Owners Association.'

G. Receipt from posting the Architectural Control Regulation Bond.

H. Receipts from other required or designated fees.