

Dammeron Valley Landowners Association Architectural Guidelines - Rules & Regulations

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FOR: ACADEMY TITLE CO

Preface

To preserve the beauty of the almost 1,000 acres in Dammeron Valley, the owner-developer had the foresight to establish conditions of ownership and provide for a degree of ongoing control by later landowners. This was accomplished largely through two types of legally binding instruments:

Conditions, Covenants and Restrictions ("CC&Rs"):

When the owner-developer first conveyed properties, each title incorporated a set of CC&Rs. Separate CC&Rs were established for each subdivision; they are much alike, but not uniform. Each set of CC&Rs requires membership in the DVLA.

Dammeron Valley Landowners Association ("DVLA"):

The DVLA is structured by Articles of Incorporation and Bylaws. It has a Board and several committees to achieve various purposes. The DVLA's authority and responsibilities include CC&R enforcement. Subject to majority approval, the DVLA may also create additional regulations. The Architectural Guidelines and the Architectural Review Board were created by the DVLA to carry out the purpose of regulating construction within the Valley.

The DVLA Special Service District ("SSD") is a body politic within the DVLA, subordinate to Washington County. Its only present function is to provide sewer services for Pinion Hills.

In addition to restraints on construction, the above legal instruments (the CC&Rs in particular) deal with other matters, such as the levying of dues and restrictions on noise, weeds, unsightly properties and commercial ventures, to name a few. While inconveniences may occasionally result, these regulations provide significant benefits, such as the protection of land values, for all landowners.

The *Guidelines* and *Plan Submittal Format* reflect current DVLA standards to be observed along with other pertinent regulations. Note that County building codes focus on safe construction while the guidelines deal more with appearances and that County zoning regulations are more permissive than those for Dammeron Valley.

Architectural Guidelines

These guidelines largely reflect standards of appearance adopted by the DVLA and are not intended to encompass all regulations imposed by CC&Rs, Washington County or other authorities. Reference to the *Farms* includes *Farms II-A*. Reference to *Pinion Hills* includes *Phase I* and *Phase II*. For *Pinion Hills Phase III*, see special requirements in the CC&Rs.

Primary Use: One site-built, single-family home and authorized accessory structures.

Style: All styles for house and accessory structures are subject to DVLA Board approval. Casual western and ranch styles are preferred. Dome and A-frame styles are not acceptable.

Minimum Size: 1400 sq. ft. or more for single-level homes, exclusive of garage and basement, in all subdivisions, except the *Farms*, which must be 1200 sq. ft. or more (1400 sq. ft. or more recommended). Two-level or split-level homes in all subdivisions must be 1000 sq. ft. or more on the lower level and 500 sq. ft. or more on the upper level.

Maximum Height: 24 ft. in *Pinion Hills* and 35 ft. in all other subdivisions for any structure, including chimneys and flag poles, but excluding ordinary rooftop antennae deemed by the DVLA Board to be at reasonable heights. No building shall exceed 2-1/2 stories in any subdivision.

Materials: The Board intends to provide thoughtful overall treatment in harmony with the surroundings; hence, all exterior materials used on the home and accessory structures are subject to Board approval before breaking ground for construction.

- **Recommended Siding:** Natural solid wood (including log), stucco, brick, adobe and natural stone.
- **Restricted Siding:** T1-11 and other sheet siding may not be used except with other acceptable materials, such as brick or stone, to enhance the overall appearance. Metal and plastic siding may not be used except for minor appearance features, such as gables and soffits. Such combinations must be approved by the Architectural Review Board.
- **Restricted Roofing:** A moratorium was placed on metal roofing at the July 1995 annual meeting until acceptable material for residential homes is available and is judged suitable by the Architectural Review Board and approved by the membership.

Exterior Colors: All colors, for all structures, including roof, window frames, doors, trim and other exterior features are subject to prior approval by the DVLA Board.

- **Recommended:** Natural wood hues and native earth tones including taupe (i.e., warm, subdued colors, mainly in the brown family).
- **Not Acceptable:** White, near-white, black, cool and blue grays, bright colors and tints of bright colors (pastels).

Roof Pitch: At least 50% of the roof area must be pitched on any building in the *Farms, Homesteads* or *Pinion Hills*. This is also the recommended standard for the *Ranches* and *Meadows*. The minimum pitch required in the *Homesteads* is 4 ft. rise to 12 ft. run. The minimum pitch required in the *Farms* and *Pinion Hills*, and recommended in the *Ranches* and *Meadows*, is 5 ft. rise to 12 ft. run. The maximum pitch in any subdivision is 12 ft. to 12 ft.

Garage: Required. Must be enclosed and must be built at the time of home construction and not before. Maximum accommodation, including carport (if any): 3 cars. Minimum size: 12 ft. x 20 ft.

Detached Guest Quarters: Such a dwelling must not include, or be roughed-in for a kitchen or be built or later modified in such a way as to be considered a "second dwelling" by County standards. The DVLA Board may withhold approval if it deems that the facility is oversized or portends the infringement of any regulation. Minimum contiguous floor area: 400 sq. ft.

Fences: When fronting recorded public road easements, fences, if any, must be of new wood with round posts and 2 to 4 pole or split rails, unless they are situated within a U-18 Green Belt.

Within U-18 Green Belts (i.e., land zones along highway U-18 per County plat), fences must be as described above, but with 3 or 4 dowel type pole rails only. Such fencing is required along property lines fronting U-18 and must be built within one year of lot purchase from Dammeron Corporation.

Elsewhere, fencing must be regarded as compatible by the DVLA Board. Chain link fencing is not acceptable. Wood post and rail fences, including those within U-18 Green Belts or fronting public roads, may be lined with "horse fence" or "V-mesh", if desired. In the *Ranches, Meadows* or *Homesteads*, except within U-18 Green Belts, barbed wire may be used in conjunction with wood posts and rails to restrain large animals, if need, location and design are established to the satisfaction of the DVLA Board.

Setbacks: An above ground structure, other than fencing, deemed permanent by the County or DVLA Board, must not be placed within an established easement. Such a structure must be set back from all property lines a minimum of 10 ft. in the *Farms*, 15 ft. in *Pinion Hills*, or 30 ft. in the *Ranches, Meadows* or *Homesteads*, but no closer to recorded public road easements than 30 ft. (50 ft. recommended) in the *Ranches* or *Meadows*, or 50 ft. in any other subdivision. Overriding covenants prohibit structures other than fencing and underground utilities within U-18 Green Belts.

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In addition, *animal shelters* for other than bona fide household pets must be both:

- 75 ft. or more from all dwellings and potential neighboring dwelling sites and
- 100 ft. or more from the front of a lot in the *Homesteads*, or in the rear 1/3 of a lot, excluding U-18 Green Belt portion (if any), in any other subdivision.

NOTE: Because of lot size or configuration, some lots may not accommodate animal shelters.

Driveways and propane tanks must be 10 ft. or more from neighboring lots. Egress is not permitted from a residential lot to U-18. An allowance of 10 ft. or more between above ground structures is recommended for clearance of fire trucks. *Before planning, lot owners should seek information from the County regarding unrecorded easements that may exist along their property lines.*

Buried Services: Lines connecting water, power, sewer, telephone and similar services must be underground. Private septic systems are not allowed in *Pinion Hills*; consequently, lot owners there should exercise caution when planning, to assure sites and designs that will enable flow into the waste system provided by the DVLA SSD.

Natural Flora: Shall not be removed without restoration or replacement with roads, buildings, landscaping and the like in a reasonably prompt manner to the satisfaction of the DVLA Board.

Earth Removal: Except as necessary during approved construction, the soil shall not be disturbed without DVLA Board authorization.

Landscaping: A cash bond is required for the planting of five 15-gallon size trees near the home. This requirement may be waived if the DVLA Board deems the lot already sufficiently wooded.

Construction Period: Temporary living quarters (e.g., mobile home, camper, etc.) on the lot are prohibited unless authorized by the County and the DVLA Board. Authorization may not exceed a period of one year and may only be issued while a permanent home is being constructed. Any project undertaken must be completed within one year after placement of temporary housing or the commencement of construction, whichever is earlier. Adequate toilet facilities must be on site during construction. Proper containers must be provided on site for construction debris. Burning of debris is subject to DVLA Fire Department approval.

The lot owner must advise construction workers of all relevant Architectural Guidelines, CC&Rs and other Dammeron Valley regulations, including those covering unnecessary noise (e.g., loud radio), speed limits and other matters of decorum.

Signs: No sign shall be displayed in public view except any or all of the following: (1) one sign, not to exceed 1 sq. ft., advertising professional service by resident; (2) one sign, not to exceed 5 sq. ft., advertising sale or rent by or for owner; (3) builder advertisements, totaling 5 sq. ft. or less, during the period of construction.

Changes And Additions that relate to any matter encompassed within the CC&Rs or Architectural Guidelines require DVLA Board approval before they are implemented.

This applies equally to any project undertaken after approval of original plans, including animal shelter and fence construction, flag pole installation, and repainting exterior of home or outbuildings, whether or not a County building permit is required. Projects not begun within one year of DVLA Board approval date must be resubmitted to the Architectural Review Board.



The past absence of any guideline, issuance of any variance, inconsistency in judgment or failure to enforce does not constitute grounds for disregarding any present guideline or applicable CC&R.



Format For Submitting Building Plans

Within 30 days of fulfilling the following requisites, plans will be adjudged for compliance with CC&Rs and Architectural Guidelines and a response issued by the DVLA Board. Approval, indicated by Board signatures on the plans, must be obtained before seeking building permits from the County.

Submit Three Sets of Plans to the DVLA Architectural Review Board. (If approved, one set will be retained by the DVLA, the other two returned to the owner; one for submittal to the County Building Dept., and one to be retained at the building site during construction).

Plans must include signed Owner's Project Summary Form & Owner's Statement of Compliance Form:

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Scale: 1" = 30'. Show property lines and adjacent recorded public road easements. Any established easement and any U-18 Green Belt area within lot boundaries must also be shown.

Indicate planned private roads and above ground structures and show applicable setbacks. Identify type of structure (e.g., house, garage, animal shelter, fence, propane tank, etc.). Show location of mandatory trees.

Floor Plan: Scale: 1/4" = 1'. North indicated. Required for each roofed structure. Include adjoining appurtenances, delineate kitchen appliances and provide rough plumbing and wiring information. Indicate total square footage per level for each structure. Where applicable, subtotal living and non-living areas separately. Show garage dimensions.

Elevation Drawings: Scale: 1/4" = 1'. Four views are required: front, rear (180° from the front) and opposite side views (90° and 270° from front) for each planned above ground structure. This requirement may be waived by the DVLA Board for a structure that does not exceed 12 ft. in width, length or height and for a structure that is largely two-dimensional (e.g., fence) if otherwise acceptably presented.

Key exterior elements (e.g., siding, roof, chimney, etc.) must be rendered in sufficient detail and accompanied by clear descriptions of materials, colors and textures.

Descriptions for wood must disclose form, nominal measurements, common species name, finish to be applied and other pertinent data (e.g., solid 1" x 8" ship lapped western red cedar installed rough side out with clear finish).

Color Samples: Submit with plans (refer to exterior color section), accurate color samples (except clear) for the exterior features of each structure. Samples required for buildings must include all relevant features, such as roof, siding, trim, window frames, entry doors, garage doors, gable vents, soffits, gutters, etc. Furnish actual material samples on pre-finished products (e.g., brick, roofing, etc.). Samples of materials to be given a finish coat, such as wood or stucco, are helpful, but may not be essential if related material descriptions and color samples truly reflect final appearance.

FEES:

Fees change periodically, Be sure to check with the DVLA secretary for current fees. Remit prior to, or when submitting plans, the following amounts payable to: **Dammeron Valley Landowners Association**

(a) **\$2,280 minimum amount** due with submission of plans for new home construction.

(b) Other plan review fees may be required for exterior changes to existing homes, (ie: repainting, room additions), detached buildings (ie: animal shelters, work shops, garages, storage shed etc.).

DVLA membership dues must be paid current (See Bylaw Seven, Section 3).

Fee Schedule:

\$2,000 Performance Bond: Refund will only be made when roof and exterior of home are completed, per owner's signed project summary form. Approval is required by the ARB. Owner/Builder to contact ARB for inspection.

\$280 Plan Review Fee: To be retained by the DVLA to cover Building Plan and Architect Review Expenses. (No refund).

\$100 Cash Bond if home will be occupied by the owner: \$100 Cash Bond, if required for tree plantings. Will not be refunded if owner has not met requirement within two years of commencement of construction.

Or

\$300 Cash Bond if home will not be occupied by the owner: \$300 Cash Bond, if required for tree plantings. Will not be refunded if owner/builder has not met the requirement before selling. Will be refunded to new owner if trees are planted within one year of purchase.

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The foregoing notice is for public information and should any person having any questions concerning the above which are not addressed in this document, they should contact the Dammeron Valley Landowners Association for further clarification.

DATED THIS 3rd day of ~~February~~^{March}, 1997.

DAMMERON VALLEY LANDOWNERS
ASSOCIATION

BY: *Johnna Evans*

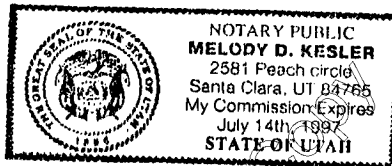
JOHNNA EVANS

STATE OF UTAH)
) SS
County of Washington)

On the 3rd day of ~~February~~^{March}, 1997, personally appeared before me JOHNNA EVANS, who being by me duly sworn, says that she is the Secretary/Treasurer of DAMMERON VALLEY LANDOWNERS ASSOCIATION, the corporation that executed the above and foregoing instrument and that said instrument was signed in behalf of said corporation by authority of its by-laws (or by authority of a resolution of its board of directors) and said JOHNNA EVANS acknowledged to me that said corporation executed the same.

Melody D. Kesler
Notary Public residing at:

My Commission expires: 7-14-97



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All of Lots 1 - 42, DAMMERON VALLEY FARMS SUBDIVISION, according to the Official Plat thereof on file in the Office of the Recorder of Washington County, Utah.

All of Lots 43 -53, DAMMERON VALLEY FARMS II-A SUBDIVISION, according to the Official Plat thereof on file in the Office of the Recorder of Washington County, Utah.

All of Lots 1 - 73, DAMMERON VALLEY HOMESTEADS SUBDIVISION, according to the Official Plat thereof on file in the Office of the Recorder of Washington County, Utah.

All of Lots 1 - 43, DAMMERON VALLEY MEADOWS SUBDIVISION, according to the Official Plat thereof on file in the Office of the Recorder of Washington County, Utah.

All of Lots 1 - 17, DAMMERON VALLEY OLD FARM SUBDIVISION PHASE 1, according to the Official Plat thereof on file in the Office of the Recorder of Washington County, Utah.

All of Lots 1 - 28, DAMMERON VALLEY RANCHES SUBDIVISION, according to the Official Plat thereof on file in the Office of the Recorder of Washington County, Utah.

All of Lots 1 - 21, PINION HILLS PHASE I AMENDED, according to the Official Plat thereof on file in the Office of the Recorder of Washington County, Utah.

All of Lots 22-36, PINION HILLS PHASE 2, according to the Official Plat thereof on file in the Office of the Recorder of Washington County, Utah.

All of Lots 37 - 65, PINION HILLS PHASE 3, according to the Official Plat thereof on file in the Office of the Recorder of Washington County, Utah.

Also: BEGINNING at a point on the easterly line of Homestead Drive, which point is North 1960.00 feet along the Section line to the Southeast corner of Dammeron Valley Farms Subdivision and West 736.00 feet to the easterly line of said road and the Southwest corner of Lot 1, and South 190.00 feet from the Southeast corner of Section 17, Township 40 South, Range 16 West, Salt Lake Base and Meridian, running thence South 434.65 feet along the easterly line of Homestead Drive; thence N. 88°51' E. 289.329 feet; thence N. 35°24'19" E. 303.629 feet; thence North 181.36 feet; thence West 465.179 feet to the easterly line of said road and the point of beginning.

Also: BEGINNING at the Southeast corner of Section 17, Township 40 South, Range 16 West, Salt Lake Base and Meridian, running thence North 1960.00 feet along the Section line to the southeast corner of Dammeron Valley Farms Subdivision, thence West 480.00 feet along the south line of said subdivision to the southeast corner of Lot 1 of said subdivision, thence South 190.00 feet, thence East 209.179 feet, thence South 181.36 feet, thence S 35°24'19" W. 303.629 feet, thence S 88°51' W 289.329 feet to the east line of Homestead Drive, thence South 337.47 feet along the easterly line of Homestead Drive and to the north line of Dammeron Valley Farms Unit 11-A, thence east 1.00 foot along the northerly line of Dammeron Valley Farms Unit 11-A to the easterly line of Homestead Drive, thence South 993.81 feet along the easterly line of Dammeron Valley Farms Unit 11-A and the projection of the easterly line to the South line of said section 17, thence S 89°41' E 735.00 feet along the south line of section 17 to the point of beginning. Cont. 27.866 ac.

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Also: BEGINNING at the Southwest corner of Lot 1, DAMMERON VALLEY FARMS, and the east line of Homestead Drive, which point is North 1960.00 feet along the Section Line to the Southeast corner of said Subdivision and West 736.00 feet along the South line of Dammeron Valley Farms Subdivision from the Southeast corner of Section 17, Township 40 South, Range 16 West, Salt Lake Base and Meridian, running thence South 190.0 feet along the east line of said road thence East 471.00 feet, thence North 190.0 feet to the South line of said Subdivision, thence West along the South line of said Subdivision 471.0 feet to the point of beginning. Containing 2.05 acres

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