



ARCHITECTURAL CONTROLS

FOR

STAGECOACH ESTATES LOT OWNERS ASSOCIATION

ADOPTED MARCH 30, 2011

(Replaces Architectural Controls dated February dated February 26, 2009)
(Updated April 23, 2015 – Bitner Ranch Road Lawsuit Settlement)

Stagecoach Estates Board of Directors has established this Architectural Controls document to assist, mentor and provide guidance to the Lot Owner throughout all aspects of the construction project be it a new home or a remodel of an existing structure. The Architectural Committee is committed to serving as a resource to each Lot Owner. In order to assist the Lot Owner, all land development and construction requirements found in The Association's Protective Covenants and Bylaws are integrated into the Architectural Controls document.

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Fees

Performance Deposit

A Performance Deposit of \$.50 per square foot of construction with a minimum fee of \$2,000 shall be made to the SELOA prior to beginning construction. Square footage is considered to include basements, attics that contain livable space and garages. The performance deposit will be returned to the Lot Owner upon satisfactory completion of the construction, with a culvert at the base of the driveway (as necessary), and receipt of the Occupancy Certificate to the ACC (if applicable). If the construction requires the installation of a culvert or major driveway improvements, the performance deposit will be returned in the Spring following the completion of the construction in order to evaluate and address any snow/water runoff issues. Check is made out to Stagecoach Estates Lot Owners Association. For additional information, see 4.2 Protection of Stagecoach Subdivision and Restoration of Property, page 11.

The Performance Deposit is waived for site improvements that do not increase the overall square footage of a dwelling, garage, or barn.

5.2 Exterior Remodeling or Site Modification: Please refer to Section 5, page 14 for information wanting to make site improvement or modifications and/or engage in construction projects to existing structures.

Impact Fee

A Construction Impact Fee will be charged to the Lot Owner under the authority of the SELOA Board. No portion of the impact fee is refundable. The full impact fee is based on square footage (Square footage is considered to include basements, attics that contain livable space and garages.) and must be paid prior to receiving approval. The impact fee schedule is based on total construction square footage. Base fee for any home or improvement up to 3500 square feet is \$2000. Homes larger than 3500 square feet will be charged \$.50 per square foot for each square foot beyond 3500 square feet. Check is made out to Stagecoach Estates Lot Owners Association.

Construction projects impact Stagecoach property more than any other Stagecoach Subdivision activity. Construction Impact Fees go into the SELOA general funds and are allocated by the Board of Directors to mitigate road conditions/problems caused by construction machinery, delivery trucks and other vehicles associated with the construction project.

Bitner Ranch Road Impact Fee

A Construction Impact Fee will be charged to the Lot Owner as a special assessment of \$1,500 for each Summit County permit for construction of a new home or a home re-build on a lot within Stagecoach Estates. This impact fee is intended to cover the anticipated damage caused by the heavy vehicles and increased volume of traffic associated with the construction process. No portion of the impact fee is refundable.

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Design Philosophy

Stagecoach Estates is fortunate to have some of the most beautiful land in Park City. It consists of more than 1,000 acres with just over 100 Lots. The low density and varied terrain and vegetation create a unique challenge for Owners, architects, and builders to develop the home so as to blend in with and maintain the beautiful environment we have. The mission of the Architectural Controls Committee (ACC) is to ensure that all participants are made aware of these goals. The following guidelines have been created to help our residents share in this philosophy. Please study them and follow the procedures outlined. We are available to participate in the process along the way to make it easier and ensure a successful outcome.

1. Pre-Construction Meeting

The **Pre-Construction Meeting** is the first step in the process. This meeting may include the following participants: Lot Owner, architect, contractor(s), engineer, and one or more members of the ACC. The primary purpose of the meeting is for the attendees to present their ideas and discuss the natural characteristics of the Lot with ACC representative(s). This meeting includes, but is not limited to, a review and discussion of:

- Construction Purpose and Ideas
- Architectural Controls
- Site Discussion and Analysis
- Driveway Configuration
- Road and Utility Easement Issues
- Questions related to the Architectural Controls process

2. Site Planning

The climate, terrain and landscape in Stagecoach Estates are all important factors that require consideration in the design of any improvements to properties within the community. It is the intent of the following to ensure environmentally sound and aesthetically pleasing development in Stagecoach Estates for the mutual benefit and enjoyment of all its Owners. All “County” references contained in this document means the County, either Morgan or Summit, in which the Lot is located.

2.1 Site Analysis

Site planning for individual Lot improvements in Stagecoach Estates relies heavily on site analysis. The analysis is a method to evaluate the existing conditions on or near the Lot through the use of a topographic survey prepared by a registered Civil Engineer or a licensed Land Surveyor and on-site verification by the Architect and/or lot owner. The location and design of proposed structures must relate to existing terrain and preserve the natural features of the site. All structures on the Lot are to be constructed within an agreed upon one (1) acre of the Lot. In order to maintain sensitivity to the natural Lot surroundings and the enhancement of the Stagecoach Estates subdivision, the site planning and architectural design process will take into account:

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- grade changes and slope,
- soil samples,
- orientation of the proposed improvements,
- impact on view corridors of adjacent neighbors,
- impact on rights-of way, and
- impact on ridgelines.

When appropriate, Lot Owners are encouraged to share driveway access. Sharing driveways reduces the environmental impact on the Stagecoach Estates subdivision. A design that grows from the findings of a thorough Site Analysis helps to shape a building that is sensitive to its natural surroundings and will enhance the community.

The Site Analysis is used at the Pre-Design Conference to aid in the establishment of the home location on the site. At a minimum, the following items are to be identified and sketched onto a copy of the survey so design opportunities and design constraints can be discussed.

- Topography and landform
- Aspect and orientation
- Property boundaries
- Required setbacks from all boundaries
- Location of utilities serving the site
- Driveway design including entrance impact on Stagecoach Estates road
- Fire prevention - defensible space, green zone, decks

The opportunities and constraints identified in the Site Analysis should be used as determinants in the design and development stages of the Lot.

2.2 The Building Envelope Location

Other than the driveway, the construction impact area shall be contained within one (1) acre of the Lot and is that portion of each Lot within which all improvements, including structures, decks, walks, landscape improvements, grading, drainage swales, parking, garage back up area, and all mechanical equipment are to be located, and is the only area of the Lot where alterations of or disturbance to, the natural landscape may occur. Alterations and disturbance is also permitted between a Stagecoach Estates road and the residence/building envelope, i.e. the driveway.

A Building Envelope may be adjusted by authorization from the ACC, but only for the purpose of integrating the house and other structures more congruently with the natural contours of the site or other appropriate issues as determined by the ACC.

2.3 Site Work

Due to the terrain, the ACC may approve excavation and/or fill on altered house sites. Lot Owners are strongly encouraged to retain as much of the natural vegetation as possible. Lot Owners are required by Summit County building requirements to re-vegetate all disturbed property. Both the County and Stagecoach Estates have responsibility to certify in writing that re-vegetation has been completed according to County Building Code.

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2.4 Grading, Excavation and Drainage

Grading and/or excavation, including driveways, require written authorization by the ACC after the Pre-Construction Meeting has been completed. Grading near the setbacks may not result in abrupt transitions to adjacent Lots or roads.

Soil samples shall be collected around and within the Building Envelope to ensure that proper grading and drainage techniques are used. Exceptions to this requirement may be permitted by the ACC on a case-by-case basis.

Except for driveway access, erosion control, special landscape conditions, or utilities, no other grading is allowed outside the Building Envelope of any Lot.

Site grading and drainage must occur with minimum disruption to the Lot without altering natural drainage patterns and without creating conditions that could lead to soil erosion or Stagecoach Estates road erosion. Re-routing of a drainage feature may be permitted by the ACC on a case-by-case basis. Surface drainage upon and across any Lot is to be addressed through the implementation of sound construction grading practices. Any improvement that creates an obstruction to surface flow, snowmelt, or groundwater discharge resulting in water flow onto a neighboring Lot or to a Stagecoach Estates road is strictly prohibited. All ground floor levels should be established at a vertical elevation such that the final placement of backfill, walks, drives, porches, etc. will produce a positive drainage away from the structure in all directions. Cut and fill slopes may have a maximum ratio of 2 to 1 horizontal to vertical unless supported by a specifically approved engineered retaining wall. Some special soil conditions may require a shallower slope such as a 4 to 1.

It is crucial to minimize cut and fill necessary for the construction of a home. Excess fill may not be left on a Lot after construction is completed and must be disposed of outside of Stagecoach Estates or graded and replanted on site. All cut and fill areas must be re-vegetated.

2.5 Driveway Access and Entrance

Each Lot is to be accessed by a single driveway unless an exception is approved by the ACC. The access point should be determined in the pre-design conference and approved by the ACC. All driveways must meet the County Ordinances that govern driveways.

If there is a ditch along the edge of the road, there shall be an 18 inch culvert or larger under the driveway with a catch basin on the uphill side. Ditches along one or both sides of the driveway shall direct water into the catch basin or the downhill ditch beside the road. A gutter (a slightly depressed area across the end of the driveway where the driveway intersects with the road) shall be constructed to divert the road and driveway runoff water away from the road into the ditch on the downhill side of the driveway. Culvert and gutter shall be shown on site plan.

2.6 Utilities and Utility Installation Fees

The extension of all utility services from the Stagecoach Estates road to the residence and the fees associated with each utility shall be the responsibility of the Lot Owner and shall be routed up the driveway or adjacent to the driveway to minimize disruption to the natural landscape unless otherwise approved by the ACC. Utility installation shall meet all County, State, and respective utility codes. All disturbed areas of the site are to be restored to their native condition as nearly as possible. Information regarding connection procedures may be obtained by contacting the respective utility

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companies.

Electrical transformer boxes and other utility structures should not be placed on a road or driveway so as to not interfere with traffic, snow management vehicles, or other Stagecoach Estates traffic, and the location shall be approved by the ACC.

If possible, propane tanks should be buried to reduce potential fire danger. If the tanks are not buried, they shall be incorporated into the site and building envelope so the tank is hidden from view by a fence, screen, landscaping or other method. Propane tanks should not be located near flammable materials.

All utilities must be placed underground.

Location of solar panels, wind generators, and similar construction applications that might impact an adjacent Lot Owner must be approved by the ACC.

2.7 Construction Signage and Address Identification

A contractor sign must be located at the entrance to each improvement project throughout the construction process. The sign shall include: Lot Owner name, Lot number, Lot address, contractor company name with contact information, and the County permit number. The construction sign shall be placed at the driveway entrance. No other signage is permitted unless approved by the ACC. It is the responsibility of the Lot Owner and the contractor to ensure compliance. The sign should be neatly done in a professional manner.

2.8 Lot Restrictions

- 2.8.1 No Lot shall be used except for residential or agriculture purposes. No building shall be erected, altered, placed or permitted to remain on any Lot, other than one detached, single-family dwelling, a private garage and a barn.
- 2.8.2 A perpetual Easement and Right of Way is reserved and granted in each Lot for the use and benefit of each other in Stagecoach Estates Subdivision and for the use and benefit of all Lots collectively for the installation, maintenance, repair and placement of utilities of every nature, drainage facilities, water lines and storage of water.
- 2.8.3 No residential structure shall be built on a Lot of less than seven acres per residential structure; all conditions are subject to zoning ordinances, rules and regulations of the County.
- 2.8.4 The minimum Lot or parcel site of properties shall be as they are on record with the official plats in the County Recorders office. No Lot Owner shall re-subdivide Owner's Lot or Lots.
- 2.8.5 One (1) driveway per Lot unless an exception is approved by the ACC.
- 2.8.6 No building, garage, barn, or structure of any other kind shall be located on a Lot nearer to the front line than 70 feet there-from, measured to the foundation of such building; nor nearer than 60 feet to the rear Lot line; nor nearer than 60 feet to a side Lot line. The "front line" is the line of the Lot that provides driveway access from a Stagecoach Estates road.
- 2.8.7 No structures of a temporary nature, basement house, RV, tent, shack, garage, barn or

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other out-building shall be used at any time as a residence, either temporarily or permanently.

- 2.8.8 No animals, livestock or poultry of any kind shall be raised, bred, or kept on any lot, or maintained for any commercial purpose, except that dogs, cats or other household pets may be kept, including two horses, on the premises as long as said animals are secured so that said animals will in no way trespass on any other property.
- 2.8.9 No old or second-hand structures shall be moved onto any of said Lots, it being the intention that all dwellings and other buildings to be erected within the subdivision, shall be constructed of good quality, workmanship and materials.
- 2.8.10 To minimize light pollution, all outside lighting should point directly downward and be approved by the ACC.

2.9 Free Standing Barns, Storage or Garage Buildings

Barns, Storage, Garage Buildings and other outbuildings may be constructed provided they are in keeping architecturally with the main residence and are subject to ACC approval and any other required governmental authorities. All construction of this nature shall be inside the Building Envelope boundaries unless a variance is approved by the ACC. All construction of this nature must conform to County building codes and Lot Owners must secure a building permit prior to construction. County officials and the ACC shall inspect and approve building structures prior to use. All construction of this nature is subject to the same requirements as outlined in 2.3 Site Work and 2.4 Grading, Excavation and Drainage. All construction shall be constructed of good quality workmanship and materials.

Barns, storage and garage buildings may not include apartments, kitchens, full size bathrooms or other amenities that would enable it to become a second residence on the Lot.

Garages, either attached or detached, shall, in general, accommodate two automobiles; carports are prohibited unless otherwise approved by the ACC. Garage structures need to relate to the remainder of the house's design elements.

2.10 Fire Pit and Fire

Within Stagecoach Estates property no open fires or fireworks are allowed at any time.

Permitted outside fires must conform with "Recreational Site Fire Pit Standards" as recognized by the Forest Service, State Lands, BLM & County. Stagecoach Estates permits both in-ground fire pits and manufactured fire pits. Both shall have a 15-foot vegetation clearance around the pit, with no overhanging branches or building in the clearance area. Manicured lawn grass (well kept) may be accepted. All fire pits must have a screen over the top with no openings over ¼ inch.

The in-ground fire pit shall have a steel ring around the pit, which is buried 12" to 15" below ground level with concrete, sand or soil base. The manufactured fire pit must be placed on a noncombustible surface and have a screen designed for that particular fire pit.

2.11 Site Planning Variances

Stagecoach Estates has unique topography and environmental issues that must be taken into

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consideration when developing a site plan; therefore, the ACC reserves the right to grant variances to the site plan if the variance is in the best interest of Stagecoach Estates topography, the environment and Lot Owner.

3. Architectural Design

The goal of architectural design is to create structures that complement the dominant beauty of Stagecoach Estates mountain setting and, to the degree possible, minimize the impact on the natural terrain of the community. Rather than prescribing a specific formula, the architectural controls are intended to foster a thoughtful and comprehensive approach to creating a mountain living community environment that complements our mountain climate, setting, and topography. The architectural design of structures and other outdoor spaces inside the building envelope are encouraged to be complimentary. As part of the architectural design process, the use of neutral colors for all materials, effective scaling of structures, consideration of neighboring Lot impact, and protecting the natural terrain are expected. Designing structures to “tuck” into the landscape is particularly desirable.

3.1 Single-Family Dwelling Controls

- 3.1.1 No building, garage, barn or structure of any other kind shall be located on a Lot nearer to the front line than 70 feet there-from, measured to the foundation of such building; nor nearer than 60 feet to the rear Lot line; nor nearer than 60 feet to a side Lot line. The “front line” is the line of the Lot that provides driveway access from a Stagecoach Estates road.
- 3.1.2 One single-family dwelling per Lot.
- 3.1.3 No single-family dwelling constructed, erected or maintained on any Lot shall be less than 500 square feet of living area on the main floor.
- 3.1.4 No single-family dwelling shall be larger than 10,000 square feet. Structures larger than this are considered to have a negative impact on the natural terrain and environment of Stagecoach Estates. Square footage is considered to include basements, attics that contain livable space and garages.
- 3.1.5 All construction work must conform to County ordinances and codes.
- 3.1.6 All County height requirements shall be adhered to for all buildings on the building envelope.
- 3.1.7 All construction shall be completed using good quality workmanship and materials.
- 3.1.8 All County codes and Fire Department suppression requirements must be met.
- 3.1.9 The architectural design can include either structures or landscaped parking/storage spaces for trailers, tractors, snowmobiles, ATVs, and similar vehicles. These types of “extra” vehicles should not be visible from the road or to a neighbor. If the spaces are landscaped parking/storage spaces, they shall be incorporated into the site and building envelope so the parking/storage space is hidden from view by a fence, screen, natural vegetation, a combination of those listed, or some other similar method.
- 3.1.10 No fence, wall or swimming pool or other construction shall be erected, placed or altered

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on any Lot without approval of the ACC.

- 3.1.11 Structures that are assembled off-site and completely disassembled for transportation, including log structures or custom designed modular buildings, may be permitted. The aesthetic merits of any such structures are subject to review and approval by the ACC.
- 3.1.12 Due to the extreme fire danger often present in this mountain region, all chimneys must be equipped with a U.L. or I.C.B.O. approved spark arrestor. Spark arrestors must be fully concealed by the use of a chimney cap detail. The ACC must approve permanently installed barbecues. Also as a means to reduce potential fires, it is recommended that metal roofing or other fire retardant roofing materials be used on all structures. To further reduce fire potential, lightning arrestors are recommended.
- 3.1.13 The color of exterior materials should blend with the natural landscape. Earth tones are recommended, although accent colors that are used judiciously may be permitted. It is the intent of Stagecoach Estates to preserve the appearance of the natural landscape and preclude the use of colors that are incongruent with the natural mountain environment.
- 3.1.14 All building projections are to be contained within the Building Envelope.
- 3.1.15 Garage doors shall relate to the remainder of the house's design elements.
- 3.1.16 Passive solar design is encouraged.

3.2 Neighbor Review

In the spirit of cooperation and as a courtesy, site plans should be reviewed by Lot Owners that own a Lot contiguous to the constructing Lot, that are along the same side of a Stagecoach Estates road(s), and that have already built a dwelling (i.e., "neighbors"). The ACC will be responsible to determine which Lot Owners meet this definition and to make the necessary introductions. Neighbors will have ten (10) days to review the plans and to make suggestions to the ACC for the site and plan. It is expressly understood that this process is instituted to engender neighborly cooperation. The Lot Owner and the ACC may or may not include any of the suggestions made by the Neighbors into the final site plan. However, given that the Neighbors have built in the area and have desires to retain the character of the area, their suggestions and feedback will be given due weight and consideration.

3.3 Complaints

It is understood that the Lot Owners near the site may experience some hardships relating to the construction including, but not limited to, noise, additional traffic, light, inadvertent debris, visual unsightliness, loss of wildlife, etc. Please be aware of these issues and do what you can to mitigate them as much as possible. If the Lot Owner, the ACC, or The Board receives complaints, it shall be the responsibility of the Lot Owner to reasonably address the complaint. In the event that an issue has not been addressed to the satisfaction of the ACC, the ACC will specify, in writing, the action that needs to be taken by the Lot Owner to address the complaint. If complaints remain unaddressed, the Lot Owner may, at the discretion of the ACC, forfeit the performance deposit described in 4.2.2.

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4. Construction Site and Process Controls

In order to ensure that the natural area of each Lot is preserved to the maximum extent possible and the nuisances inherent to any construction process are kept to a minimum, the following controls shall be enforced during the construction period of all improvements. The Lot Owner shall be responsible for violations of the Architectural Controls.

4.1 Building Envelope and Fencing Control

The Building Envelope, which is the limit of development on each Lot, is also the area within which all construction activities related to the improvements are to be confined. The approved area of disturbance must be staked and fenced during the full duration of construction.

4.2 Protection of Stagecoach Subdivision and Restoration of Property

Each Owner shall be responsible for the protection of all subdivision improvements, roadways, common areas, or improvements of any other Lot which may be damaged by the activities of such Lot Owner's contractor, subcontractor, agents, or employees. The Lot Owner will be responsible for:

- 4.2.1 Cleaning the construction site and repairing all property, including adjacent properties, which have been damaged or negatively altered as a result of negligence by construction workers. This includes restoring grades, and repair of roads, driveways, drains, culverts, ditches, signs, fencing, gates, as well as the removal of trash that may have been blown or placed on adjacent properties.
- 4.2.2 A Performance Deposit of \$.50 per square foot of construction with a minimum fee of \$2,000 shall be made to the SELOA prior to beginning construction. The performance deposit will be returned to the Lot Owner upon satisfactory completion of the construction, with a culvert at the base of the driveway (as necessary), and receipt of the Occupancy Certificate to the ACC (if applicable). If the construction requires the installation of a culvert or major driveway improvements, the performance deposit will be returned in the Spring following the completion of the construction in order to evaluate and address any snow/water runoff issues. Check is made out to Stagecoach Estates Lot Owners Association.
- 4.2.3 The Performance Deposit is waived for site improvements that do not increase the overall square footage of a dwelling, garage, or barn. The Impact Fee may be waived.
- 4.2.4 Due to potential damage to Stagecoach Estates roads, it is recommended that no heavy equipment be on the roads during the mud or rainy seasons.

4.3 Construction Site Plan and Construction Trailers

As part of the Final Submission of construction plans, a site plan must be prepared and approved which indicates construction access, parking areas off of Stagecoach Estates roads and common areas, construction trailer or portable field office, sanitary facilities, concrete wash out areas, trash dumpster(s) and drum(s), material storage, and approved access drives for construction activities on the Lot. To the degree possible, these items are to be contained within the Building Envelope.

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Provision of temporary power or other necessary utilities shall be established within the Building Envelope. The ACC may grant a variance to this control if it is in the best interest of Stagecoach Estates and deemed necessary for the construction project.

4.4 Management of Construction Trash Receptacles and Debris

During the construction period, each construction site shall be kept neat and shall be properly policed to prevent it from becoming a public eyesore or detriment to other Lots or open space.

- 4.4.1 Owners and builders shall clean up all trash and debris at the end of each day.
- 4.4.2 Trash receptacle must remain on the site at all times and be emptied on a timely basis.
- 4.4.3 Owners and builders are prohibited from dumping, burying, or burning trash anywhere on the Lot or in Stagecoach Estates.
- 4.4.4 Concrete washout, from both trucks and mixers, must occur within a designated area where ultimately it will be concealed by a structure, covered by backfill, or hauled away. Concrete washout in road rights-of-way, setbacks or on adjacent properties is strictly prohibited.
- 4.4.5 Dirt, mud, or debris resulting from activity on the construction site shall be promptly removed from roads, right of ways, open spaces and driveways or other portions of Stagecoach Estates.
- 4.4.6 No construction debris of any nature shall be placed in Stagecoach Estates dumpsters.

4.5 Vehicles and Parking Areas

All construction vehicles shall be parked within the Building Envelope or on the Lot driveway unless other parking areas have been approved by the ACC. During very busy construction periods involving multiple trades such that all construction vehicles cannot be confined to the site proper, the overflow vehicles may be temporarily parked along the roadway in safe locations for brief time periods as approved by the ACC. Where parking on the shoulder occurs, all damage to the shoulder and landscape must be repaired continually by the contractor and not left to the end of construction. Vehicles may not be parked on neighboring Lots, in nearby driveways or on open space. At all times, Stagecoach Estates roads must allow continual unconstrained access by normal traffic and emergency vehicles.

4.6 Erosion Control

During construction, measures must be taken to eliminate erosion. All measures utilized must comply with County ordinances.

4.7 Excavation Materials and Blasting

If any blasting is to occur, the ACC must be notified two weeks in advance and appropriate approvals must be obtained from the County. Licensed demolition personnel may only do blasting with all requisite insurance coverage as mandated by County and State statutes specific to the blasting activity. All appropriate protection measures shall be taken.

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4.8 Material Deliveries

All building materials, equipment and machinery required to construct a residence on any Stagecoach Estates Lot must be delivered to and remain within the Building Envelope, clear of all setbacks. This includes all building materials, earth-moving equipment, trailers, generators, mixers, cranes and any other equipment or machinery that will remain in Stagecoach Estates overnight. The ACC may grant a temporary variance to this control if it is in the best interest of Stagecoach Estates and deemed necessary for completion of the construction project.

4.9 Hunting and Firearms

The discharge of any firearm on any construction site, Lot, or right-of-way at Stagecoach Estates is prohibited.

In accordance with County Ordinances, NO HUNTING will be permitted in Stagecoach or within 500 feet of the Stagecoach Estates boundaries.

4.10 Fires and Flammable Materials

Careless disposition of cigarettes and other flammable materials, as well as the build-up of potentially flammable materials constituting a fire hazard (e.g., paint, rags), is prohibited. At least two 20-pound ABC-Rated Dry Chemical Fire Extinguishers shall be present and available in a conspicuous place on the construction site at all times.

4.11 Construction Signage

Temporary construction signs shall be limited to one per site. The sign is intended for job site identification only and shall include the following: Lot Owner name, Lot number, Lot address, contractor company name with contact information, and the County permit number. The construction sign shall be placed at the driveway entrance and shall be constructed in a professional manner.

4.12 Site Visitations

Due to the inherent danger associated with an active construction site, visitors to any site should be limited to those persons with official business relating to the construction activity, such as construction workers and tradesmen, building officials, security staff, ACC observers, and the Owner.

4.13 Construction Insurance Requirements

All contractors should have comprehensive general liability insurance and workman's compensation insurance prior to start of construction.

5. Site Improvement and Construction Approval Procedures

Stagecoach Estates has established the following review procedure to assist the Lot Owner through the construction approval process. Site improvement, new construction, and/or a substantial remodel may not take place prior to approval by the ACC. Plans and specifications shall be submitted to the ACC in accordance with the following.

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5.1 Pre-Site Improvement and Construction Meeting

Prior to any site improvement or modification and/or construction, it is mandatory that the Owner meet with a representative of the ACC to discuss proposed plans and to resolve any questions regarding building requirements in Stagecoach Estates. This informal review is to provide guidance to the Lot Owner. In some cases this may occur by conference call.

5.2 Exterior Remodeling or Site Modification

In general, if a lot owner wishes to make modifications to their property (e.g. reshaping driveways, drainage, and/or other modifications impacting natural terrain) or remodeling/additions to existing structures, the lot owner should follow all appropriate approval procedures required for new or remodel construction. However, please see the subsections, below.

- 5.2.1 If the total cost of an improvement project is less than \$10,000, does not increase the overall livable square footage of the dwelling, has no impact on the driveways or drainage systems near Stagecoach roads, and does not involve heavy machinery, the ACC need not be contacted.
- 5.2.2 If the total cost of a project is in excess of \$10,000 and less than \$25,000, does not increase the livable square footage of the dwelling, and has no impact on the driveways or drainage systems near Stagecoach roads, any Performance Deposit and Impact Fee should be waved, unless the project requires the use of heavy machinery. For projects with a total cost of \$10,000 or greater, lot owners should communicate the scope of the project to the ACC on the form in Appendix A of this document.
- 5.2.3 If the total cost of a project is greater than \$25,000, does not increase the overall livable square footage of the dwelling, has no impact on the driveways or drainage systems near Stagecoach roads, a Performance Deposit and Impact Fee may be assessed, depending on the use of heavy machinery and the amount and type of intended construction.

5.3 Plan Submittal

A submittal of plans must include the following exhibits.

- 5.3.1 Site plan (scale at 1" = 10'-0" or 1/8" = 1'-0"), showing the entire property, location of the proposed Building Envelope, the residence and all buildings, driveway, parking area, existing and proposed topography, proposed finished floor elevations.
- 5.3.2 Survey (scale at 1" = 10'-0" or 1/8" = 1'-0"), by a registered land surveyor or licensed civil engineer showing Lot boundaries and dimensions, topography (2 feet contours or less for the designated one acre building envelope).
- 5.3.3 Complete construction drawings which include floor plans (scale 1/4" or 1/8" = 1'-0") showing proposed finished floor elevations, exterior elevations showing both existing and proposed grade lines, plate heights, ridge heights, roof pitch and a preliminary indication of all exterior materials and colors.
- 5.3.4 Exterior lighting plan.
- 5.3.5 Submittal Application (see Appendix A) and any other submittals requested by the ACC.

STAGECOACH ESTATES ARCHITECTURAL CONTROLS

The Submittal Application shall include two sets of all plans.

5.4 Architectural Control Committee Review Procedures

The ACC will review and discuss the plans, conduct a site inspection, and respond in writing no later than 30 days after a complete submittal is received. Any response an Owner may wish to make regarding the results of an architectural review shall be addressed to the ACC in writing.

Upon satisfactory completion of the review process by the ACC, an approval notification and one set of plans shall be returned to the Lot Owner. Construction is expected to begin within twelve months of ACC approval. Lot Owner must notify the ACC two weeks prior to the start of any construction.

5.5 Re-submittal of Plans

In the event of any disapproval by the ACC of either a Preliminary or Final Submittal, a resubmission of plans should follow the same procedure as an original submittal.

5.6 Inspection of Work in Progress

The ACC may inspect all work in progress and give notice of noncompliance. Absence of such inspection or notification during construction period does not constitute an approval by the ACC of work in progress or compliance with these Controls.

5.7 Subsequent Changes

Additional construction or other improvements to a residence or Lot, changes during construction or after completion of an approved structure, including a modification of any kind or type as referenced in these Architectural Controls, shall be submitted to the ACC for approval prior to making such changes or additions.

5.8 Non-Waiver

The approval by the ACC of any plans, drawings or specifications for any work done or proposed shall not be deemed to constitute a waiver of any right to withhold approval of any similar plan, drawing or specification subsequently or additionally submitted for approval. Failure to enforce any of the Architectural Controls shall not constitute a waiver of same.

5.9 Right of Waiver

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

5.10 Impact Fee

A Construction Impact Fee will be charged to the Lot Owner under the authority of the SELOA Board. No portion of the impact fee is refundable. The full impact fee must be paid prior to receiving approval. The impact fee schedule is based on total construction square footage. Base fee for any home or improvement up to 3500 square feet is \$2000. Homes larger than 3500 square feet will be charged \$.50 per square foot for each square foot beyond 3500 square feet. Check is made out to Stagecoach Estates Lot Owners Association.

STAGECOACH ESTATES ARCHITECTURAL CONTROLS

6. Architectural Control Committee

6.1 Members

The Architectural Control Committee shall consist of at least three (3) members who will serve without compensation. The Architectural Control Committee is organized and administered according to the SELOA Bylaws. The term of office may be five (5) years. The ACC is vested with powers described in the Protective Covenants and The Association Bylaws. The ACC shall have the powers necessary to control all excavation, construction, remodeling, additions, fences and easements of properties or structures that may be in violation of the Protective Covenants and/or Bylaws within Stagecoach Estates Subdivision.

6.2 Duties

It shall be the duty of the ACC to consider and act upon such proposals or plans related to Stagecoach Estates that are submitted pursuant to the Architectural Controls, to enforce the Architectural Controls, and to recommend ACC amendments to the Board of Directors when, and in a manner, deemed appropriate.

6.3 Meetings

The ACC shall meet from time to time as necessary to perform its duties. The vote of a majority of the members shall constitute an act by the ACC. The ACC shall keep on file all submittals and copies of all written responses to Owners to serve as record of all actions taken.

6.4 Amendment of Architectural Controls

The ACC, with Board of Directors approval, may amend or revise any portion of the Architectural Controls document. The amendments or revisions shall be made based on changing County or State requirements, best or improved architectural control practices, and/or at the request of the Board of Directors. If a Lot Owner desires to recommend changes, the Lot Owner's request should come before the Board of Directors via a written letter to the President. The Board of Directors would provide direction to the ACC. The Board of Directors must approve all and any changes to the AC.

6.5 Non-Liability

Neither the ACC or any member thereof, nor the Board of Directors, shall be liable to the Association or to any Owner or other person for any loss or damage claimed on account of any of the following:

- 6.5.1 The approval or disapproval of any plans, drawing and specifications.
- 6.5.2 The construction or performance of any work, whether or not pursuant to approved plans, drawings, and specifications regardless of any inspections by the ACC during the course of construction.
- 6.5.3 The development, or manner of development, of any property within Stagecoach Estates.

Every Owner or other person, by submission of plans and specifications to the ACC for approval, acknowledges that he will not bring any action or suit against the ACC, any of its members, nor the

STAGECOACH ESTATES ARCHITECTURAL CONTROLS

Association, regarding any action taken by the ACC.

Approval by the Committee of any improvement in Stagecoach Estates only refers to the Architectural Controls and in no way implies conformance with local government regulations. It shall be the sole responsibility of the Owner to comply with all applicable government ordinances or regulations, including but not limited to zoning ordinances and local building codes.

6.6 Enforcement

The ACC may, with Lot Owners or Contractors permission, inspect a Lot or improvement. If there is a violation of the Architectural Controls, the ACC will provide a written notice of non-compliance to the Lot Owner, including a reasonable time limit within which to correct the violation. The ACC may also record a notice of violation with the County after the expirations of the time limit. If an Owner fails to comply within this time period, the ACC or its authorized agents may enter the Lot and correct the violation at the expense of the Lot Owner; said expense to be secured by a lien upon such Lot enforceable in accordance with the Declaration.

6.7 Severability

If any provision of the Architectural Controls, or any section, clause, sentence, phrase or word, or the application thereof in any circumstance, is held invalid, or unenforceable, the validity of the remainder of the Architectural Controls, and of the application of any such provision, section, sentence, clause, phrase or word in any other circumstances, shall not be affected thereby, and the remainder of the Architectural Controls shall be construed as if such invalid or unenforceable part were never included therein.

6.8 Delegation of Authority

The ACC may delegate any or all of its Architectural Review responsibilities to one or more of its members, acting as a subcommittee of the ACC, and upon such delegation, the actions of such members shall be equivalent to action by the ACC as a whole.

6.9 Declaration of Covenants, Conditions and Restrictions

The Architectural Controls is promulgated pursuant to the terms and conditions of the Protective Covenants for Stagecoach Estates Subdivision and the Stagecoach Estates Lot Owners Association Bylaws.

STAGECOACH ESTATES ARCHITECTURAL CONTROLS

Construction Submittal Application, Appendix A – page 1 of 2

Applicant to Complete the Information Below

Project Location

Lot #

Stagecoach Address

Owner

Name

Mailing Address

City, State Zip

Phone/Cell

Email

Architect

Firm / Architect

Mailing Address

City, State Zip

Phone

Email

Contractor/Builder

Name / Firm

Mailing Address

City, State Zip

Phone/Cell

Email

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Construction Submittal Application – Appendix A – page 2 of 2

Applicant to Complete the Information Below

Construction Schedule and House Information

Construction start date _____

Construction end date _____

Set back from property line: Front _____ ft. Back _____ ft. Side _____ ft.

Height: _____ ft. (Above mean finish grade.)

Structural Materials

Foundation: _____

Exterior Walls: _____

Roof: _____

Siding _____

Exterior Color(s) _____

Construction Square Footage

Enclosed Livable: _____ Sq. ft.

Enclosed Under Roof Total: _____ Sq. ft.

Attach all necessary drawings and information (See 5.3 Plan Submittal, page 10)

Applicant Signature: As Applicant, either as Owner or Owner's Agent, I have read and understand the SELOA Architectural Controls, and agree to abide by all controls and provisions therein.

Applicant's Signature

Print Name

Date

ACC Representative and Contact Information

Name

Phone Number

Email

STAGECOACH ESTATES ARCHITECTURAL CONTROLS

Construction Review Submittal Checklist - page 1 of 2

Step 1 Pre-Site Improvement and Construction Meeting

Date _____

- Construction Purpose and Ideas
- Review of Architectural Controls
- Site Discussion and Analysis
- Discuss Driveway Configuration
- Answer questions related to the Architectural Controls process

Notes

Step 2 Plan Submittal - Two Sets of all Plans

Date _____

- Site Plan
- Site Plan Survey with Topography
- Complete Construction Drawings
- Completed Submittal Application
- Exterior Lighting Plan

Notes

STAGECOACH ESTATES ARCHITECTURAL CONTROLS

Construction Review Submittal Checklist - page 2 of 2

Step 3 Architectural Control Committee Review

- Committee Review of Application / Submittals – Date _____
- ACC Site Inspection – Date _____
- ACC written response to Applicant – Date _____
- Re-submittal of Plans (if necessary) – Date _____
- ACC approval of re-submittal – Date _____

Notes

Step 4 Payment of Fees to Stagecoach Estates Lot Owners Association

- Impact Fee Paid (see 5.10 Impact Fee)
- Date _____ Check # _____ Amount \$ _____
- Performance Deposit Paid (see 4.2.2 Protection of Stagecoach Subdivision and Restoration of Property)
- Date _____ Check # _____ Amount \$ _____
- Bitner Ranch Road Impact Fee Paid - \$1500 fee (see Page 3 BRR Impact Fee)
- Date _____ Check # _____ Amount \$ _____

Step 5 Architectural Control Committee Approval

- Construction Approval Letter – Date _____
- Return of one set of plans to Applicant – Date _____

Step 6 County Building Permit

- Submit plans to the County for Approval
- County issues Building Permit # _____ Date: _____
- Email Building Permit number to SELOA Secretary

Step 7 Construction

- Final Inspection by ACC – Date _____
- Certificate of Occupancy No. _____ Date Issued _____
- Return of Performance Deposit – Date _____

Record inspection dates and notes on backside of the Submittal Application.