



# Timber Lakes Property Owners Association Architectural Control Regulations

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Revised CLJS, approved and effective by BOD January 19th, 2022.

## 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. Construction without permitting will result in fines, prohibiting of future approval and possible legal action.

## III. ARCHITECTURAL CONTROL REGULATION BONDS

All plans and specifications for any structure to be erected on any lot or lots shall require a 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. Driveway Road base/gravel installed from roadway throughout all driveway areas, and parking.
- D. Off street designated parking on the home site of the lot being improved.
- E. Drainage Culvert Requirement
- F. Disposal of Removed Trees (proof of off sight disposal or use).
- G. Permanent lot and address numbers posted as contained in IV J. Lot identification.

Bond Amount: \$3.00 per sq. ft. (gross) of dwelling, out buildings, and other structures, a payable by cash bond, may be refundable upon completion of construction based on compliance with TLPOA requirements. Please make check payable to TLPOA.

## 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 with installation date disclosed in application.

### B. Dwelling Size:

The main floor shall have a minimum of 900 square feet of interior 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. Requirement of a roof-over-topography and an Improvement Location Certificate (ILC) upon completion of foundation and footing pour to continue construction.

### 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), steel that is allowed to rust or be acid washed, and stone are approved exterior materials. No T-111 or other similar plywood sidings, aluminum or galvanized siding, stucco or vinyl siding shall be allowed.

### E. Exterior Color Scheme:

Exterior colors shall be compatible with the surrounding environment (natural earth tones) excluding white and black or very light or dark color from which are not permissible as siding colors and only may be used as accent colors. Black is suitable for roofs. 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, and must be listed on the application and be depicted on the plans both listing the colors and accurate rendering of the color on the elevations.

**F. Roof Slope:**

Roof slope shall be a minimum of 4 x 12 pitch on the main dwelling, or structure. (Exceptions: 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). Painted steel that fades will need to be repainted if becomes silver, white, light colored or shiny.

**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 and will be used for the site plan depicting the roadway(s), driveway, and utilities in addition to any structure being built.

**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 street address, 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, elevations, massing, roof profiles, and color schemes shall match the permanent dwelling per Section IV above. The exterior materials shall be significantly similar to the exterior materials used on the primary structure. Wood textured Hardiboard is an acceptable material when wood is the exterior material used on the primary dwelling. The footprint of the accessory structure will be limited to 75% of the footprint of the habitable footprint of the primary dwelling. The height will be limited to 75% of the height of the primary structure. No additional structures, attached or detached may exceed 2000 sq. ft.

C. The structure shall be placed on a concrete slab, concrete, block foundation or other permanent type foundation. No wood foundations or dirt 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. Such structures must meet County and TLPOA ACR requirements, such as, but not limited to: foundation, pitch requirements, exterior materials, and the ability to fit through front gate and approved by the Architectural Control Committee.

#### **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 and all culverts.

#### **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 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 must be provided on the lot which construction is being done, must be fully graveled or covered by adequate road base, refer to section XI., and must supply space for parking of all construction workers and materials. Nothing may be stored on or in the Timber Lakes Road Right of Way.

#### **XIII. CONTRACTOR REQUIREMENT**

A copy of contractor's license and insurance liabilities to be included with the application packet. License nor insurance allowed to laps during construction, if expire during construction renewal certificates are required. Application and rules must be read and proof of this is required by signing the application.

#### **XIV. CONSTRUCTION CLEANUP**

Once concrete is poured prior to construction, 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**

Prior to ANY construction 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 upon completion of the job.

#### **XVI. ASSESSMENTS**

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

#### **XVII. ACCESS AND ROADS**

There is no guaranteed access for construction vehicles. 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. Roads are closed upon weather conditions and is determined by the TLPOA Mountain Management.

#### **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. A copy of a building permit issued by Wasatch County will be required before any excavating, building, or improvements can take place. Both Wasatch County and TLPOA Building Permits will have to be hung on the job site at the road.

#### **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' which is required for occupying and/or residing in structure and a copy is required upon completion of building by TLPOA.

#### **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. The Association has the right to access the construction site at any time, and will conduct inspections of and construction or improvements taking place. 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**

##### **A. Architectural Application**

The Architectural Application process is now live on the homeowner portal, TownSq. All construction related applications will now be processed electronically via this feature. This will allow for a more streamlined process and a quicker overall turnaround on project review and approval.

Please sign into your **Townsq Account** and click on **Architectural Review** to get started.

There is a helpful document on this process on TownSq under Documents & Architectural Documents Before you start your Architectural Review Request".

Please reach out to Ken Horne with any questions on this process [TLPOAMM@CSSHOA.COM](mailto:TLPOAMM@CSSHOA.COM)

**LOT OWNER SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**LOT OWNER SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**CONTRACTOR SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_