

**BUILDING AND USE  
GUIDELINES BASED ON  
CC&Rs AND SUMMIT  
COUNTY CODE**

**SUMMIT PARK**

**SUBDIVISION**

**SUMMIT COUNTY, UTAH**

**Revised October, 1997,  
March 2011, May2013**

## PERMITTED USES AND RESTRICTIONS

### SECTION 1 Zoning Regulations

1.1 The lands within the properties shall never be occupied or used by or for any building or purpose or in any manner which is contrary to the zoning regulations applicable thereto.

### SECTION 2 Land Use and Building Type

2.0 THERE SHALL BE NO EXCEPTIONS TO THE FOLLOWING PROVISIONS OF SECTION 2 WITHOUT PRIOR WRITTEN APPROVAL FROM THE ARCHITECTURAL COMMITTEE AND/OR OTHER GOVERNMENTAL OR QUASI-GOVERNMENTAL ENTITIES WITH CONCURRENT JURISDICTION.

2.1 No lot shall be used except for residential purposes. No building shall be erected, altered, placed or permitted to remain on any lot other than one detached single-family dwelling.

2.2 No building height shall exceed three (3) stories or 32 feet from the roofline to the original or finished grade elevation, whichever measurement is greater.

2.3 No single story dwelling shall be erected or placed on any lot within the subdivision with floor space of the dwelling less than 1,500 square feet on the main floor level, excluding garage, carport, patio and basement.

2.4 Two-story dwellings (or more) shall have at least 1,200 square feet on the main floor level, exclusive of garage, carport, patio, and at least 800 square feet finished area on other levels excluding garage, carport, patio and basement.

2.5 No building shall be located on or nearer than twenty five (25) feet from the abutting street(s) existing edge of asphalt or fifteen (15) feet from the abutting street(s) right-of-way line.

2.6 No building shall be located nearer than twelve (12) feet to any side lot line or nearer than twelve (12) feet to any rear lot line.

2.7 Every single-family dwelling must have a minimum of a two-car garage and may have a maximum of a four-car garage. Garages may be attached to the dwelling or may be a separate structure. Every single-family dwelling may have a carport which will accommodate a maximum of two vehicles in addition to a garage.

2.8 Every single-family dwelling must have a driveway which can accommodate at least two parked automobiles. Driveway grade will be less than 12% (~6°), but see County requirements for details.

2.9 All single-family dwellings may include the following accessory buildings and structures not used for residential occupancy: greenhouses, private swimming pools, various sport courts, arbors, pergolas, and storage sheds. Each of these structures must be approved by the Architectural Committee prior to construction.

2.10 All exterior construction must be completed within a period of one (1) year from the date construction of the building was started.

- 2.11 Prior to the construction of, alteration of or addition to any building, dwelling or other structure, the construction plans and specifications, as well as a plan showing the location of the structure, must have been approved by the Architectural Committee regarding quality of workmanship, materials, harmony of external design with existing structures, location with respect to topography and finished grade elevation and compliance with other architectural guidelines.
- 2.12 Each lot owner shall maintain their lot, as well as all improvements on their lot, in an attractive and safe manner so as not to detract from the subdivision or the community. All lot owners shall be responsible for keeping such lots clean in appearance, in good repair, and free from all refuse and fire hazards, including dead and diseased trees.
- 2.13 No structure of a temporary character, trailer, mobile home, motor home, basement tent, shack, garage, barn or other outbuilding shall be used on any lot at any time as a residence, either temporary or permanently. No dwelling on any lot shall be occupied in any manner prior to its completion without written approval of the Architectural Committee. No old or secondhand structures shall be moved onto any of the lots within the subdivision without prior written approval of the Architectural Committee.
- 2.14 Location of all storage and utility buildings, as well as refuse containers, air conditioning equipment, mechanical equipment, clothes drying lines, tanks of any sort, utility pipes, etc. must be placed at the rear of the dwelling and located on the lot in such a manner as not to be conspicuous from the frontage street.
- 2.15 No noxious or offensive trade or activity shall be carried on upon any lot herein before described or any part of portion thereof, nor shall anything be done thereon which may become an annoyance or nuisance to the occupants of the remaining lots of the subdivision.
- 2.16 No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot. Dogs, cats, and other household pets may be kept provided that they are not kept, bred or maintained for any commercial purpose. Any owner who keeps dogs shall maintain suitable facilities to keep said pets confined and not free to roam the subdivision. All dogs, or other household pets must be leashed whenever the pet is outside the property of the owner. Horses and livestock are not permitted.
- 2.17 No fences, walls or hedges shall be allowed on any lot in excess of a height of six (6) feet unless prior written approval of the Architectural Committee is obtained.
- 2.18 No lot shall be used or maintained as a dumping ground for trash, rubbish, garbage, construction materials, or other waste. Such trash, rubbish, garbage or other waste shall not be kept except in sanitary containers. All equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition and away from public view. No rubbish, trash, construction materials, papers, junk or debris shall be burned upon any lot.
- 2.19 The lots within the subdivision shall be used exclusively for single-family residential living purposes, and shall never be occupied or solely used for any commercial or business purposes. Any owner or their duly authorized agent may rent or lease said owner's residential building from time to time, however, nightly rentals are prohibited.

- 2.20 No businesses of an industrial nature are allowed in the subdivision. No person will be allowed to operate a business out of the residence unless the business is a professional or service type with low impact regarding traffic and visibility. No construction vehicles or machinery will be allowed to be stored on any lot unless written approval is obtained from the Architectural Committee. No large commercial vehicles or trailers will be stored on any lot if visible.
- 2.21 No automobiles, trucks, motorcycles, trail bikes, snowmobiles, four-wheel-drive vehicles or other motorized vehicles shall be operated on any place in the subdivision other than on the public roadways.
- 2.22 In the interest of public health and sanitation, and so the land above described and all other land in the same locality may be benefitted by a decrease in the hazards of stream pollution and by the protection of water supplies, recreation, wildlife and other public uses thereof, the owner will not use any lot for any purpose that would result in the pollution of any stream, wash or any other type of waterway that flows thru or adjacent to such lot or subdivision by refuse, sewage, oil or gas, or other material that might tend to pollute the waters of any such stream or streams or otherwise impair the ecological balance of the surrounding lands.
- 2.23 Any harassment, hunting or other cruelty to any wildlife on the lands or in the waters within or bordering the subdivision is strictly prohibited. Owner's shall be responsible for their children, pets and guests in complying with this provision.
- 2.24 No open fires or fireworks are allowed in the subdivision. No camping will be allowed in the subdivision without written approval from the Architectural Committee.
- 2.25 No sign of any kind shall be nailed to trees. No signs shall be maintained on any residential lot, except professionally painted signs with not more than six and one quarter (6.25) square feet of area advertising the property for sale or rent.
- 2.26 Contractors shall notify neighboring residence owners of any dangerous proposed construction activities at least two (2) days prior to construction.
- 2.27 The lot owner and/or contractor shall regularly inspect the site and access roadways, and shall perform whatever clean-up and maintenance is necessary to maintain these areas in a clean, orderly and sightly condition.
- 2.28 No house plan may be built more than once in any one plat in the subdivision. No two houses may have substantially identical exterior elevations and/or appearances any place in the subdivision.
- 2.29 A copy of the certified survey must be submitted to the Architectural Committee prior to excavation or construction. All lot corners must be visibly staked. Said survey shall include a clear specification of the height at the top of the foundation measured from any one of the survey markers on the street access side of the home.
- 2.30 It is strongly recommended that all homes have a clearly visible address number displayed.

**Following is a list of items omitted from the C.C. & R's to be recommended to the Architectural Committee for consideration as additional architectural guidelines.**

- A) Perimeter French Drains are recommended around all homes.
- B) The complete set of plans (as submitted to the county) must show the front, the two side and the rear elevation drawings of the house with both the natural grade and the finish grade clearly shown and identified with the corresponding topography footage, on each drawing.
- C) Specifications of exterior finish materials and colors must be submitted. If all finish materials and colors have not been determined at the time of plan submission, samples must be submitted prior to installation of such materials.
- D) All exterior material shall be new and, except for the roof, shall be made of natural wood, stone, brick, used brick, HardiePlank (or equivalent), or stucco. The use of pressed board, cinder block and similar types of siding as exterior finishing materials are prohibited.
- E) The color of all stains or paints on exterior surfaces, including flashings, roof gutters, soffits, fascia or other metal roof materials, shall be of earth tone colors. Bright colors are discouraged. White is discouraged. Navy blue, black, red or any other bright colors are prohibited on either siding or trim. All siding materials and colors must be approved by the Architectural Committee prior to application. In the event the owner or contractor fails to submit color samples prior to application, said owner or contractor shall be solely responsible for any noncompliance, and costs of removal.
- F) No home shall be permitted that is not compatible and in harmony with existing homes and the natural beauty of the land surrounding the subdivision. The design of the home must be compatible with the lot upon which it is being built. A home shall not be placed so high or so low on the lot that it causes problems with the adjoining lots.
- G) Metal or fire retardant shingles are recommended, or architectural grade asphalt shingles, having at least a thirty year guarantee may be used. Any other roofing materials must be approved by the Architectural Committee prior to installation. Asphalt shingles must meet or exceed the specifications of the GAF "Timberline" series with an approximate weight of two hundred ninety pounds (290 Lbs.) Wood shake shingles are prohibited because of rapid deterioration and fire hazard in the alpine environment.