

**DESIGN GUIDELINES FOR
OVERLOOK AT MT. CRESTED BUTTE**

SECTION I

INTRODUCTION

1.1 The purpose of these design regulations is to ensure that this carefully planned residential community be carried out according to the master plan. Those buildings or improvements which do not conform will not be accepted.

1.2 The intent of THE DECLARATION OF PROTECTIVE COVENANTS ("Covenants") and DESIGN GUIDELINES is to have the improvements located on Overlook at Mt. Crested Butte ("Overlook") be compatible and blend with the natural environment, the climate and the surrounding residences.

1.3 The following sets forth the standards to be followed, the procedures for review and development of building on the lot, and assistance to owners of lots regarding design considerations. These design regulations may be amended from time to time and thus a property owner should obtain the most recent issue.

SECTION II

DESIGN REVIEW PROCESS

2.1 Choose an Architect. A licensed architect must design your residence at Overlook. The addition of specialized design skills and an understanding of site and environmental possibilities can be of major importance in realizing the special character and quality you want your residence to have. Be sure that your architect reads the design regulations and becomes familiar with this document. In addition your architect should be aware of and follow:

2.1.1 Overlook Plat and Covenants;

2.1.2 Rules and Regulations; and

2.1.3 The Uniform Building Code and all other applicable codes of the Town of Mt. Crested Butte ("Town").

2.2 Pre-Design Meeting. You and/or your architect shall meet with the Design Review Board to discuss, among other things, your particular site, architectural theme and special design considerations, expectations of the Design Review Board, and the building program. A person desiring to construct

improvements on a lot who is not the owner thereof shall obtain the written consent of the owner of such lot before meeting with the Design Review Board. This meeting will be set up by the Design Review Board upon request.

2.3 Sketch Plan Review. Owner is to prepare and submit to the Design Review Board five copies of the sketch plan at least ten days before the next scheduled meeting of the Design Review Board and said plan shall include a conceptual description of the site plan, floor plans, elevations, roof design, exterior materials, character of the proposed structure, and landscape plans to include existing vegetation, temporary revegetation specifications for reseeding and mulching, and initial drainage and erosion control measures. The scale for said plan shall be 1" = 20' for site and landscape plans. The scale for floor and elevation plans may be 1/16", 1/8" or 1/4" = 1'0". The sketch must also show that the building height is in accordance with all applicable requirements.

2.4 Sketch Plan Decision. The Design Review Board shall review the sketch plan and notify the owner in writing of its findings within seven days of the meeting. The owner shall have the option of resubmitting a sketch plan if the findings of the Design Review Board are negative. Upon approval of said plan, the owner shall submit the approved sketch plan to the Town Building Department.

2.5 Final Plan Review. The owner shall submit a final plan at least ten days before the next scheduled meeting of the Design Review Board. Said final plan shall include:

2.5.1 Site Plan (5 copies) (presented at minimum of 1" = 20', 1" = 16', 1" = 10' or 1" = 8'). Indicate proposed building "footprint", roof drip line, property boundaries and easements, utility locations, existing vegetation, existing and proposed one foot contours, areas of cut and fill, drainage, proposed roads, driveways, sidewalks, decks and any other proposed improvements. Indicate the building site, restricted scenic area and common areas. Indicate scale and north direction;

2.5.2 Footing and Foundation Plan prepared by a Colorado licensed engineer (presented at 1/8" or 1/4" = 1');

2.5.3 Submit sketch showing that building height is in accordance with the Covenants;

2.5.4 Floor Plans (5 copies) (presented at 1/8" or 1/4" = 1"). Include all room dimensions, floor and window locations and sizes, and location of mechanical and electrical systems;

2.5.5 Elevations (5 copies), indicate the exterior appearance of all views labeled in accordance with the site plan; height of chimney as compared with the ridge of the roof; nature and finish grade for elevations of all views. Describe all exterior materials, colors, and finishes (walls, roofs, trim, chimney, windows, doors, etc.). The elevation drawing should indicate shadow patterns and material textures;

2.5.6 Building Sections (presented at 1/8" or 1/4" = 1'). Indicate building walls, floors, interior relationships, finished exterior grade and any other information to clearly describe the interior/exterior relationships of the building;

2.5.7 Perspective Sketches. Provide a ground level perspective sketch(s) of the building from a location(s) representing a primary public exposure to the building. This sketch should indicate exterior shadow patterns, materials, textures, and trim details;

2.5.8 Model (1) copy. At the applicant's option, a model of site to include proposed building (can be mass model showing roofs, doors, and windows only), final contours at one (1) foot intervals, the building envelope, existing proposed and plant masses, all decks or terraces, site walls and driveway;

2.5.9 Details. Provide design details to sufficiently represent the visual expression of the building, exposed connections, and material interfaces;

2.5.10 Diagrams. Indicate areas of snow shedding and water removal, and anticipated chimney smoke dispersal;

2.5.11 Landscape Plan (5 copies) (presented at 1" = 20', 1" = 16', 1" = 10' or 1" = 8'). Indicate final landscape improvements to include:

2.5.11.1 Proposed grading plan with spot elevations at one foot contours for drainage control and rim and invert elevation for all drains and culverts;

2.5.11.2 Planting plan with proposed plant materials;

2.5.11.3 Existing plant materials by common and botanical names and sizes;

2.5.11.4 All plant materials by common and botanical names and size;

2.5.11.5 For seeded areas, rates and methods of application for one thousand square foot increments, mulched type, rate and stabilization technique and fertilizer type and time of application are required for review;

2.5.11.6 Locate rock out-croppings, deck or patios, service yards, driveways, other free standing structures, etc.;

2.5.12 Final estimate of general construction costs (5 copies).

2.5.13 Specifications. Provide written specifications and color boards where necessary for the following items:

2.5.13.1 Exterior wall materials and colors which shall be earth tones, and have non-reflective materials.

2.5.13.2 Windows and exterior doors with colors which shall be earth tones, and have non-reflective materials.

2.5.13.3 Exterior trim materials and colors which shall be earth tones, and have non-reflective materials.

2.5.13.4 Fireplace;

2.5.13.5 Exterior lighting fixtures;

2.5.13.6 Installation and heat loss specifications with supporting calculations.

2.5.14 Erosion control and revegetation plan. Indicate the means and time schedule for which the prevention of erosion and stream sedimentation will be addressed during and after construction, including any of the following which are appropriate for this site in question:

2.5.14.1 Tree and vegetation protection;

2.5.14.2 Placement and type of perimeter filters;

2.5.14.3 Water control methods;

2.5.14.4 Vehicular access points;

2.5.14.5 Soil storage and stabilization measures;

2.5.14.6 Siltation control devices;

2.5.14.7 Landscape methods;

2.5.14.8 Seed and fertilizer types, application and stabilization methods;

2.5.14.9 Mulch type, rate of application and stabilization methods.

2.5.15 Site Staking. An actual site staking of the building corners, driveways and other improvements. In determining the proper location for each improvement, the Design Review Board shall consider the location of existing and future improvements on adjacent sites and such other economic or aesthetic considerations as it may deem appropriate. The following shall be complied with:

2.5.15.1 The improvement shall be defined with four foot wood or steel stakes and shall be identified as N.E., N.W., S.E. and S.W. corners. The outline of the improvement may be required to be marked by connected string between corner stakes. Side and front parcel lines may also be required to be marked in a similar manner. The main floor elevation of the structure shall be clearly marked on all stakes;

2.5.15.2 All property corners shall be clearly marked;

2.5.15.3 Driveway locations will be staked at each side of the drive at ten foot intervals from the respective road to the sites;

2.5.15.4 In addition to the proposed residence, all other improvements shall be staked; and

2.5.15.5 Preservation fencing shall be in place or string provided to define any proposed fencing.

2.5.16 Construction Schedule; including starting and completion dates of residence and landscape.

The Design Review Board must, within ten days of the meeting, notify the owner and Board of Directors of Overlook at Mt. Crested Butte Owners Association, Inc. ("Association") of the Design Review Board's decision. The decision will become final if no action is taken by the Association's Board of Directors and no appeal is filed by the owner within thirty days of the Design Review Board's decision.

2.6 Final Plan Approval. Upon final plan approval the owner must submit the approved final plan to the Town Building Department to obtain a building permit. The Town Building Department has specific requirements which must be met and a copy of said requirements may be obtained from said building department.

2.7 Inspection. The owner, architect and the Design Review Board shall, within fifteen days of substantial completion of any building, inspect the site to ensure compliance with the approved plan, examining the lot survey point, driveway location, building corners, cut and fill areas and protected vegetation. The Design Review Board shall issue site inspection approval to the owner within two working days of said inspection. The owner and/or contractor shall request inspections and obtain approvals for all phases of construction required by the Town. When appropriate, the owner and/or contractor shall request final inspection of landscaping and/or building, and the Design Review Board shall inspect building and/or landscaping and if approved issue a certificate of compliance as soon as possible thereafter. Upon the Design Review Board issuing a certificate of compliance, the owner may request a certificate of occupancy from the Town.

SECTION III

SITE DESIGN GUIDELINES

A number of site and landscape guidelines have been prepared to help owners and architects design residential structures that are compatible with the project. These requirements must be addressed at the sketch plan stage; however, certain of these requirements may be modified if approved by the Design Review Board by owner and/or architect showing that said modifications will not affect the basic intent of Overlook.

3.1 Land Use Categories.

3.1.1 Building Envelope. This is an area designated on each lot that shall be for the exclusive use of the lot owner, within which building and landscaping may occur subject to the design regulations. The purpose of the building envelope is to reduce uncertainty of neighbors as to which view corridors might be impacted in the future by construction and to help ensure that structures blend with the surrounding landscape, rather than becoming a dominating figure of the neighboring community.

3.1.2 Open Space. The area designated on each lot shall be for the exclusive use of the lot owner, but in which all improvements are prohibited except for landscaping approved by the Design Review Board. This is the area which lies outside of the designated building envelope.

3.2 Building Envelope and Setbacks. For each lot in Overlook a building envelope has been designated. All lot improvements including buildings, accessory buildings, walls, fences, and recreational improvements must be placed within the building envelope.

3.3 Driveways. Driveways within a lot (including the construction of any culverts, landscaping, maintenance and snow plowing which may be necessary) are the responsibility of the owner.

3.4 Fences and Privacy Walls. Fences, walls and barrier devices may be used for privacy and screening purposes within the building site, but must be incorporated into the total residential structure design. The Design Review Board shall review the design, appropriateness, size, materials and construction of all fences in relation to the proposed residence and its neighboring sites.

3.5 Security System. It is suggested that each residential unit, including any guest houses, shall at the time of initial construction be wired to accommodate a central security system as to fire, low heat, or intrusion.

3.6 Swimming Pools and Tennis Courts. Swimming pools and tennis courts require the approval of the Design Review Board and must be placed within the building envelope. These improvements should be designed to complement the residential structure and should be placed so to minimize impact on adjacent lots. If, in the opinion of the Design Review Board, the placement of a swimming pool or tennis court on a lot would negatively impact views or the use of the adjacent lots, the application will be denied.

3.7 Signs. All signs must have written approval of the Design Review Board. All residential units must have street number signs located at the driveway entry. Any light source must be concealed with minimum glare to pedestrians or automobiles. Signs shall be a minimum of one square foot and a maximum of four square feet. No additional signage that is detached from the house will be permitted.

3.8 Exterior Lighting. Exterior lighting should be understated. Lighting shall be used only in areas of pedestrian activity or vehicular traffic. Indirect lighting should be used wherever possible. Exterior lighting shall be not installed where it produces excessive glare to neighbors, pedestrians or vehicular traffic. The

use of white or pale yellow exterior lights are encouraged. It is recommended that a professional lighting designer be consulted.

3.9 Natural Drainage. No owner or contractor shall interfere with or direct the natural course of any drainage and run-off, nor construct any improvement, place any landscaping, or allow the existence of any condition whatsoever which shall alter the drainage pattern or run-off from its natural flow to or across the land of another, except to the extent such alteration and drainage pattern or run-off is approved in writing by the Design Review Board. Run-off from impervious surfaces such as roofs and pavement areas shall be directed to natural or improved drainage channels or dispersed into shallow sloping vegetated areas.

3.10 Easements, Drainage, Irrigation and Utilities. Easements are located at various points within Overlook for installation and maintenance of utilities, drainage facilities and irrigation ditches. These, in addition to others, are reserved as shown on the recorded plat. Within these easements no grading, structure, planting, or other materials shall be permitted which may damage or interfere with the installation and maintenance of utilities, drainage or irrigation, which may change direction or flow or obstruct the flow of water in and through drainage channels and in the easement. The easement shall be maintained by the Overlook Association. All trunk utility lines and pipes in Overlook will be underground. Connections from trunk lines to individual structures must be underground. No exterior antennas or television dishes shall be erected without shielding approved by the Design Review Board.

SECTION IV

ARCHITECTURAL GUIDELINES

These guidelines apply to the design and construction of residences and other building improvements. The following architectural standards shall apply:

4.1 General Design Consideration. Overlook is a planned development and special consideration must be given to the siting of all improvements with emphasis on the relationship to existing grades, preservation of natural site features and trees, and a relationship to neighboring lots and vistas. All residences will have exterior elevations, roofs and detail that shall be coordinated consistent in their architectural treatment.

In some instances, specific design elements will be recommended for functional and/or aesthetic reasons. The design and construction of those elements are solely the responsibility of the lot owners, their architects, and their contractors. Overlook shall accept no liability incurred by the incorporation of these elements into the lot owner's design.

4.2 Foundations. Foundation walls shall not be exposed for more than eight inches in a vertical direction, unless they are faced with wood, plaster or rock as delineated in the section on Exterior Walls, or unless written approval is obtained from the Design Review Board for exposed foundation walls. Visually exposed concrete or block masonry foundations shall be stained or textured as required by the Design Review Board. Foundations shall be designed by a Colorado licensed professional engineer to be consistent with the soil reports for the specific lot.

4.3 Exterior Walls and Finishes. Major exterior walls should convey a sense of mass through wood, plaster, rock or glass.

Certain types of pre-cut log walls may be used as exterior walls and shall be compatible and blend with the natural environment, the climate, and the surrounding residences in the Development as required and approved by the Design Review Board.

In contrast to the mass walls, vertical wood siding can be used as a sheathing, especially at gable ends and upper levels. Glass can also be used to contrast with the mass walls on southern exposures. Generally, the heavier rock and plaster surfaces shall be below, and visually supporting the lighter wood sheathed elements above.

Raw materials should respond to the orientation of the building, with the north closed off (small window openings) and the south opened to sun exposure.

The following materials shall be used for exterior walls, except with special approval of the Design Review Board:

4.3.1 Natural, painted, or stained wood

4.3.2 Plaster (stucco or Drivit Suttef) in muted colors.

4.3.3 Rock approved by the Design Review Board. Rock walls shall be laid in a random pattern.

4.4 Chimneys, flues and Roof Vents. Chimneys and flues shall be designed in such a manner so as not to cause fumigation of ground level areas or adjacent buildings during downslope wind conditions. Chimneys should be located high in the up-wind side of the building as the best means to ensure adequate disbursement.

Vents and flues shall not be exposed galvanized pipe, but rather attempts shall be made to group these roof projections and conceal them from public view. This can be done by enclosing them in forms compatible with the structure.

4.5 Roofs. In general, relatively low-profile buildings with a variety in massing and roof lines are desired. Large, expansive areas of unbroken roof lines and ridge lines are undesirable.

The roof pitch will be predominantly 6:12; it may be increased or decreased slightly at the discretion of the Design Review Board provided the applicant shows design benefits attributable to a greater or lesser roof pitch.

The only approved roof materials are natural sawn cedar shingles and fire-retardant simulated shake shingles;

4.5.1 All roofs should be "cold roofs" with ridge vents constructed of the same materials or "cold attics". The purpose for this requirement is to minimize ice-dam and icicle problems.

4.5.2 Snow guards, gutters, or other snowmelt devices should be incorporated at all entrances to avoid hazardous snow fall and protection from snowmelt;

4.5.3 All roof fence and exterior mechanical equipment shall be collected and centralized and screened from view. Wherever practical, incorporation within chimneys or masses is desirable;

4.5.4 All chimneys are to have roof saddles and down-draft preventors;

4.5.5 Roof skylights are permitted subject to the approval of the Design Review Board;

4.5.6 All flashing shall be painted to match roof colors;

4.5.7 Large roof or eave overhangs are encouraged with soffits of one-by wood material or stucco. Plywood and masonite soffits are prohibited;

4.5.8 Fascias should be designed to minimize the heavy alpine look. Fascias should also be "stepped" to avoid cupping, and rapid deterioration from freeze/frost cycles.

4.6 **Windows.** Window casings shall be wood or dark non-reflective metal. Approved finishes are natural, stained, painted or clad. Exterior window trim shall relate to other building materials, either wood or masonry. The use of headers and sills designed integrally with the wall is encouraged.

Windows shall be used in combination to avoid large, uninterrupted glass areas. Windows shall have a double or triple glazing. Mirrored glass is not allowed.

4.7 **Energy Conservation.** As a minimum, the following energy conservation measures shall be followed:

4.7.1 Roofs insulated to R-30;

4.7.2 Walls insulated to R-19;

4.7.3 Perimeter of slab on grade insulated to R-12 to a depth of four feet;

4.7.4 Openings and exterior walls and roofs caulked all around;

4.7.5 Windows double or triple glazed;

4.7.6 Windows and doors weather stripped.

4.8 **Utility and Meter Connections and Treatment.** Utility and meter locations shall be reviewed by the Design Review Board.

SECTION V

LANDSCAPE GUIDELINES

Each lot in Overlook is unique. It is the intent of the landscape guidelines to preserve those special attributes. Owners should realize that because Overlook is situated at and above 9,000 feet above sea level and experiences extreme differences in climate from season to season, the list of plants that can be expected to flourish is limited. Within each building site, landscaping shall comply with the requirements for the Single Family Residential District set forth in the Town's Zoning Ordinance. Within the area that is outside the building site, only limited landscaping

may occur. Grading, planting and construction of improvements require the approval of the Design Review Board, because of impacts on views from adjacent properties.

5.1 General Design Considerations. Within the building site, the owner is encouraged to use plant material to enhance the architecture, define outdoor spaces in a manner that preserves both on and off site views, and knit the structures to the site.

The functional uses of plant materials that should be considered include screening of the winds from the west, provision of seasonal shade with deciduous trees and screening of undesirable views.

The composition of the plant materials should consider present and mature size, enframement of certain views, background and foreground balance, relationship to the architecture and other site textures, and judicious use of color and texture.

Due to the relatively short growing season at Overlook, large-caliper deciduous trees and mature evergreens are strongly recommended.

5.2 Time of Installation. Because of limited construction periods in the mountains due to the weather, the Design Review Board may modify the review and approval of procedures to accommodate the timely installation of plant materials.

5.3 Maintenance. All trees, shrubs, ground covers, grasses and irrigation systems must be maintained at a level consistent with the rest of Overlook. All dead and dying plants or grasses shall be replaced immediately.

5.4 Erosion Control and Revegetation. An initial erosion control and temporary site stabilization plan is required for each project prior to sketch plan approval. A detailed permanent erosion control and revegetation plan is required prior to final plan approval. These plans shall explain in detail the following:

5.4.1 Measures to control both ground water and surface water runoff;

5.4.2 Temporary measures to retain all eroded soil material on site during construction;

5.4.3 Measures to permanently stabilize all disturbed slopes and drainage features upon completion of construction.

The owner shall, for sketch plan approval, list and describe those techniques he plans to use during excavation and construction, and indicate on his site plan

drawings their locations, construction details, and time of installation. The owner shall, for plan approval, list and describe on his landscape and planting plan those techniques he plans to use upon completion of the project to permanently revegetate and stabilize all disturbed areas and drainage features.

The major concerns addressed by both plans shall be the reduction of erosive potential and control of transported sediments.

5.5 Landscaping and Plant Materials. Landscape scale and overall landscape design shall be developed so that one senses that new vegetation is integral with the natural mountain landscape and the inherent line, color and texture of the local plant communities. New planting should use plants that are indigenous to the Rocky Mountain Alpine and Sub-Alpine zones and should be located to extend existing canopy edges planted in natural looking groups. Ornamental plants are recommended only for locations directly adjacent to building masses or in courtyards. Manicured or groomed yards shall be within areas defined by buildings, fences, walls or other defined edged modification so that the visibility of these yards is limited to the adjacent building.

Plant materials used for erosion control shall establish immediate surface stabilization to prevent soil erosion. Diverse, self-sustaining plant species will be used to provide an eighty percent surface cover within one growing season.

SECTION VI

CONSTRUCTION REGULATIONS

In order to ensure that lots will not be damaged during the period a residence is being built, the following construction regulations shall be enforced during the construction period. These regulations shall be a part of the construction contract document specifications for each residence, and all contractors and owners shall abide by these regulations:

6.1 Construction Area. The owner or contractor shall provide the Secretary of the Design Review Board with a detailed plan showing how the lot will be protected and the area in which all construction activity will be confined prior to construction, including size and location of construction material storage, limits of excavation, drive areas, parking, chemical toilet location, temporary structures (if any), dumpsters, storage of debris, fire extinguisher, utility trenching and construction sign. This plan should identify the methods for protection, such as snow fencing, flagging, rope, barricades or other means to be set up prior to construction.

6.2 Improvement Survey. Prior to foundations being poured, a licensed surveyor is required to make a site inspection to certify that all improvements are located within the lot's building envelope and that they match all approved plans.

6.3 Construction Access. The only approved construction access during the time a residence is being built will be over the approved driveway for the lot unless the Design Review Board approves an alternate access.

6.4 Construction Trailers or Temporary Structures. Temporary structures must be located on the owner's property and must be approved by the Design Review Board as to size, configuration and location. All temporary structures shall be removed after the occupancy permit issuance.

6.5 Storage of Construction Material and Equipment. Storage areas shall be designated and fenced according to the approved "construction area" plan prior to construction. The contractor will be responsible for the maintenance of these areas.

6.6 Daily Operation. No construction activity shall be conducted except between 7:00 a.m. and 9:00 p.m.

6.7 Blasting. Any plans to blast shall be brought to the attention of and approved by the Secretary of the Design Review Board before commencement. Proper safety and protective actions shall be used.

6.8 Restoration and Repair. Damage to any property, other than the owner's by contractors shall be promptly repaired at the expense of the property owner employing the person or entity causing the damage. (This includes damage done by cleaning out concrete trucks on-site or dumping chemicals anywhere in Overlook).

6.9 Dust and Noise. Every effort shall be made to control dust and noise emitted from a construction area. The contractor shall be responsible for controlling excessive dust and noise from the site.

6.10 Excavation. Excess excavation material shall be removed from Overlook. The material shall not be placed in common areas, roads, other lots or on public property. Excavation, except from utility trenching, shall be done on the owner's site only.

6.11 Debris and Trash Removal. Proper disposal of refuse and storage of material is the owner's and the contractor's responsibility. Debris and trash shall be removed on a weekly basis and hauled to a designated site outside Overlook.

6.12 Vehicles and Parking. All vehicles will be parked so as not to inhibit traffic, and within the designated "construction area" so as not to damage the natural landscape.

Changing oil in vehicles and equipment without proper receptacles and removal procedures is forbidden.

6.13 Portable Toilets. Portable toilet shall be provided by the contractor and placed in an approved location.

6.14 Signage. Temporary construction signs shall be limited to one sign per site not to exceed six square feet of total surface area. The sign will be free standing and the design location of such a sign shall be approved by the Design Review Board.

6.15 Fire Extinguisher. A minimum of one serviceable 1016 ABC-rated dry chemical fire extinguisher shall be located on each construction site in a conspicuous location.

6.16 Flammable Items. Careless use or storage of cigarettes or flammable items will not be allowed.

6.17 Pets. Contractors, subcontractors and their employees are prohibited from bringing dogs and other pets to the construction site.

6.18. Continuity of Construction. All construction, alteration and demolition shall be completed within twelve months of commencement, unless extended by the Design Review Board and the Town for good and sufficient cause.

Adopted this ____ day of _____, 1997, by Henry A. Gallin as Manager of Overlook at Mt. Crested Butte Limited Liability Company, a Colorado limited liability company.

Henry A. Gallin, Manager