

10. Building Line: Imaginary lines on a lot delineating the closest points from lot lines, public streets, or project area boundaries, or other applicable perimeter lines, where any main building may be constructed.
11. Building Height: The highest vertical distance above a reference datum measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof. The reference datum shall be the average finished grade at the exterior wall of a structure.
12. Carport: A form of private garage providing space for housing or storage of one or more automobiles and enclosed on not more than two (2) sides by walls. The dimensions determining the overall size of the carport shall be measured from the extreme edge of any part of the building.
13. Child Care Center: A commercial service facility in which care is provided for children for periods of less than 24 hours at a time and is operated under the provisions of the Colorado Child Care Act.
14. Church: Any building arranged, designed and intended to be used as a place for religious worship and instruction.
15. Common Area or Common Open Space: The total area and structures within a project which are designed, designated and maintained such as recreation areas and facilities, landscaped areas, open space areas, and natural areas.
16. Condominium: An individual air space dwelling unit together with the interest in the common elements appurtenant to such unit.
17. Condominium Project: A project divided into condominiums, including all structures and common areas and elements situated therein.

18. Commission: The Planning and Zoning Commission for the Town of Silverthorne.
19. Construction: The actual placement and fastening of construction materials in a fixed position. If a basement is being excavated, such excavation shall be deemed to be actual construction. If demolition or removal of any existing building or structure has commenced preparatory to construction, such demolition, removal or moving of a structure shall be deemed to be actual construction. The term construction shall apply to buildings, roadways, utilities, other structures and landscaping.
20. Covered Parking: Parking facilities which are protected by a roof or enclosed with a structure.
21. Cluster Development: A form of development which allows for a reduction in lot size below minimum requirements if compensating amounts of open space are provided within the proposed development.
22. Density: The number of dwelling units per gross residential acre in a specific portion of land.
23. Design Committee: A committee appointed in accordance with the guidelines, covenants, conditions and restrictions applicable to Eagles Nest and charged with responsibility for reviewing and approving land uses, site plans, construction and building plans, the placement and maintenance of landscaping, and other matters with the power of approval and disapproval thereof.
24. Development: Any man-made change to improved or unimproved real estate, including but not limited to buildings, structures, mining, dredging, filling, grading, paving, excavation or drilling operations.
25. Development Guidelines: A document which sets forth current Eagles Nest development standards which may vary from current Town standards. It

shall indicate the standards and requirements, goals, intent, and objectives, and assurances and commitments for a planned development, subdivision or park, in regard to design, phasing, surface improvements, schedules, maintenance programs, land use, uses of structures, minimum lot and height criteria, requested variances to Town zoning regulation, and supplemental regulations, for the development, guidance, and control of the planned development, subdivision or park. This document shall be utilized for review and evaluation of the project.

26. Dwelling: A building, or portion thereof, used exclusively for residential occupancy, including one family dwellings, two family dwellings and multiple family dwellings, but not including mobile homes, hotels, motels, tents, seasonal vacation cabins or other structures designed or used primarily for temporary occupancy. No mobile home or converted mobile home shall be classed as a dwelling.
27. Dwelling, Multiple Family: A building, or portion thereof, designed for or occupied by two or more families living independently of each other, but not including hotels or motels.
28. Dwelling, One Family: A dwelling situated on one lot and arranged, designed, and intended for occupancy by not more than one family, and which has no more than one primary kitchen and no less than one bedroom.
29. Dwelling Unit: One or more rooms and a primary kitchen arranged, designed and intended as a unit for occupancy by one family living independently of others, situated in a one family, or multiple family dwelling.
30. Easement: An acquired right of use, interest or privilege in land owned by another.
31. Environmental Protection District: Shall specifically include the Blue River and all those land areas

which parallel and adjoin the Blue River and are within twenty-five (25) feet of the highest recorded water line of said river.

32. Encroachment: An extension of a building or part of a building upon the land of another or into required yards.
33. Family: An individual, or two or more persons related by blood or marriage, or a group of not more than five persons (excluding servants) living together as a single housekeeping unit in a dwelling unit.
34. Fence: An enclosing barrier of man-made construction regardless of the material used and including walls and retaining walls.
35. Floor Area, Gross: The total horizontal floor area measured in square feet, of all floors of a building, excluding therefrom walls, stairwells, elevator shafts, covered malls, covered walkways, roof patio areas, covered entries, covered parking, covered driveways, covered loading areas, utility rooms, storage areas, and basements.
36. Floor Area Ratio: The numerical value obtained by dividing the gross floor area of all buildings located upon a lot or parcel of land by the total area of such lot or parcel.
37. Garage, Private: A building, or portion thereof, used primarily for the parking of automobiles belonging to the occupants of the land upon which it is situated and their invitees.
38. Golf Club: An association of persons, whether incorporated or unincorporated, organized for the purposes of playing golf and maintaining the Eagles Nest Golf Course.
39. Grade, Average Finished: At the exterior wall of a structure is the average elevation of the finished

surface of the ground between the building and a line five feet from the building.

40. Grade, Ground Level: The elevation of the finished lot surface measured at any point along the perimeter of the building.
41. Hospital: A commercial service building, or portion thereof, used primarily for the overnight accommodation and medical and surgical care of the sick, injured, and infirm, including sanitariums, but excluding therefrom medical clinics, rest homes, and convalescent homes for the aged.
42. Hotel: Any building arranged, designed and intended as a temporary lodging place for people, with or without meals, and in which no provision is made for cooking in any individual room or suite.
43. Household Pets: Small animals in such numbers as not to constitute a nuisance, customarily permitted to be kept in dwellings for company or pleasure, including, but not limited to, dogs, cats, rabbits, and common house birds, provided that such animals are not kept to supplement food supplies or for any commercial purpose other than the offering for sale of one litter, brood or offspring of a household pet domiciled on the premises, at any time, that is less than four months old.
44. Joint Use of Parking: The shared use of off-street parking facilities by more than one type of land use where the same parking spaces are taken into account in satisfaction of the parking requirements of each use.
45. Kennel: Any building, structure or open space, or portion thereof, used for the breeding, raising, boarding, or selling of five or more dogs that are more than four months old, or of more than one litter.

46. Landscaping: Improvement of an area of land by the installation, removal or transplanting of vegetation or the installation of other materials or elements for the purposes of enhancement.
47. Lot: A parcel of land designated as a lot on a recorded plat, or, in the absence thereof, on a plat on file in the office of the Town of Silverthorne Tax Assessor.
48. Lot Area: The total horizontal area within the lot lines of a lot.
49. Lot Coverage: That area of the lot which may be occupied by buildings.
50. Lot Line, Front: The property line dividing a lot from the street, providing access thereto, provided that with respect to a corner lot, the front lot line shall be determined by the orientation of the building.
51. Lot Line, Rear: The property line opposite the front lot line.
52. Lot Line, Side: Any lot lines other than the front and rear lot lines.
53. Lot Width: The distance of an imaginary line on a lot parallel to the front lot line and measured between the side lot lines at the building line nearest the street providing access thereto.
54. Maintenance Facility: Any building or structure used for housing maintenance equipment and operations.
55. Mobile Homes: A portable structure used or designed to be used for living or sleeping purposes, transportable on its own wheels and requiring only minor work after arrival on its site to become suitable for occupancy, in contradiction to a prefabricated or modular living unit designed to become a permanent

building. A mobile home is not a dwelling unit as defined in this Resolution.

56. Mobile Office: A vehicle, with or without self motive power, designed and equipped for human occupancy or industrial, commercial or professional purposes, including, but not limited to, temporary offices for the sale of homes and temporary construction management and supervisor trailers, and subject to any current Town regulations and permitting.
57. Planning Area: The area within which a specific land use is planned, along with its density and approximate acreage, as indicated on the Master Plan.
58. Open Space: Public or private land and aquatic areas which are acquired, regulated, or managed to protect the natural environment and significant cultural resources provide recreational opportunities, shape the pattern of development or any combination thereof, including yards, open space easements, common areas, common elements, and any building authorized for construction on open space.
59. Open Space Easement: Continuous area of land varying in dimension, encompassing public or private land and aquatic areas for the purpose of open space use(s).
60. Public Utility: Every firm, partnership, association, cooperative, company, corporation and governmental agency, and the directors, trustees or receivers thereof, whether elected or appointed, which is engaged in providing bus, electric, rural electric, telephone, communications, gas, gas pipeline carrier, water sewerage, pipeline, road maintenance, fire protection, and emergency medical facilities and services.
61. Recreation Vehicle: A motor home, travel or camping trailer, boat, van or truck camper, with or without self-motive power.

62. Special Community Event: A temporary event, sponsored by the Eagles Nest Golf, or other organization such as golf tournaments, fireworks, parades, swim meets, community picnics, athletic events, non-motorized vehicle races, rodeos, Christmas and holiday pageants and other outdoor programs.
63. Stacked Unit: A dwelling unit within a structure, containing at least two units. These units can be sold only as a condominium unit and shall be stacked a minimum of one unit above the other.
64. Structure, Permanent: A structure which is built of such materials, and in such a manner, that it would reasonably be expected to last and remain useful for more than 5 years.
65. Structure, Temporary: A structure which is not a permanent structure, or one which is constructed for a special purpose in contemplation of removal upon accomplishment of such purpose.
66. Subdivision: A parcel of land divided into blocks, lots or plots for immediate or future use or sale, or for building developments; or the act of so dividing the land.
67. Temporary Contractor Storage Yard: A place for temporary storage of materials used for the construction of structures, roadways, public utilities or landscaping.
68. Temporary Construction Office: A temporary structure, mobile or modular unit for the storage of construction materials on-site and/or as a construction office during regular construction hours.
69. Temporary Office: A temporary structure, or mobile, or modular unit designed and intended for an office, with or without utilities, and not for living quarters, utilized only during prescribed office hours.
70. Town: The Town of Silverthorne, Colorado.

71. Townhouse: A single family multi-story structure which may be either attached to, or detached from, units of a similar type and acquired as a fee simple or condominium purchase.
72. Yard: The area on a lot unoccupied and unobstructed from the ground upward, except for certain items as otherwise provided in these Development Guidelines, such as landscaping, walkways and patios.
73. Yard, Front: A yard extending across a lot between the principal building nearest the public street providing access thereto and the edge of the curb nearest such building or, in absence thereof, the edge of the paved road surface.
74. Yard, Rear: A yard extending across the full width of a lot between the principal building on the lot nearest to the rear lot line, and the rear lot line.
75. Yard, Side: A yard extending from the front yard to the rear yard between the principal building nearest to a side lot line, and such side lot line.
76. Water Bodies: A channel, natural depression, stream, creek, pond, ditch, reservoir, lake, or any place where water is channeled or collected and stands and/or flows either as a result of man-made or natural impoundments.
77. Zero Lot Line: A situation in which a structure is built up to one of its side yard property lines, and the other side yard has a minimum set back of ten (10) feet (See figure 1). For corner lots, the side yard where a structure is built up to its property line with no easement or setback requirement shall not be adjacent to the street and the setback for that side shall be of a distance to provide adequate sight visibility and snow stacking.

1.5 ACCESSORY USES AND BUILDINGS

Intent

This section is intended to establish land uses and set forth guidelines for accessory uses and buildings within Eagles Nest in order to ensure that high standards of siting, construction, quality and design are applied throughout the project, and compatibility is secured with surrounding land uses.

Uses Permitted

The following accessory buildings and uses are permitted within all residential areas in Eagles Nest subject to proper consideration of the standards set forth in the individual sections in this document, and review of site development, improvements and landscaping by the Committee.

1. Guard houses at entries, exits, ingress/egress points.
2. Private swimming pools, private greenhouses.
3. Private fallout shelters, storm shelters.
4. Detached garages.
5. Temporary sales and/or construction offices.
6. Temporary contractor construction buildings, trailers and storage areas.
7. Tennis courts, paddle tennis courts, barbeque pits, water features and fountains.
8. Household pets.
9. Fences, hedges and walls.

Development Standards and Requirements

Permitted accessory buildings and uses shall be developed and constructed in accordance with the following development standards:

1. Each accessory building shall comply with the development standards set forth for the residential area in which it is located.
2. Private uncovered tennis and paddle courts may be built into any required yard provided that any such

use is set back a minimum of five (5) feet from any property line and does not encroach into utility or drainage easements.

3. Household pets, not exceeding four animals of more than four months of age per dwelling unit, shall be permitted as an accessory use in all residential areas.
4. Fences, hedges and walls shall be permitted in any area as an accessory use as provided in Section 2, subject to approval of the Committee.
5. Energy conservation in siting, orientation, solar access, landscaping practices and methods are encouraged within Eagles Nest. No construction of dwellings, structures and/or landscaping shall be of height and location so as to substantially obstruct sunlight or solar access to surrounding dwellings.
6. Review and Approval: All site plans, building plans, architectural plans, site landscaping and grading, and fencing plans must be approved by the Committee prior to any development or construction activities being initiated.

Architectural / Design Controls

2. ARCHITECTURAL/DESIGN CONTROLS

2.1 Intent

The intent of this section is to set forth the submission review and approval procedures for the Design Review Committee and the general guidelines and standards for all structures, buildings, and architectural elements within Eagles Nest. The unique site character, variety of landscape types, and exceptional visual quality of the property requires that any development or construction within Eagles Nest be accomplished in a fashion that complements the natural landscape and achieves a suitable "fit" with the slope, vegetation and views.

2.2 Submission Procedures

Every land owner must submit to the Committee all site, building and landscaping plans prior to submission to the Town of Silverthorne for review and approval. Owners of lots within the subdivision are encouraged to consult with the Committee prior to and during the preparation of such plans and specifications in order to avoid withholding or delay in approval.

It will be necessary for projects to submit drawings for Committee review and approval at every planning phase; i.e., preliminary plat, final plat, preliminary site plan and final site plan. The following material shall be submitted to the Committee:

1. Committee review charge of ten cents for each square foot of enclosed floor space. The proceeds of such charges shall be used for the administration and enforcement of the design review process.
2. Three sets of all drawings (In the case of final site plans or plats this shall include construction and engineering drawings. (Please indicate filing, block and lot number.)

3. In the case of final site plans, color and material samples shall be provided for all exterior materials and either a form model or perspective sketch.
4. In circumstances where building envelopes occur, these shall be indicated on the site plan.

Once drawings have been submitted to the Committee, there will be a one week review period, at the end of which the Committee shall provide, in writing, a summary of their recommendations. At this time the Committee may require a \$500/unit deposit for duplex or multi-family units. These escrowed funds shall be returned to the owner without interest after landscaping is in place and is in satisfactory condition. If the Committee requires revisions or additional material, this shall be discussed with the applicant and shall be provided to the Committee. Once drawings are approved, a signature block shall be placed and signed on the drawings.

Committee Organization

The Design Committee shall initially consist of a minimum of three persons appointed by Centron Corp. The Committee shall be presided over by a chairman, co-ordinating and directing the Committee's work.

The address of the Design
Committee shall be:
Centron Corporation
12600 W. Colfax Avenue, Suite B440
Lakewood, Colorado 80215
303-233-6333

The current record of the names, qualifications and business addresses of the members of the Design Committee shall be kept there.

Committee Duties

The Committee's goal is to create a compatible and homogeneous architectural quality harmonious with the rural character of the Upper Blue River Valley and the Eagles Nest

Subdivision. The Committee, in reviewing plans for proposed buildings will encourage a character typified by the use of forms and materials indigenous to the Upper Blue River Valley. The Committee, however, encourages modification of these forms, to a degree, by suggesting implementation of both passive and active solar systems.

In passing upon all such plans and specifications, the Committee shall consider the compatibility of the proposed building or other structure inclusive of the materials of which it is to be built and the site upon which it is to be erected in relation to the harmony of the surroundings and related effects upon adjacent buildings and neighboring lots. "Stock" or "catalogue" plans will receive special Committee scrutiny to assure compatibility with the site.

Committee Meetings

The Committee shall meet from time to time as necessary to properly perform its duties. Meetings will require a minimum of three (3) members to be present when voting on actions. The vote or written consent of a majority of the members shall constitute an act of the Design Committee unless unanimous decision of its members is otherwise required by the Eagles Nest Restrictions. The Design Committee shall keep and maintain a record of all action from time to time taken by the Design Committee at such meetings.

Applicants for Committee action should contact Centron Corporation to verify meeting time and place.

Design Guidelines

Design Guidelines have been established for the Eagles Nest Subdivision. The Committee reserves the right to modify the Design Guidelines from time to time as it deems reasonable, necessary or appropriate. Prospective owners and builders are advised to avail themselves of the most current copy of the Guidelines before initiating design.

Liability

The Committee shall use reasonable judgment in passing upon all plans and specifications. Neither the Committee nor any of its members, nor Centron Corporation, nor the Town of Silverthorne shall be liable to any person for actions in connection with submitted plans and specifications, unless it be shown that the Committee acted with malice or wrongful intent. Neither the Committee, its members, Centron Corporation, nor the Town of Silverthorne, will be responsible or liable to any owner of a lot within the Subdivision for damages to such lot, or improvements thereof, occasioned by the public use of the Golf Course or other recreational facilities or public tracts.

Estoppel Certificate

The Design Committee shall record an estoppel certificate executed by any two (2) of its members, certifying with respect to any lot of said owner, that as of the date thereof either all improvements and other work made or done upon or within said lot by the owner, or otherwise comply with the Eagles Nest Restrictions, or such improvements and/or work do not so comply, in which event the certificate shall also identify the non-complying improvements and/or work and set forth with particularity the cause or causes of such non-compliance. Any purchaser from the owner or mortgagee or other encumbrancer shall be entitled to rely on said certificate with respect to the matters therein set forth, such matters being conclusive as between the Association, Centron Corporation and all owners and such purchaser, mortgagee or other encumbrancer.

Enforcement

If any person shall violate or threaten to violate any of the provisions of this instrument, it shall be lawful for the Committee, or any person or person owning real property in the Subdivision to institute proceedings at law or in equity to enforce the provisions of this instrument, to restrain the person violating or threatening to violate them, and to recover damages, actual and punitive, together with reasonable attorney's fees, for such violations.

Severability

Invalidation of any one of the provisions of this instrument by court order or decree shall in no way affect any of the other provisions which shall remain in full force and effect.

Covenants and Restrictions

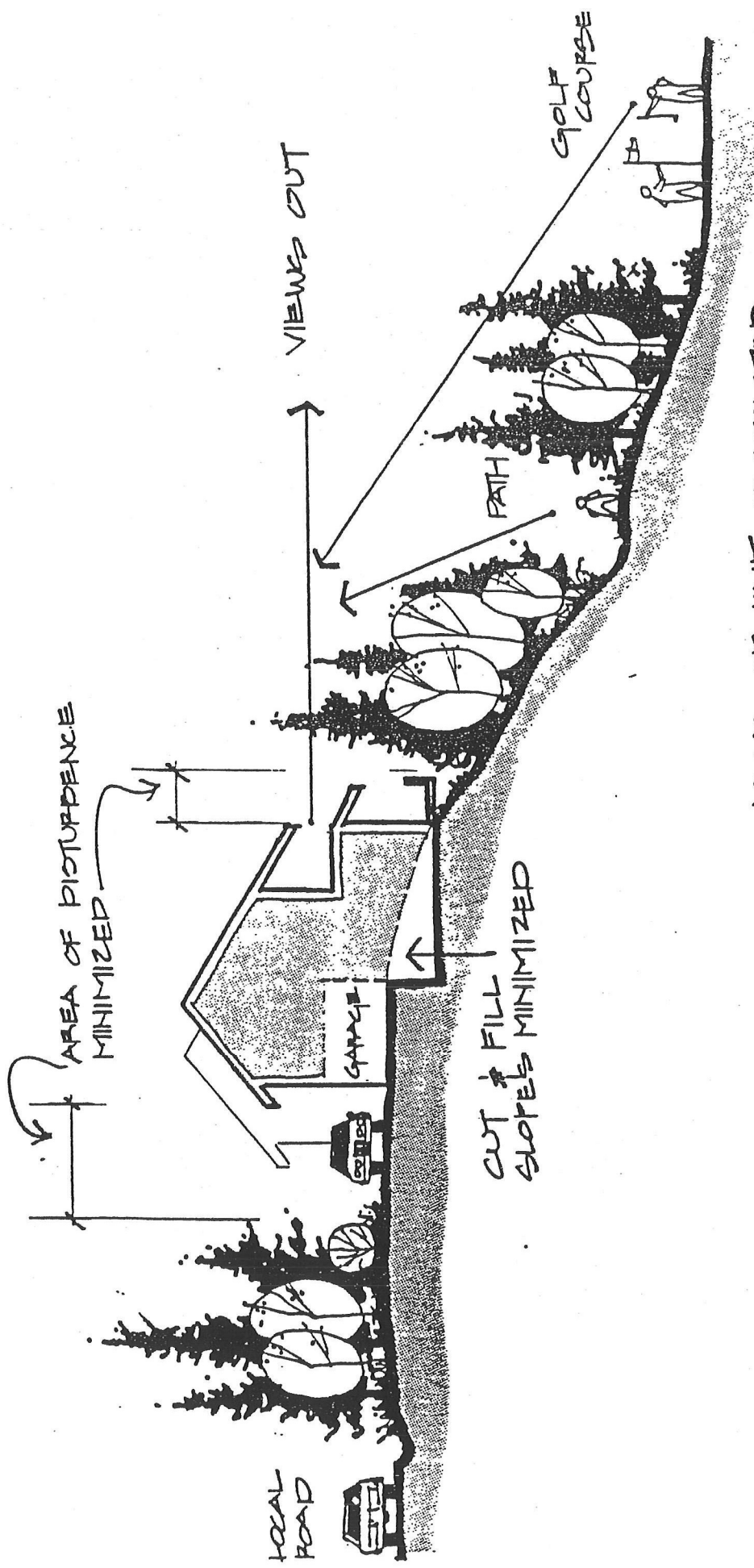
Additional information pertaining to the Design Committee can be found in the Covenants and Restrictions of each filing.

2.3 General Standards and Requirements

The general standards and requirements listed in this section shall apply to all residential, Golf Club Facility and recreational uses in Eagles Nest. Architectural/design controls for the commercial and hotel planning areas are addressed in their respective sections.

1. Design suitability: Eagles Nest contains a variety of siting situations. Design of structures or architectural elements within each of these uniquely opportune areas must be in keeping with the surroundings and be appropriate to the natural setting.
2. Design Assistance: All dwellings, residences and structures within Eagles Nest shall be designed with the assistance of a registered and accredited Architect. Landscape plans for all development areas shall be designed with the assistance of a Landscape Architect. Site analysis and inspection on the part of these assisting entities is required prior to the development of site plans, schematic architectural plans, or landscape designs.
3. Siting: In the site planning, development and construction of any lot or structure, consideration must be given to the relationship of buildings to existing slope grades, drainageways, vegetation and the preservation of natural site features. All structures shall achieve a "fit" with the landscape that is not intrusive and considers the following:

- a. Structures in steeply sloping areas shall be designed to conform to the slope by means of "stepped" foundations or similar methods that will not require steep cuts for siting. In principle, structures shall accommodate slope in design rather than cause slope to accommodate structures (see Figure 2.1). Significant natural drainageways shall not be disturbed or re-routed except where of general benefit to the entire project and shall be subject to approval by the Committee and the Town of Silverthorne.
 - b. Unique site features, whether topographic (knolls, ridges, etc.), or of a surficial nature (boulders, rock formations, specimen tree stands, etc.), shall receive special consideration in any site planning or development. Such features shall be left undisturbed wherever possible in lot development.
 - c. Wherever possible, dwellings shall be sited to receive the maximum beneficial effect of solar orientation, provided extensive clearing of vegetation is not required to achieve this effect. Gaining solar orientation benefit shall not be at the expense of the visual effect of achieving such benefit.
4. Residential building envelopes: Development of any lot within Eagles Nest shall be restricted to the confines of a described building envelope. Building envelopes for single family residential shall include all clearing, grading, construction, introduced irrigated landscaping and impervious areas, with the exception of connecting driveways or ingress-egress roads (see Figure 2.2).
- Building envelopes for multi-family residences shall include the entire principal structures, attached or detached garages, patio or other impervious surface areas and irrigated landscape areas. Entry driveways to the structure may extend from the building envelope to the principal access route. Building envelopes shall be described as to size and dimensions within the restrictive covenants for each area at the time of platting.

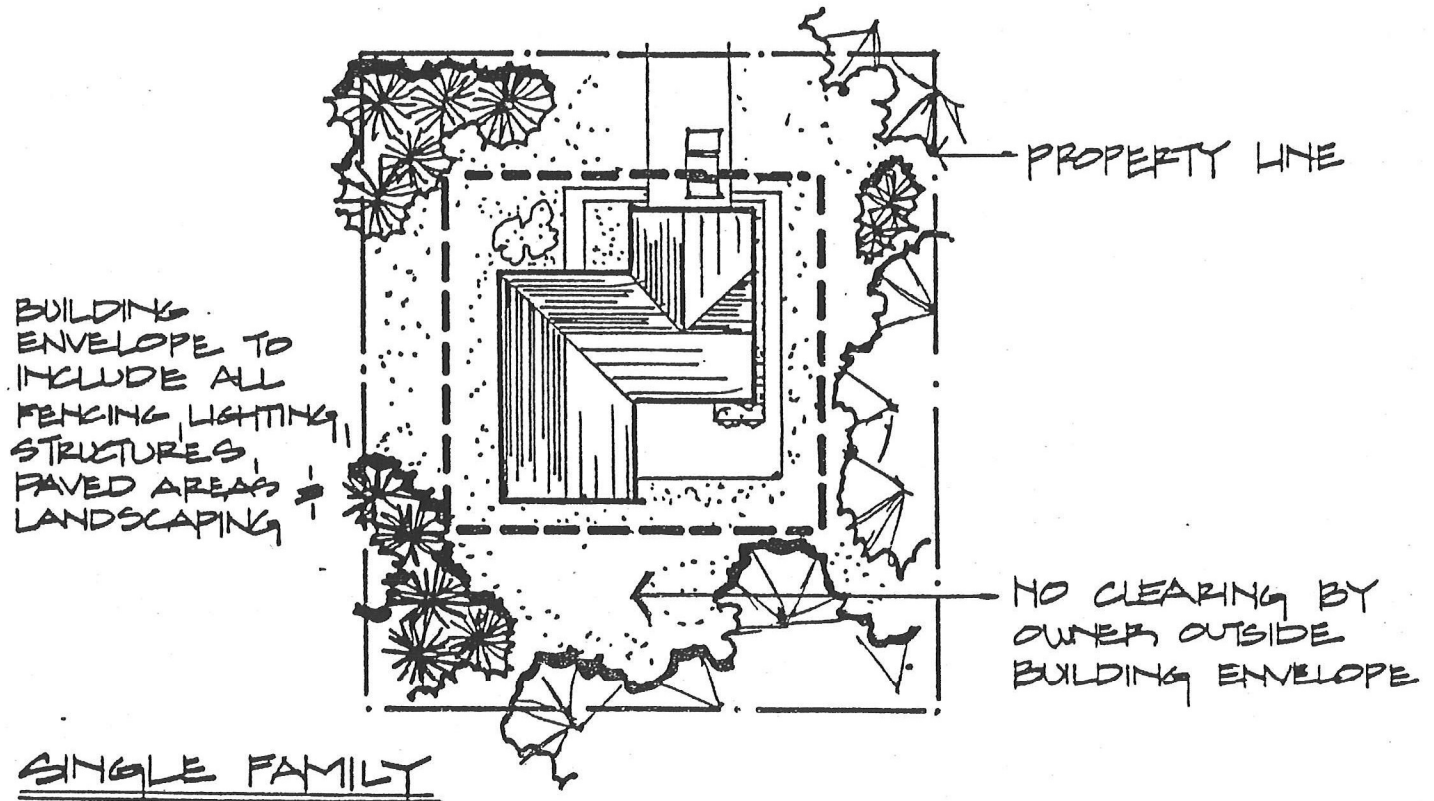
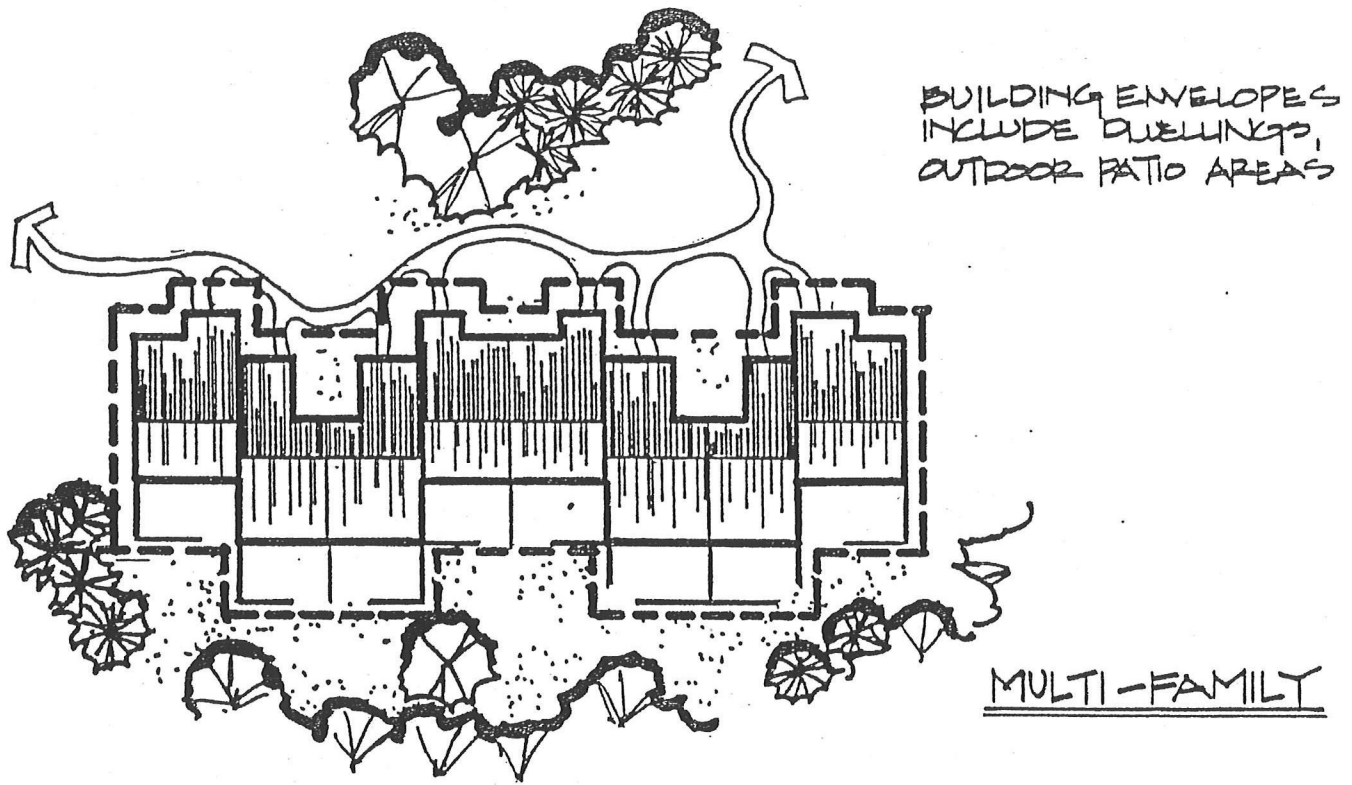


VIEWS OF UNIT OBSTRUCTED BY STEP ROCK SLOPES & UNDISTURBED VEGETATIVE BUFFERS.

SLOPE SITING

FIGURE 2.1

NOT TO SCALE



BUILDING ENVELOPE

FIGURE 2.2
NOT TO SCALE

The "building envelope" concept does not apply to non-residential areas. Such areas are governed instead by a figure for maximum percentage of lot coverage.

5. **Building Heights:** Maximum building heights of structures are addressed in each land use section of this document; however, varying slopes and vegetative conditions shall also govern allowable maximum building heights. As a general principle, no structure or appurtenance shall be higher than the average canopy height of tree cover in the structure's vicinity. Individual structures or building groups in the open meadow areas shall be limited in height to conform to the average canopy height along meadow edges. Additional height considerations to preserve views of the open space or landscape external to the site shall be provided within the restrictive covenants for individual areas at the time of platting.
6. **Use of Materials:** The type, use and coloration of all materials used in the development and construction of exterior elevations shall be subject to approval by the Committee. Specific detailed restrictions for such use shall be provided within the restrictive covenants for each area at the time of platting. For purposes of general guidance, the following materials are permitted:
Exterior Walls:
 - a. Natural wood siding
 - b. Native stone/wood in compatible combination
 - c. Board and batten
 - d. Logs and log siding

Other materials may be considered at the discretion of the Committee. All such consideration shall be on an individual case basis. Approval of an exterior wall material for a specific location shall not constitute approval as a general condition.
7. **Exposed Foundations:** The use of materials indigenous to the site and structurally appropriate for foundations is encouraged. Native stone is preferred; however, concrete foundation walls are acceptable.

8. Decks: Supporting members for decking which exceed three feet in height above grade shall be designed without crossbracing or have appropriate screening or lattice walls to conceal the supporting structure.
9. Roofs: Roofs shall comply with the following standards:
 - a. Roofs on all structures shall be designed to adequately meet the demands of the mountain climate and snow loads. Roof forms in general shall utilize the gable configuration with complementing sheds and dormers. Other types of roofs shall be considered on a case by case basis.
 - b. Roof slopes shall be a minimum of 4 feet in 12 feet to a maximum of 12 feet in 12 feet unless otherwise approved by the Committee.
 - c. Roof materials: The following exterior finish roof materials are permitted:
 - 1) natural shingles and shakes, clay tile
 - 2) non-reflecting anodized or baked enamel finished metal
 - 3) roofs of approved design and color
 - 4) composition rolled roofing
10. Compatibility: All structures within each development area shall be visually compatible with other structures in the same area and the surrounding landscape. Structures within the same area shall be of similar type, size and scale and shall be designed in a manner that does not cause visual competition among buildings. Thematic architecture from periods or environments other than mountain, or the use of design elements inconsistent with the elevation, setting, climatic conditions and indigenous architectural style shall not be accepted.

Compatibility among structures will be evaluated in terms of scale, height, bulk, fenestration types, roof slope, use of exterior materials and external coloration.
11. Fences, Walls and Retaining Structures: All fences, walls, barrier devices and retaining structures shall be

considered as architectural elements. Such elements may be used for privacy and screening purposes only within described building envelopes in single family detached areas unless otherwise approved by the Committee.

- a. No chain link fences shall be permitted.
- b. Privacy or screening fences shall not exceed six feet in height within the building envelope.
- c. All fences, walls and barrier devices shall be of materials and coloration compatible and in keeping with the architectural character established for the structures within the planning areas.
- d. Visual barrier fences in the multi-family and hotel/commercial areas may be outside the described building envelopes and within open space areas. Such fences are intended as visual separations between land uses of differing densities or character (i.e. to separate large parking areas from residences - see Section 7).
 - 1) All such fences shall not exceed six feet in height.
 - 2) All fences, walls or visual/noise barriers shall be of materials and coloration compatible with the architectural character of the uses they separate or screen.
 - 3) All fences, walls or visual/noise barrier devices must be approved by the Committee prior to placement on any site.
- f. Retaining Walls: Exterior surfaces of retaining walls shall be of materials indigenous to the site or similar enough in surface texture and coloration so as to appear compatible with its surroundings. Native stone or river rock is the preferred surface for such walls, although log walls (excluding railroad ties) and textured concrete may be acceptable at the discretion of the Committee.
 - 1) All retaining walls greater than two feet in height shall be engineered, and shall be subject to review and approval by the Town.

12. Solar Application: Energy conservation practices through siting, landscaping measures, and passive solar design are encouraged wherever possible in Eagles Nest.

- a. Active solar applications are encouraged when designed as elements integral to the architecture.
 - b. Solar panels shall be flush with roof slopes.
 - c. Panels shall not be positioned in a fashion that allows light reflection from glass surfaces.
 - d. Finishes on all such panels shall be as described in "Chimneys, Vents and Appurtenances and Exposed Metal Surfaces", Item 14.
13. Lighting: All exterior lighting, whether affixed to structures or freestanding, shall be considered as architectural elements and subject to review and approval by the Committee.
- a. Lighting shall be designed in a fashion that is compatible with the architectural character of the structure and surroundings being lit.
 - b. Free standing exterior lights shall not exceed six feet in height, except in the hotel and commercial areas or along public rights-of-way.
 - c. Placement of illumination of exterior lights shall not be disturbing to neighbors, pedestrians or motorists.
 - d. Floodlights shall not be allowed in residential areas other than estate lots unless specifically approved by the Committee or on an individual case basis.
 - e. No light sources shall emit from any site illumination levels which are unreasonably bright or glaring.
 - f. Adequate lighting of parking areas in the multi-family development shall be provided. Lighting along R.O.W.s shall be in a location and a type acceptable to the Town and the Committee; placement and choice of light types shall be by joint agreement.
14. Chimneys, Vents, Appurtenances and Exposed Metal Surfaces:
- a. All exterior exposed metal surfaces such as gutters, downspouts, wall and roof vents, flashing, sills, chimneys or metal enclosures shall be painted or finished in a color approved by the Committee.

- b. Reflective, contrasting or faceted finish surfaces will not be acceptable.
 - c. Vents on walls shall be compatible in coloration and/or texture with the exterior wall surface.
 - d. Roof vents, vent enclosures or other appurtenances shall be designed and installed in a fashion that does not visually interrupt roof lines. Coloration and/or texture of such appurtenances shall be visually compatible with roof materials.
 - e. All chimneys shall be fitted with spark screens. Placement of chimneys shall be such that the damage of spark-fly to surrounding vegetation is minimized.
15. Skylights:
- a. Skylights shall not break the roof plane at sharper angles than the roof slope.
 - b. Long, flat glass skylights are desirable on sloped roofs.
16. Garages/Carports/Roofs, Patios & Decks: All such structures shall be designed and constructed as integral parts of the total building architecture and shall be compatible and characteristically in keeping with the structure to which they relate, as well as to the surrounding landscape.
- a. Roof slopes of all such structures shall be governed by the architectural controls stated in Item 9 in this section.
 - b. Exterior materials, textures, and colorations shall be governed by the architectural controls stated in Item 6 in this section.
 - c. Garage driveways shall not exceed twelve (12) feet in width, except at a distance of eighteen (18) feet from the garage door face at which the width of paved or graveled areas may be twenty (20) feet.

Single Family Residential

3. SINGLE-FAMILY RESIDENTIAL

3.1 ESTATE LOT AREA

Intent

This section is intended to set forth guidelines for the development of single family residential lots and dwellings and to ensure that high standards of siting, construction quality and design are applied throughout the project's phases.

Eagles Nest is proposed as a unique, residential community oriented to its natural surroundings. Proper response to natural features of the landscape, optimum orientation for views, solar access, energy conservation, and use of sound, yet innovative planning and design practices are encouraged throughout the project.

Uses Permitted

The following uses are permitted in the Estate single family residential areas, subject to proper consideration of the standards set forth in this document, and review of site development, improvements, and landscaping by the Committee.

1. Detached single family dwellings.
2. Open space, landscaping, and landscape elements, open space easements, hiking and cross-country ski trails.
3. Recreation areas, parks and recreation facilities, golf course.
4. Guardhouse for ingress/egress security.
5. Accessory uses and buildings (as provided in Section 1.5).
6. Temporary offices and sales center.
7. Signs as provided in Section 12.
8. Temporary contractor construction buildings, trailers and storage areas.
9. Off-street parking as provided in Section 11.
10. Public and quasi-public buildings and structures.
11. Public utilities and easements.