

Big Sky Architectural Committee

P.O. Box 160057 BIG SKY, MONTANA 59716
PHONE (406) 995-4166 FAX (406) 995-4899 bsoa@3rivers.net

MEMO

To: Owners and Users of the BSOA Design Regulations
From: Architectural Review Coordinator
Date: January 13, 2004
RE: Amendments to BSOA Design Regulations

To date the following Amendments have been made to the BSOA Design Regulations:

1. Application & Fees: Eliminated Review Fee for submittal of a change in exterior paint color. BSOA Submittal and review for approval is still required. 7/24/03
2. Review Criteria, Sketch Plan, Section 2.4.2.1: Eliminate language stating, "All drawings, plans & Specifications are prepared by a licensed architect." 7/24/03
3. Section 3.2.4, Stream shed & Wetland: First sentence shall be amended from the 50 foot setback requirement to read, "...a minimum setback of 25 feet from the annual high water line of all streams, rivers, creeks....". 9/25/03

Next sentence shall be added to read, "Applicant is responsible to check all governing agencies' waterway and wetland setback requirements, and shall conform with such requirements". (12/04/03)

4. Section 2.4.2.3, Variance Request (Paragraph IV). Sentence shall be added, "Variance Request Application shall include submittal of all items as stated in the Variance Request Checklist".

Appendix: Variance Checklist

4., including one copy in 8 ½ format
5., including one copy in 8 ½ format

Variance Request Criteria

1. (second paragraph)
"All items as stated in the Variance Request Checklist shall be submitted with the Application". (10/23/03)
5. Section 9.2, Construction Regulations. Insert paragraph after paragraph one, to read "Minor Alterations and Improvements including, but not limited to, hot tubs, dog kennels and decks, shall be completed within forty-five (45) days after obtaining the Covenant Compliance Permit". (01/08/04)

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To: Owners and Users of the BSOA Design Regulations
From: Architectural Review Coordinator
Date: May 27, 2004

RE: Amendments to BSOA Design Regulations

1. Section 3.2.9, **Portals and Entrance Gates** shall be added to read:

In effort to preserve the atmosphere of uninterrupted open space within the Big Sky community, the use of entrance gates and portals is restricted.

Portals and other rustic structures constructed to identify or mark the entrance to a property, residence, or drive are permitted only on lots or tracts greater or equal to 10 acres. Portals must be constructed of natural materials, such a log, lumber, or stone. Portals shall have an unobstructed width of 20 feet and vertical clearance of 16 feet to accommodate fire apparatus. The top, connecting member of the portal shall not exceed 20 feet in height, as measured from the road crown to the top of the portal. Portals may not be installed within the area designated as County right-of-way.

Signs, which may contain words, symbols or brands, or residence address identification, may be attached to the portal provided they conform to the vertical clearance requirements and do not exceed two square feet in area. Signs must be specific to the property on which they are located. Signs shall be approved by the Committee prior to installation.

Entrance Gates are permitted only on lots or tracts greater or equal to 10 acres. The use of natural materials, such a log, timber, or stone is recommended.

A landscaping plan shall be included with all requests for approval of portals and gates. In addition, a letter of approval from the applicable Fire Chief shall be provided.

All portals and gates shall meet requirements as set forth by applicable Protective Covenants and County regulations. (3/11/04)

2. Section 3.2.9, Portals and Gates. Second paragraph, last sentence shall be added to read "There shall be no illumination of Portals and Gates." (May 27, 2004)
3. Section 2.2.3, Professional Services, second paragraph shall read: "Each owner shall be required to retain the services of a Licensed Land Surveyor to identify Property Boundaries, and Building Footprint, and execute Variance staking. (Setbacks has been removed). **Licensed surveyor shall provide written letter to BSOA upon completion of services. Written letter shall confirm identification of Property Boundaries, Setbacks and Building Footprint, and execution of staking.**" (bold added)

Section C. Final Plan Review Checklist, add to paragraph 2 after first sentence: "*Licensed Land Surveyor is required – see page 7, Section 2.2.2, Professional Services". Add same sentence under Section C, Site Plan, first sentence. (May 27, 2004)

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MEMO

To: Owners and Users of the BSOA Design Regulations
From: Architectural Review Coordinator
Date: February 24, 2005

RE: Amendments to BSOA Design Regulations

To date the following Amendments have been made to the BSOA Design Regulations, 2004 Amendment

1. Professional Services, Section 2.2.3, second paragraph: Add to sentence "Each Owner shall be required to retain the services of a Licensed Land Surveyor or Licensed Professional Engineer to identify Property Boundaries and Building Footprint, and execute Variance staking". (bold added).

Page A.5, C., Final Plan Review Checklist, second paragraph: "Licensed land Surveyor or Licensed Professional Engineer shall write a letter confirming identification of Property Boundaries, Building Footprint, and execution of staking." (bold added)

"SITE PLAN *Licensed Land Surveyor or Licensed Professional Engineer is required - ..." Licensed Land Surveyor or Licensed Professional Engineer is required - ..." (bold added) (9/30/04)

2. Compliance with Fire District Regulations, Section 8.2.1, fifth paragraph shall read "Property Owners or their representatives shall verify project specific fire protection regulations with the Gallatin Canyon Fire District. All new construction requires a letter of approval by the local Fire Chief".

Under Final Plan Submittal Checklist (A.5, back of book), General, fourth paragraph, add to end of paragraph "Letter of project approval from local Fire Chief". (11/18/04).

3. Policy for Storage and Parking of Boats, Trailers, and Recreational Vehicles (1/13/05, Sec. B.1)

No boats, trailers, snowmobiles, motor homes, or other recreational-type vehicles shall be permitted to be kept or stored on the premises of any residence unless a covered, fenced and screened parking space, which must be approved in advance by the Big Sky Architectural Committee, is provided.

Temporary parking of these type vehicles is permitted when it is approved in advance by the BSAC¹. Temporary parking is defined as parking for a period not to exceed seven total days per month. The seven day period may extend across two calendar months, but in no case will more than seven consecutive days be permitted.

Example: A boat may be temporarily parked at a residence for the last five days of July and the first two days of August. The seven consecutive day limit has been reached; it must be removed. The monthly time limits may not be combined. The resident may, with approval, temporarily park the boat for an additional five days later in the month of August.

Notes

1. Residents may request approval in person or by telephone, fax, regular mail, or email.
Telephone: 995-4166
Fax: 995-4899
Email: BSOA@3rivers.net
Mail: P.O. Box 160057
Big Sky, MT 59716

Amendment to Section 4.2.1 of the BSOA Design Regulations

4.2.1 Shape, Pitch & Length

Add a paragraph to the end of this section:

“The BSAC reserves the right to waive the change of direction requirements below when, in its sole judgment, a greater roof length or a lesser change of direction does not compromise the integrity of the building design or of the development district.”

Single Family Dwellings

Roofs shall not exceed 40 feet in length without a change of direction greater than two (2) feet vertically or horizontally.

Commercial and Multi-Family Dwelling Buildings

Roofs shall be not exceed 50 feet in length without a change of direction greater than four (4) feet vertically or horizontally.

Proposed Amendment to Section 4.3 of BSOA Design Regulations 1/26/06

4.3 Exterior Wall Form

Where wall surface length restrictions apply, a directional change by a minimum of four (4) feet shall be made. Functional Architecture shall be incorporated into the design to create the change in direction, such as alcoves or bays in the exterior wall.

Two story exterior wall forms shall be interrupted by minor roof forms.

Add paragraph here to read: (applies to single family residence and commercial and multi-family dwellings)

“The BSAC reserves the right to waive the change of direction requirement for wall surface length when, in its sole judgment, a greater wall length or a lesser change of direction does not compromise the integrity of the building design or of the development area.”

Single Family Dwellings

Exterior Wall surfaces shall be not exceed 40 feet in length without the introduction of a change in direction.

**Amendment to Section 8.2.2 of the BSOA Design Regulations
Adopted 1/26/06**

Delete the entire Section 8.2.2 and replace with the below.

8.2.2 Burning & Fire Preventive Restrictions

8.2.2.1 Open Burning and Exterior Fires

The burning of trash, organic matter, or miscellaneous debris shall be prohibited whether in the open, fire pit or in trash burning receptacles, except where allowed by respective Protective Covenants, and approved and authorized by permission. See Appendix ____, for a list of Protective Covenants that allow burning.

There shall be no exterior fires whatsoever, except natural gas or propane barbecue fires contained within appropriate receptacles or in an exterior fireplace as permitted under Section 8.2.2.4 below, and such controlled fires as may from time to time be permitted by the State, County, and Local jurisdiction regulations.

8.2.2.3 Combustible Fuels

Bulk storage of combustible fuels is prohibited in or on residential properties. Storage of any combustible fuels must comply with applicable Federal, State, and Local regulations.

8.2.2.4 Fireplaces & Stoves

Single Family Residences - Interior

In an effort to protect Big Sky air quality, only one interior wood burning stove or fireplace shall be permitted per each 1 acre of property, and should be of efficient design and compliant with all applicable standards. Parcels that are less than two acres are permitted to have a maximum of one interior wood burning fireplace or stove per parcel.

Additional fireplaces and stoves shall burn natural gas, propane or liquid petroleum gas only. Only natural gas, propane, liquid petroleum gas or low emission solid fuel materials (such as newspaper, untreated wood and lumber, and products manufactured for the sole purpose of use as fuel) shall be burned in a solid fuel burning device such as a wood burning fireplace, wood stove, or pellet stove.

Spark arrestors shall be provided around the mouth of the chimney, stove pipe or vent as well as with any heater, stove or fireplace exposing open flame or emissions thereof.

Single Family Residences - Exterior

Only one exterior wood burning fireplace shall be permitted for one residential lot, where not prohibited by the Protective Covenants, and shall be constructed of masonry with foundation and be of efficient design. Spark arrestors shall be provided around the mouth of the chimney, as well as with any fireplace exposing open flame or emissions thereof.

Single Family Condominiums - Interior

Only one interior wood burning stove or fireplace shall be permitted per dwelling unit, and should be of efficient design and be compliant with all applicable standards.

Additional fireplaces and stoves shall burn natural gas, propane or liquid petroleum gas only. Only natural gas, propane, liquid petroleum gas or low emission solid fuel materials (such as newspaper, untreated wood and lumber, and products manufactured for the sole purpose of use as fuel) shall be burned in a solid fuel burning device such as a wood burning fireplace, wood stove, or pellet stove.

Spark arrestors shall be provided around the mouth of the chimney, stove pipe or vent as well as with any heater, stove or fireplace exposing open flame or emissions thereof.

Single Family Condominiums - Exterior

Only one exterior wood burning fireplace shall be permitted, where not prohibited by the Protective Covenants, per dwelling unit and shall be constructed of masonry with foundation and be of efficient design. Spark arrestors shall be provided around the mouth of the chimney, as well as with any fireplace exposing open flame or emissions thereof.

Multi-Family Dwellings

No interior or exterior wood burning fireplaces are permitted; however the BSAC on a case by case basis will evaluate a request for an interior wood burning fire place in a common area facility (such as a community room or lobby) of a multi family dwelling building.

All interior fireplaces shall burn natural gas, propane or liquid petroleum gas only. Only natural gas, propane, liquid petroleum gas.

Commercial and Recreational Projects

Number and type of fireplaces for a commercial or recreational project will be evaluated on a case by case basis.

Big Sky Architectural Committee Performance Deposit Fee Schedule¹

Activity		Minimum Performance Deposit ²
Residential Disturbed Lot – not to exceed 12 months in duration before construction commences or restoration is complete. Includes:		\$10,000
<ul style="list-style-type: none"> • Selective clearing; • Test pits and geotech investigations; • Permanent features – i.e. driveways, berms, significant clearing; or • Other activities at BSAC discretion 		
Condominium or Commercial Disturbed Lot and Landscaping ³	Small (< 4 dwelling units)	\$25,000
	Medium (5-12 dwelling units)	\$30,000
	Large (> 12 dwelling units)	\$40,000
Single Family Residential Construction	n/a	\$10,000 ⁴
Single Family Condominium Construction	<3000 sqft	\$7,500 per dwelling unit
	>3000 sqft	\$10,000 per dwelling unit
Multi Family Condominium Construction	<2000 sqft	\$3,500 per dwelling unit
	>2,000 sqft	\$5,000 per dwelling unit
Commercial Construction	n/a	\$2/sqft ⁵
Minor Alterations and Repairs ⁶	n/a	Flat Fee- \$250.00

¹ Adopted by the BSAC September 26, 2002 - Effective October 1, 2002 with the following amendments: clarified December 12, 2002; Alteration/Improvement May 8, 2003; Single Family Condominium/Disturbed Lot and Rates, December 15, 2005. This amendment was approved to modify the performance deposits and to delete paragraph Section 2.5.4 of the BSOA Design Regulations adopted May 30, 2003 and amended.

² All Deposits must be in the form of cash, check, or a certificate of deposit for BSOA FBO Owner Name.

³ Must be posted independent of and in addition to the construction deposit and may not be rolled over. Condominium Disturbed Lot and Landscape Deposits will be refunded at 100% project completion.

⁴ Includes disturbed lot bond if already posted.

⁵ Includes both habitable and inhabitable square footage

⁶ To be released at the final completion and full compliance of the project. Projects under this heading include but are not limited to repairing siding and decks, painting, or roof repairs.