

LAKE LEANN PROPERTY OWNERS ASSOCIATION

BUILDING CONTROL COMMITTEE

Building Guidelines

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Introduction

The following guidelines along with the Deed Restrictions will be used by the Lake LeAnn Property Owners Association (LLPOA), Board of Directors and Building Control Committee (BCC) in approving, auditing, and enforcing all building within the Association. The Guidelines are additive to the Deed Restriction and are intended to maintain a consistent building criteria for the Association and its members. A member must be in good standing to receive approval.

Failure to obtain an approved application for a BCC building permit before a building project is started will result in double the permit fee.

Accessory Structures

Any deed restriction authorized accessory structure that is not a residence cannot exceed 24X36.

Temporary Structures

No temporary structures intended for living (residence) or to be used during construction. Also, no temporary outbuildings, including for storage, to be constructed of nondurable materials.

A temporary structure is defined as portable structures, structures constructed of fabric or vinyl, and shall not be considered accessory structures and are not permitted to be used as garages, living spaces or accessory buildings/structures.

Temporary is defined as not to exceed 180 days.

House

Lake Front House maximum height requirement is a story and ½. The second story can only be one-half the square footage as the first story of a house.

Refer to **Guide for Selecting Story Height** (Attachment 1) for defining levels. The height of a house will be determined from the grade level at which the house is built and from the street side of the house. Exposed basements facing the lake are not considered a story of a house. Example: An exposed basement facing the lake and with one floor above ground level on the street side is considered a one story home.

Garage Types*



Attached Garage

Attached garage, a structure for automobiles, has one or two walls in common with the residence.



Detached Garage

Detached garage is free-standing, separate from the residence.



Carport

A roofed cover for automobiles, usually attached to residence and either open or enclosed by one or two walls.

Any structure larger than 10 X 20 that is used to store a car/truck is considered a garage and is required to be attached to the house on Lake Front lots.
Sidewalks and drive ways of any type are not considered structural attachments.

Waste

All septic tanks or other devices for the sanitary disposal of waste shall be installed in compliance with County Health Department regulations. A grid map of the lot showing location of well and septic tank is to be sent to the Hillsdale County Health Department.

All building related material (tree stumps (from clearing the land), posts, trash, wire, etc.) shall be removed from the site before any final inspection on approved building plans.

Fences

Any construction extending more than one foot above the ground with a maximum height not to exceed four (4) foot must have Building Control Committee approval. State law will determine pool fence height at time *of* application.

Fences, or walls, are permitted. Fences must be constructed to blend with the natural surroundings and not give a feeling of blocking or enclosure as determined by the Building Control Committee.

Fences, or fencing can have a maximum of eighty percent (80%) coverage and a minimum of twenty percent (20%) open area, and must have at least one and one half inches between vertical, horizontal, or diagonal fence materials so as not to conceal. In no case may fencing or walls obstruct the sight line of traffic.

Fences must be constructed with approved material(s), which may include brick, stone, wood, chain link, or artificial materials, such as vinyl or plastic, which very closely replicate natural materials. Aside from wood, brick, stone, vinyl and chain link, no other opaque materials may be used to construct fences or walls.

Fences on lake lots are not allowed to be parallel to the water's edge unless under the guidance of the Dog Pen Building Guidelines. Side fences must be a minimum of 25 feet from the water's edge.

The Building Control Committee must approve all fences or walls and in no case shall a fence, fencing or wall be erected closer than twenty-five feet (25 ft.) to the front property line.

Dog Pens

A Dog Pen may be erected in the rear yard close to the house and as far away from neighboring property as possible. The Pen would be of chain link, freestanding without permanent poles, with a suggested height of 48" and a maximum height of 72", and not exceed 144 square feet of

enclosed space. The free standing pen structure must securely contain the dog. If the pen is in clear view of neighboring property a visual barrier such as evergreens is encouraged. It is recommended that the homeowner installing the dog pen make the neighboring property owners aware of the proposed pen location. Consideration for neighbors and the possibility of UNACCEPTABLE barking noise caused by housing a dog in the outdoors is essential when planning a dog pen.

Any other pen or fencing must be approved by the LLPOA Building Control Committee prior to being erected. Dog pens for commercial breeding purposes are not allowed on residential lots.

Similarity

The Committee may reject any plan because of too great a similarity to nearby existing structures. For a home to be considered not similar, the visual look of the home must be different. We are concerned with the outside appearance. The elevation must be physically different and should be evaluated by the following:

	Category
• Covered front porch 10 feet or more in length	3
• Garage	3
• Roof pitch and gable.	2
• Dormer(s)/size	2
• Covered front porch less than 10 feet in length	2
• Configuration & position of windows & doors +/- 25%.	1
• Uncovered porch dimensions and construction	1
• Trim detail	1

For a house to be considered different, it must be noticeably different and have a total point value of three (3) or higher from the category numerical value above. Perception of the house is that this elevation is not the same as the others in the community. This should pertain to the homes on and within the adjacent blocks of the house being considered.

Garage Requirements

1. Structures larger than 10X20 that is used to store a car/truck is considered a garage.
2. Garage must attached to dwelling if on a lakefront lot.
 - a. Using roof line with minimum of 4/12 pitch
 - b. Fascia must match existing dwelling
 - c. Enclosure of attachment not required, but if enclosing, matching siding is required
3. Matching shingles or roofing material
4. Minimum of 36 inch width from outside to outside of fascia

Additional Requirements

Structure - Something such as a house, shed, deck, etc. that is built by putting parts together and that usually stands on its own.

Shed

1. Needs approval if larger than a 6'x6'x4'H, but cannot exceed 150 square feet.
2. A shed cannot exceed sixteen (16) feet from the foundation to the peak of the roof.

Outbuildings

Any structure larger than 6'x6'x4'H that is not a house or garage.

Overhang

Minimum requirement is 18 inches.

Roof Pitch

Minimum requirement is 5/12.

Docks

All dock placements must have enough room to leave a safe area for parking of boats. A second dock may only be installed with the permission of the Building Control Committee. The maximum length a dock may be protruding from shore across the water is the shortest of: Thirty-five (35) feet or one third (1/3) of the distance across any channel where placed. LLPOA members may not place docks where they restrict the access of other boaters, or that are considered a nuisance or interfere with the enjoyment of the lake by others. All contested dock placements will be referred to the LLPOA Building Control Committee. The Committee may request from the LLPOA member whose dock is being contested any of the following, but is not limited to: (a.) a site visit drawings, plot plans, or other related documents.

Note: Decisions made by the Building Control Committee will be based on the safety and the enjoyment of the lake by all members. This may include but is not limited to:

- i. Removal of docks.
- ii. The sharing of a dock by two parties.
- iii. The moving of a dock to a different location.
- iv. A change in the dimension of the docks involved.
- v. Placement of watercraft/lifts adjacent to docks.

LLPOA members must follow the following procedures before a dock may be permanently erected: Submit a written request to the Building Control Committee. If approved, submit your approval to the Department of Natural Resources for a permit.

Sea Walls

Breaker Walls (Seawalls):

If the Michigan Department of Environmental Quality (MDEQ) approves the request for a seawall and grants a permit, it shall be filed with the LLPOA.

BCC approval not required.

Appeals, Variances, and Notice

Appeals

Any decision by the BCC, or Building Control Committee Designee acting on their behalf may be appealed to the LLPOA Board of Directors within 31 calendar days of the decision.

The Board of Directors shall decide each appeal within 90 days of its complete submission and shall give notice to the member of the date of hearing on the Appeal. A record of each appeal and the Board's recommendation to the BCC shall be maintained on file in the LLPOA office.

Variances

A variance is the authorized minor departure from the Building Rules and Regulations in direct regard to a hardship peculiar to an individual lot. The BCC may allow reasonable variances from the provisions of this Building Rules and Regulations if literal application results in unnecessary hardship and if such variance is in general conformance with this Building Rules and Regulations.

The BCC may grant a variance after giving due consideration to the following conditions:


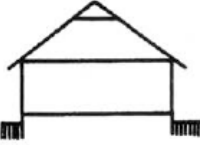
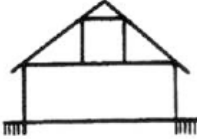

- a) That the lot size, shape or topographic configuration is such that unnecessary hardship results there from and not from the provision of either the Building Guidelines nor the Deed Restrictions.
- b) It is unreasonable to develop the property in strict conformance with this Building Guidelines because of the above-mentioned physical circumstances.
- c) That such unnecessary hardship has not been created by the owner or his agent.
- d) That the variance will not alter the essential character of the subdivision nor impair the use or development of adjacent property.
- e) That the variance will represent the minimum possible departure from the Building Code that will afford relief.
- f) That the variance does not contradict a township or county ordinance or building code, or a provision of the State of Michigan Building Codes at the time the variance is granted.

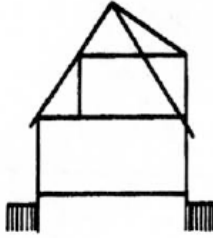
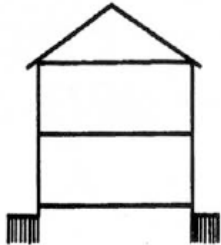
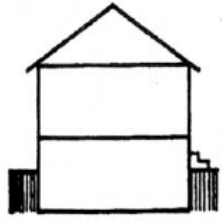
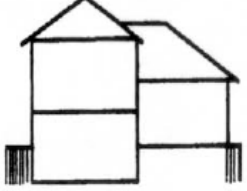
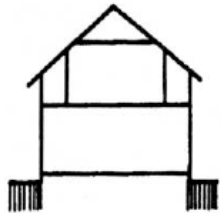
Notice

Adjacent property owners within 200 feet, including those across streets or lake channels are to be notified of such variance and given the opportunity to express their position in writing and be notified of the hearing and be allowed them to voice their opinion. Notice shall be sent in writing by certified mail (return receipt requested) to the last address shown on the LLPOA membership list at least 15 days in advance of the hearing date by the person requesting the variance. The property owner shall pay for all notices. The BCC will not require a second notice for the BCC. The BCC will use the Township responses.

Attachment 1: Guide to Selecting Story Height

Guide information obtained from State of Michigan Assessor's Manual Vol. 1. (2003)

1-Story	1+ -Story	1-1/4-Story	1-1/2-Story
<p>A 1-story residence has no attic and one floor of living area at or near grade level.</p>	<p>A 1-story residence with an unfinished attic (having a ceiling height of at least 7 feet) with a floor and an area approximating 25% of that of the first floor.</p>	<p>A 1-story residence with a finished attic and an attic area (where the ceiling height is at least 7 feet) approximately 25% of that of the first floor.</p>	<p>A 1-story residence with a finished attic and an attic area (where the ceiling height is at least 7 feet) approximating 50% of that of the first floor. If the attic is unfinished, use 1-1/4-Story.</p>
			

1-3/4-Story	2-Story	Bi-Level	Tri-Level
<p>A 1-story residence with a finished area (where the ceiling height is at least 7 feet) approximating 75% of that of the first floor. If the attic is unfinished, use 1-1/4-story.</p>	<p>A 2-story residence has two floors of living area, one at grade and one above grade, both with full ceiling heights.</p>	<p>A bi-level residence typically has a lower or ground level 4 feet below grade and an upper level 4 to 5 feet above grade, both with full ceiling heights. Entry is at grade level. Full-size windows in the lower level make the area suitable for a family room or a bedroom. Typically the lower level is 80% finished, allowing an unfinished area for utility and mechanical needs. Bi-levels are often located on a sloping lot so the lower level is partially exposed. Bi-levels have no basements.</p>	<p>A tri-level residence has three levels of living area; one 4 feet below grade, one at grade, and one 4 feet above grade, all with full ceiling heights. The pricing schedules include a basement in the base rates for the level at grade.</p>
			
			

Appendix A

Tracking Revisions to Building Guidelines

*Agreement between LLPOA/BCC June 2017 requires approval of both LLPOA membership and the BCC to authorize revisions.
Confirmed in the revised 2018 LLPOA/BCC Agreement*

06-2018 Recommended by the LLPOA/BCC & approved at 2018 Annual Meeting:

- Remove retaining walls from Building Guidelines.
 - Add – Structures larger than 10X20 that is used to store a car/truck is considered a garage.
 - Add – Any deed restriction authorized accessory structure that is not a residence cannot exceed 24X36.
 - Change - Structure guidelines for needing BCC approval from 4X4X4 to 6X6X4H.
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06-2021 Recommended by the LLPOA/BCC & approved at 2021 Annual Meeting:

- Add to Temporary Structures - A temporary structure is defined as portable structures, structures constructed of fabric, wood or vinyl, and shall not be considered accessory structures and are not permitted to be used as garages, living spaces, or accessory buildings/structures. Temporary is defined as not to exceed 180 days.
 - Add to Fence - Fences on lake lots are not allowed to be parallel to the water's edge unless under the guidance of the Dog Pen Building Guidelines. Side fences must be a minimum of 25 feet from the water's edge.
 - Remove from Temporary Structures: All out buildings and sheds are to be of wood, plastic or metal construction and conform to the appearance of the house.
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06-2022 Recommended by the LLPOA/BCC & approved at 2021 Annual Meeting:

- Add to the Building Guidelines Shed Requirements: A shed cannot exceed sixteen (16) feet from the foundation to the peak of the roof.
- Failure to obtain an approved application for a BCC building permit before a building project is started will result in double the permit fee.