

# LPOA BUILDING CODES

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## **LAKENGREN PROPERTY OWNERS ASSOCIATION BUILDING CODES INTRODUCTION**

The Building Codes contained herein have been adopted on behalf of all property owners to enhance and protect each property owner's home, lot or other property, and the common areas of the community and are amended from time to time by the L.P.O.A. Board of Trustees. Compliance by all property owners and their builders is required and will be strictly enforced.

A copy of the current Building Code is provided to all new members of the L.P.O.A., and to each property owner when applying for a building permit. Additionally, copies are available upon request from the L.P.O.A. Office without charge.

It is the primary duty and responsibility of each property owner to oversee the activities of his/her contractors, sub-contractors, and all workmen to verify compliance with these Building Codes. Any violation of these codes, whether accidental or intentional, is prima facie evidence which can result in fines and or legal action being taken against the property owner.

The Lakengren Property Owners Association will work with property owners and builders wherever possible to resolve problems that may arise, provided such problems will not result in a violation of the Deed Restrictions and L.P.O.A. Building Codes.

### **L.P.O.A. BUILDING CODE & REQUIREMENTS**

#### **1.0 STATE BUILDING CODES**

1.1 All applicable State Building Codes shall be adhered to in all construction at Lakengren.

#### **2.0 PREBLE COUNTY BUILDING CODES**

2.1 All applicable Preble County Building Codes shall be adhered to in all construction at Lakengren, including inspection and permits.

#### **3.0 L.P.O.A. BUILDING COMMITTEE**

3.1 The Lakengren Property Owners Association, Inc. (L.P.O.A.), through the Board of Trustees shall appoint a Building Committee to perform the following functions:

- (a) Review and evaluate proposed building plans, not approved by the L.P.O.A. Manager and/or Zoning Inspector.

- (b) Upon review and evaluation of proposed building plans make recommendations to the L.P.O.A. Board of Trustees when a variance is requested.
  - (c) To periodically inspect buildings construction for compliance with the L.P.O.A. Building Code and applicable Deed Restrictions.
  - (d) To inform the L.P.O.A. Board of Trustees and/or the Manager or agent of the Manager of any violations of the said codes and restrictions.
- 3.2 The Building Committee shall consist of a maximum of seven (7) members in good standing.
- 3.3 In the event the L.P.O.A. Manager and/or Zoning Inspector are unable to approve building plans, the Building Committee shall establish a rotating list of three (3) members to examine each set of plans. The Chairperson is to be one of the three, if available. The Committee members assigned to the plans must unanimously approve the plans. Rejection of plans must be resolved by a majority vote of a quorum of the Building Committee. Time limits for examining plans by Committee members shall be no more than two weeks. The property owner will be notified if additional information is required and upon approval of rejection of plans submitted.
- 3.4 Building plans and all permit applications must have the L.P.O.A. stamp of approval and the required signatures before a permit will be issued and/or construction begins.
- 3.5 The Committee Chairperson shall be informed of all action(s) taken by the L.P.O.A. Manager, concerning all building and construction.
- 3.6 The Building Committee shall report and be directly responsible to the L.P.O.A. Board of Trustees. Mutual cooperation and assistance will be developed with the L.P.O.A. Management.
- 3.7 Building plans and permit applications for permits required by the L.P.O.A. as listed under 5.3 require the signatures of the L.P.O.A. Manager and the Zoning Inspector.
- 3.8 Requests for building variances and/or to have property lines moved or to split properties will be treated as same as a Building Permit except as follows:
- (a) No permit fee or deposit is required.
  - (b) At the time the property owner makes the request, the L.P.O.A. office is to notify the Building Committee and the adjoining property owners within 500 feet of the building site and/or lot of the request and set a date (not less than 30 days nor more than 60 days from the date of the request) when this request will be presented to the L.P.O.A. Board for their review.

- (c) After reviewing the request and writing a recommendation to the L.P.O.A. Board of Trustees by three (3) Building Committee Members, the L.P.O.A. office is to present the request and Committee's recommendation to the L.P.O.A. Board members for their review prior to the date that has been set for its review.

#### **4.0 PLANS & DRAWINGS**

- 4.1 Four (4) copies of plans and drawings shall be drawn to scale and illustrate all dimensions, height, wall thickness, etc., and must be accurate and complete. Blueprints will be required.

Drawings shall include elevations of all sides, floor plans of all levels and construction details such as footer, trusses and wall sections. Plans for a 400 sq. ft. minimum attached or detached two (2) car garage with one (1) 16 ft. or two (2) 8ft. overhead doors shall accompany house plans being submitted for approval.

- 4.2 A plot plan drawn to scale shall be provided. It shall show the placement and dimensions of the proposed structure and any existing structures including overhangs, rakes and any other projections. Also, dimensions of driveway must be shown. Driveway must be a minimum of five (5) feet from the property line. A culvert and a driveway permit can be issued prior to the issuance of the Building Permit and Inspection for culvert equals tile size by 20 feet.
- 4.3 Certification of survey and Statement of Liability must accompany the above.

#### **4.4. Definitions**

- (a) Living Space: Finished living area, exclusive of garage or porch areas, obtained by measuring inside dimensions from one exterior wall to the opposite exterior wall.
- (b) Outbuilding: Any wood structure, maximum size of 16' by 16' (including gazebos, potting sheds and playhouses, etc.) having a gambrel or gable roof, integral floor, mounted on skids and used for tool and small equipment storage etc. The structure may be equipped with one or two doors.
- (c) Garage: Plans for a 400 sq. ft. minimum attached or detached two (2) car garage must accompany house plans and be built in conjunction with home. Refer to Sections 4.1 & 8.3.
- (d) Road right-of-way: The side or sides of the road right-of-way is bounded by the property line lot survey stakes adjacent to the road right-of-way. The road right-of-way is 60 ft. wide. The minimum setback for any projection shall be 40 ft. measured from the property line survey stakes adjacent to the road right-of-way.

**5.0 PERMITS, FEES, CHARGES**

5.1 The owner/member shall obtain an L.P.O.A. building permit in conjunction with the receipt of approved plans. Any permit issued for any project will require the L.P.O.A. stamp of approval along with the L.P.O.A. Manager and Zoning Inspector or three (3) signatures by Building Committee members, as outlined in Section 3.0 of this Building Code.

5.2 A permit shall be required for all new or replacement structures erected upon or moved to a Lakengren lot.

5.3 Applicable Permits, fees and deposits for new or replacement construction: *Non-transferable*

	<u>Permit Fee</u>	<u>Deposit</u>
(a) HOUSE (TWO CAR GARAGE REQUIRED):	\$500.00	\$500.00
(b) ROAD IMPACT FEE:	\$250.00	(No Refund)
(c) ROAD CUT FOR SEWER BORE:	\$300.00	No Deposit
(d) GARAGE	\$50.00	\$250.00
(e) ROOM ADDITIONS:	\$50.00	\$250.00
(f) PORCHES, PATIOS & DECKS	\$15.00	\$50.00
(g) RECESSED (in ground) Swimming Pool:	\$25.00	\$250.00
(h) TV DISH ANTENNA (24'' in diameter):	\$15.00	\$100.00
(i) SOLAR PANEL:	\$15.00	\$50.00
(j) Docks, Boat lifts, & Boat Dock Shelters:	\$50.00	\$250.00
(k) Shoreline Protection:	\$15.00	\$250.00
(l) Driveway Culvert/Tile:	\$15.00	\$50.00
(m) Outbuilding:	\$15.00	\$50.00
(n) Fences:	\$15.00	\$50.00
(o) Ditch Fill:	\$25.00	
(p) Reclamation/Alteration:	\$100.00	\$500.00
(q) Dredging & Silt Removal:	\$15.00	\$500.00
	Application	
	\$75.00	Joint Application ea.
(r) Driveway (Black Top or Cement):	No Fee	No Fee

- 5.4 Deposit will be refunded when all exterior work on the house, garage, finished grade (seeded and covered with straw, without rocks), all right-of-way, easements, driveways, ditches, culverts, and sewer taps have been satisfactorily completed and inspected and any damage to L.P.O.A. property has been acceptably repaired, and a Preble County Final has been obtained within the time limits (of the original permit and/or one-time renewal) stated in the permit. Failure to complete any construction permit within the time stated in the permit will result in forfeiture of the deposit.
- 5.5 The above permits shall be good for the following time periods commencing on the date the permit is originally issued:
- (a) 1 Calendar Year: New Home Construction
  - (b) 6 Calendar Months: Room Additions, House alterations, Swimming Pools, Garage construction.
  - (c) 4 Calendar Months: Porch, patio, deck, boat dock shelter, boat dock
  - (d) 3 Calendar Months: Shoreline protection, Ditch fill
  - (e) 2 Calendar Months: TV dish, antenna, fences, solar panels, driveway  
Culverts, Storage sheds
  - (f) 6 Calendar Months: Dredging, silt removal, Reclamation, Sea Wall  
Construction or repair subject to automatic extension if delayed  
due to unusual winter conditions.
- 5.6 The above permits may be extended one time. Items 5.5 a, b, c, may be extended for one half the original period of time and for the payment of one half the cost of the original permit. Items 5.5 d, e, f, may be extended for the same period of time, and for the payment of the same amount as the original permit. If work is not completed after any initial permit and extension expire, then a new Permit application is required, and the cost will be double that of the cost of previous permit or previous extension thereafter. The “GRANDFATHER CLAUSE” DOES NOT APPLY FOR THIS SECTION.
- If not renewed when notified, or if construction is not completed within the time specified for any permit or permit renewal, the violation will be turned over to the L.P.O.A. Board of Trustees for their review and possible citation, fine and/or legal action.
- 5.7 Permits must be displayed in such a way that they are visible from the roadway. Failure to display the permit will be a violation of these Building Codes and may result in forfeiture of the deposit.

5.8 Permits not picked-up within 1/3 of the permit's time period, after date of approval, shall expire and a new permit application will have to be renewed and approved, *eg: Room Additions, House Alterations, Swimming Pools, Garage Construction. The applicant will have 2 months from the date of approval to pick-up the permit.*

## 6.0 **INSPECTIONS**

6.1 During construction, periodic inspections will be conducted at the convenience of the L.P.O.A. for those areas applicable to the L.P.O.A. Building Code and Deed Restrictions. It shall be the duty of the L.P.O.A. Zoning Inspector to make inspections in a timely manner. Any questionable areas not resolved shall be reported to the Preble County Zoning Inspector, L.P.O.A. Manager, or agent of the Manager and the contractor and property owner. Lack of compliance shall result in the loss of deposit.

6.2 The L.P.O.A. Manager, or his/her authorized agent, has the authority to enforce all L.P.O.A. Building Code and Deed Restrictions and to stop work where any L.P.O.A. Building Code and Deed Restrictions is not in compliance. Noncompliance with stop-work order shall result in citation, fine and/or legal action against member/owner. Reference Section 21.0.

6.3 The Manager shall direct the L.P.O.A. Security to stop all workmen at the front entrance or gates, when any violation of the L.P.O.A. Building Code and Deed Restrictions is found, except those workmen coming into the job site to make the appropriate corrections.

6.4 A copy of the building inspections and any discrepancies found shall be provided to both the property owner and contractor, or job foreman.

6.5 **The following inspections shall be made by the Lakengren Property Owners Association, Inc.:**

1. Culvert/Tile and Ditch Fill Inspection
2. Staked layout of structure to be erected on lot.
3. Trenches or forms for footers before concrete is poured.
4. Slab before pouring concrete.
5. Framing inspection (new homes/attached garage & detached garages)
6. Modular Home
7. Sea wall & Dock construction.
8. Reclamation/alteration
9. Final Inspections for compliance with conditions of section 5.4 of this code.
10. Other Inspections as deemed necessary by L.P.O.A. and/or Building Committee.
11. Sediment and run off containment barrier.

The L.P.O.A. Manager or Building Committee Chairman shall attach a list of any additional inspections deemed necessary to the application and each copy of the building plans. The recommended additional inspections shall be reviewed and approved or disapproved by the three committee members considering the building permit. Should 2 of the 3 Building Committee members find the additional inspections are not necessary, such additional inspections shall be performed by a designated agent of the L.P.O.A. Manager, usually the L.P.O.A. Zoning Inspector, and the property owner or builder of record, and evidence of such inspection shall be indicated by initials and dates beside each described inspection by both parties. It shall be the responsibility of the property owner or builder of record to notify the L.P.O.A. Manager during normal L.P.O.A. Office hours (usually Monday through Friday, excluding Holidays, 8:00AM to 4:30PM) whenever construction has progressed to the point where an inspection is required, and all further construction shall cease until the required inspection has been made and approved.

**Failure to request and inspection, whether accidental or intentional shall be cause for immediate legal action by L.P.O.A. against the property owner and/or builder of record. The L.P.O.A. Zoning Inspector, or other agent of L.P.O.A. as designated by the L.P.O.A. Manager shall make the required inspection within one normal working day (Saturday, Sunday and Holidays excluded) after notification by the property owner or builder of record. Violations of the Building Codes found during any inspection shall result in a Stop-Work by L.P.O.A.. Any fines will be assessed and deducted from any amounts being held as damage deposits. The penalty must be paid in full by the property owner or builder of record, prior to lifting the Stop Work Order and resumption of construction. Payment of the penalty does not relieve the property owner or builder of record of the responsibility and duty to correct any violations.**

The Stop Work Order will remain in effect until the violations are physically corrected, inspected by L.P.O.A. and found to be in compliance with the L.P.O.A. Building Codes. Noncompliance with a Stop Work Order shall be cause for immediate legal action against the property owner and/or builder of record. L.P.O.A. inspections do not replace or eliminate any inspections required by the Preble County Zoning Inspector or the Preble County Building Codes, nor any building codes and/or inspections as required by the State of Ohio.

## **7.0 SURVEYING**

- 7.1 The property owner shall have the said lot surveyed to legally determine boundary lines before construction begins. All boundary markers are to be visibly marked to facilitate inspections.
- 7.2 Written certification of survey must be submitted with plans. House & Garage must be staked by property owner or contractor and inspected by L.P.O.A. Zoning Inspector prior to issuance of permit.



**8.0 FOOTERS, FOUNDATIONS, BASEMENTS, AND GARAGES (Attached and/or detached)**

- 8.1 All trenches, forms, posts, or columns for house construction with attached garages are to be in accordance with Preble County Building Code.
- 8.2 All basement floors and crawl spaces shall have four inches of gravel and vapor barrier. Crawl space must meet Preble County Building Code Requirements.
- 8.3 No pole barns are allowed. Also any existing shed, storage building, or other structure must be removed from property or attached to the garage or dwelling, before refund of deposit. Reference Deed Restriction 2. Examples of the attached are: Sharing a common wall. Must also comply with item (d) of this article.

**A. FOOTINGS**

- 1. All footings shall bear on undisturbed soil and be designed to distribute sufficiently the superimposed load to the particular type of soil upon which they bear.
- 2. Where soil conditions prevent sharp cut trenches for footings, side forms shall be used.
- 3. The maximum dimension of footings shall be as follows:
  - (a) Footings shall not be less than 8 inches thick and twice the width of the wall.
  - (b) Footings shall not be less than 32 inches below the final grade level.
  - (c) Footings are required under load bearing interior walls. Footers must be not less than 8 inches wide and 10 inches thick.
  - (d) All footers shall be adequately reinforced where they cross and bear on filled trenches or other similar disturbed soil conditions.

**B. FOUNDATION**

- 1. The foundation wall thickness shall not be less than that of the wall supported.
- 2. The following minimum requirements for wall thickness shall apply.
  - (a) 8 inch thickness for all poured concrete walls.
  - (b) 8 inch thickness for hollow masonry walls
  - (c) 10 inch thickness for hollow masonry supporting one story brick or brick veneer.

- (d) When foundation walls are built of hollow masonry units, the top course shall be solid masonry material not less than 4 inches thick and shall be covered with not less than a 2 inch thick wood sill.
- (e) Foundation walls supporting masonry veneered stud frame walls shall be of sufficient thickness that neither the veneer nor the stud frame project beyond the outer or inner faces of the foundation walls.
- (f) Foundation walls supporting frame construction shall extend not less than 8 inches above the adjoining outside finished grade.
- (g) All sills and all bearing plates for roof rafters framing into masonry walls shall be bolted to the masonry walls with 1/2 inch bolts imbedded firmly in the masonry and spaced not more than 8 feet apart.
- (h) All sills and girders on top of foundation walls and piers shall be leveled and shimmed.
- (i) Top plate shall be not less than doubled 2x4's which shall lap at all corners and at all intersecting partitions. All such laps shall be securely spiked.

**C. EXTERIOR WALL**

- 1. Exterior walls shall be in accordance with applicable paragraphs in the Preble County Building Code.
- 2. A variance shall be required for exterior walls over 12ft from finished floor to bottom chord of roof truss. Walls over 14ft in height are prohibited.

**D. INTERIOR PARTITIONS**

- 1. Interior partition shall be in accordance with Section 1002 of the Preble County Building Code.

**E. FLOOR**

- 1. The garage floor shall have a minimum thickness of 4 inches of reinforced concrete in accordance with the Preble County Building Code. The slab shall be laid on a bed, 4 inches minimum thickness, of gravel, cinders or other approved material.

**F. ELECTRICAL**

1. Electrical wiring shall be in accordance with the Preble County Electrical Wiring Code.

**G. PLUMBING**

1. Plumbing shall be in accordance with the Preble County Plumbing Requirements.

**8.4** Detached garages shall be no larger than the square footage of the residence, nor shall the maximum footprint exceed 30 feet by 40 feet, including extensions. The eave side wall height shall be no taller than 12 feet. Garages which meet all requirements, including setbacks, may be built between the house and roadway.

**9.0 ROUGH FRAMING AND OUTER WALLS**

**9.1** All framing shall be according to Preble County Code.

**9.2** No member of an outside wall or roof shall be less than 2"x4".

**9.3** Ceiling joist are to be constructed according to Preble County Code.

**10.0 ROOF**

**10.1** Fiberglass panels and rolled roofing are prohibited. Metal Roof Sheet or Metal Roof Shingles must be corrosion resistant, and of a common solid color with same color hardware. Must meet the Ohio Building Code, and must be secured to roof per manufacture installation instructions. Color must be approved prior to installation by the LPOA General Manager or Agent of Lakengren. A Permit must be obtained and approved by the General Manger prior to installation for New Metal Roofs and/or Metal Replacement Roofing.

**10.2** A minimum 12 inch overhang and 10 inch gables are required for all roofs with a minimum 4 inch gutters. Gutters must be installed on any house or garage (attached or detached) prior to final inspection. 4/12 roof pitch is the minimum allowed for all living space. For attached roofs of non-living space refer to Preble County Building Codes.

**10.3** Chimney(s) shall extend at least two (2) feet above the highest ridge of the roof.

**10.4** Roofs shall have a minimum of 1/2 inch sheathing or minimum requirements according to Preble County Code.

**10.5** Flat roofs are prohibited.

**11.0 EXTERIOR FINISH**

- 11.1 Exterior finish may either be wood, brick, brick veneer, stone, aluminum, or vinyl siding.
- 11.2 Concrete block is prohibited.

**12.0 WINDOWS**

- 12.1 Windows shall comply with State of Ohio and Preble County Codes.

**13.0 PLUMBING AND ELECTRICAL**

- 13.1 All plumbing and electrical shall comply with Preble County Code.

**14.0 MODULAR HOMES**

- 14.1 All rules in this section are in addition to the other regulations set forth herein.
- 14.2 Sectional/Manufactured Homes, or housing units with attached Steel Frame or Steel Substructure within the L.P.O.A. Subdivision are prohibited.
- 14.3 Refer to Section 8.0. Footer and foundation walls must comply with Preble County Building Code.
- 14.4 The foundation and crawl space must comply with the Preble County Building Code. Refer to Section 8.2.
- 14.5 The foundation must be completed and inspected prior to delivery of the unit.
- 14.6 A copy of the purchase specification and state certificate must accompany the building permit application.
- 14.7 All modular homes must be inspected by the L.P.O.A. Zoning Inspector, L.P.O.A. Manager, or an assigned Building Committee member. (Reference Deed Restriction 3) Inspection will be from 8:00am to 4:00pm (to allow for completing inspection by 4:30pm) Monday-Friday. Those delivering a modular home are to be notified of the inspection time, by the property owner. The L.P.O.A. must be notified 48 hours in advance of delivery to make the appropriate arrangements. Modular homes are not allowed to enter the L.P.O.A. Subdivision if the above conditions are not met.
- 14.8 Trailer, or similar type structures are prohibited. Refer to Deed Restriction 2.

- 14.9 Overhang and/or gable rake requirements refer to section 10.2.
- 14.10 Existing sectional/manufactured homes and other structures that do not meet current Preble County Building Codes and Regulations, and were granted variances by the Board of Trustees or other agent of L.P.O.A., Inc. are considered to be “grandfathered” as of January 1 1995.
- 14.11 Existing sectional/manufactured homes and other structures that do not meet current Preble County Building Codes and Regulations, and that were never granted variances or permits by L.P.O.A. Board of Trustees or other agent of L.P.O.A. are considered in violation of the L.P.O.A. Building Codes and Regulations and are subject to L.P.O.A. action at any time.
- 14.12 All “Grandfathered” structures shall not be moved from their present location or lot, except for their removal from the Lakengren Community.
- 14.13 Any attempt to move or relocate “Grandfathered” structures or buildings will automatically void their status under grandfather privileges and the property owner will be required to remove the structure from the Lakengren Community within a time period to be specified by the Board of Trustees.
- 14.14 “Grandfathered” structures must be maintained and repaired to their original specifications or appearance, or improved upon by the property owners.
- 14.15 Grandfather variance shall be void when the existing structures, those in the community prior to January 1, 1995, are dis-mantled, torn down, destroyed by storms or other natural occurrences or abandoned by the property owner and shall be removed from the Lakengren Community promptly by the property owner.
- 14.16 Any property owner who refuses to, or ignores a notice to dismantle and remove unauthorized buildings or structures shall be considered to be in violation of the L.P.O.A. Rules and Regulations and will be subject to a fine of \$100 and possible legal action. If the L.P.O.A. must dismantle and remove an unauthorized building or structure, costs will be assessed to the property owner.
- 14.17 “Grandfather” variances do not extend to any replacement structures for any reason.

## **14.20 POST AND BEAM BUILDINGS**

14.21 Post and beam buildings must conform to all general provisions of the Lakengren Building Codes with the following additional specifications:

### **A. BUILDING PLANS**

1. Engineer approved plans for the post and beam building are required. Plans must show all information for post and beam construction and meet all Preble County Building Codes.
2. Minimum size of a post and beam building shall be 24 feet by 24 feet. The maximum size permitted will be 30 feet by 40 feet. Post and Beam buildings shall be no larger than the square footage of the residence, nor shall the maximum footprint exceed 30 feet by 40 feet, including extensions. The eave side wall height shall be no taller than 12 ft.

### **B. ROOF**

1. L.P.O.A. Building Codes contained in Section 10 are applicable.
2. Roofs must meet the Preble County Snow Level Requirements.
3. Roof trusses must be on 2 foot centers.
4. Roofs must have felt and shingle construction.

### **C. FLOOR**

1. Floors shall be constructed as provided in Code 8.3-E, and must be a floating pad.
2. Concrete must be poured to the outside of the posts.

### **D. EXTERIOR WALLS**

1. All four exterior walls must be completely covered with 7/16" OSB or 1/2" Plywood prior to applying the siding. Doors must be overhead doors. Pass doors shall be a maximum of 36" wide. Sliding doors are prohibited.
2. Exterior wall construction must meet the Preble County Wind Code specifications.
3. The building siding should match the house or be similar.

## **E. POSTS**

1. Posts must be treated posts; a minimum of 6"x6".
2. Posts must not be more than 10 feet apart.
3. Posts must be set on a 12" x 16" x 8" pad, 36" deep.
4. Post holes must be filled with crushed limestone chip and dust for drainage.

## **15.0 DOCKS, SHORELINE PROTECTION AND DRAINAGE AREAS**

- 15.1 A permit shall be required for all new or replacement of; (including alterations) docks, boatlifts, shoreline protection, and any waterway or drainage alterations. Reference Deed Restrictions 6&7.
- 15.2 Plans will be examined and approved as they accommodate L.P.O.A. Inc. and the property owner. This will require the L.P.O.A. Stamp of Approval and signatures of the L.P.O.A. Manager or Building Committee and Zoning Inspector as outlined in Section 3.0.
- 15.3 Plans submitted for seawalls, rip-rap, and other shoreline protections shall describe, show dimensions, placement on lot, and final grade. Erosion barriers shall be required by the L.P.O.A.
- 15.4 Plans submitted for docks shall show dimensions, materials, and placement on lot.
- (a) Minimum dock pilings dimensions for pilings set in concrete, manually, shall be 6"x 4" pressure treated posts. Minimum dock piling dimensions for pilings installed with a pile driver shall be 4"x 4" pressure treated posts. NOTE: Metal pipes can be used but must meet all manufacturing specifications.
  - (b) Dock pilings shall be installed by pneumatic or mechanical pile driving devices, or metal pipe screwed in, to a depth of at least 48", measuring from top of natural lake bottom, or manually set in concrete. Holes for setting pilings in concrete must be twice the width dimension of the piling and 32" deep, measuring from top of lake's natural bottom and excluding all silt deposits.
  - (c) Deck boards and side supports shall be constructed of not less than 2"x 6" composite material or pressure treated lumber. 5/4" pressure treated deck boards or 1" composite decking materials may be used with floor joist set 16" on center.
  - (d) Docks shall not be narrower than 36 inches wide.

- 15.5 Maximum dock length (extending into lake) from the normal water line is 20 feet. Dock must be located at least 10 feet from lot line at start and stop at least 5 feet from projected lot line into lake. Dock location must not interfere with boat access to any neighboring dock.
- 15.6 Double deck docks are prohibited.
- 15.7 Plans submitted for a boatlift shall show dimensions, materials and placement on lot.
- 15.8 Dock, shoreline, and/or any permits involving waterway or drainage alterations will be revoked and removed by L.P.O.A. Inc. at property owner's expense, if said structure and/or work becomes unsightly or hazardous. Refer to Deed Restrictions 5 & 6.
- 15.9 No boathouse or similar type structure(s) shall be permitted.
- 15.10 Roofed shelters of pressure treated wood may be constructed over docks. Dock and boat shelters may not have sidewalls, doors and windows, nor any storage or closets as a part of their construction, but may have lattice or decorative open woodwork but not higher than 30" from the dock deck and may have bench seats no higher than 18" from the dock deck.
- (a) Dock shelters must be constructed of sturdy materials with the minimum materials being:
1. Support posts of pressure treated wood not less than 6" x 4" with a maximum distance of 8 feet between the post.
  2. Rafters and joist not less than 2" x 6". Manufactured trusses may also be used.
  3. Roof construction must comply with Building Code Section 10, and in addition, plywood sheathing must be pressure treated.
  4. Shelters may not be more than 8 feet high, measuring from the dock deck to the bottom of the roof rafters, nor wider than 1/3 rd. of the width of the lot on which they will be constructed, as measured in a straight line between the property sidelines at the water line. In no instance shall the roof of a shelter exceed 30ft in width, parallel to the shore line, x 24ft. perpendicular to the shore line and may not extend more than 20ft. from the shoreline.
- (b) Support posts may extend into the lake bottom and be secured in concrete in the same manner as dock pilings, or may be bolted to existing dock pilings providing the pilings meet the minimum requirements above.
- 15.11 Silt and debris removal from coves and lake bottoms shall be in compliance with all appropriate L.P.O.A. Building Codes and Requirements.



- (a) Permits to remove silt and debris will be required as provided in Section 15.1 and 5.3 (q). A permit is needed for an individual from the Corp of Engineers, P.O. Box 59, Louisville, KY. 40201-0059, which they must obtain.
  - (b) Complete plans detailing types of equipment to be used; ingress and egress of the cove by mechanized equipment; materials to be removed and disposal of these materials; and placement or replacement of any shoreline protection material after silt and debris have been removed must accompany the application for a permit.
  - (c) Plans shall be in triplicate and will be reviewed and recommended for approval or disapproval by the Lake Management Committee to the L.P.O.A. Manager or Building Committee, after an on sight inspection and depth measurements have been made by the L.P.O.A.
  - (d) Adjoining lots shall not be used for ingress and egress without the written permission of the adjoining owner or owners.
  - (e) Written permission to use adjoining lots must accompany the application, and the L.P.O.A. Management shall verify such permission with the lot owner or owners.
  - (f) Approval of applications shall be required by the Lake Management Committee and the L.P.O.A. Manager or building Committee.
- 15.12 Only loose silt and debris may be removed. The natural slope of shorelines and banks shall not be altered nor shall the original lake bottom be deepened during the removal of silt and debris.
- 15.13 Property owners shall be liable for all damage to adjoining properties and the lake and shall sign an Acceptance of Responsibility. Said Acceptance of Responsibility shall accompany the application and plans.
- 15.14 The L.P.O.A. Zoning Inspector shall periodically inspect the job as it progresses and shall have the authority to halt further work, or require changes in the work be made at the expense of the applicant to insure compliance with these requirements, and as provided in Section 6.0.
- 15.15 The deposit as required in Section 5.3 (q) will be refunded only when all work is completed and satisfactory repairs to adjoining properties and/or L.P.O.A. property have been completed.
- (Note 15.11 a, c, and f revised 2/10/99 #99-02-1)

**16.0 OUTBUILDINGS, FENCES, SWIMMING POOLS, TV DISH ANTENNAS, SOLAR PANELS & DECK CONSTRUCTION GUIDELINES**

**16.1 Outbuilding/Shed**

- (a) All permits from the L.P.O.A. are required regardless of the type and size of the outbuilding/shed.
- (b) Buildings shall meet all boundary set back lines and easement restrictions. Reference Deed Restriction 3.
- (c) Plans shall be submitted showing dimensions, materials and plot lay-out.
- (d) Maximum footprint of outbuilding/shed shall be no larger than 16' x 16', including covered porches. Note: Any out building over **200** square feet requires a Preble County Building Permit also.
- (e) Outbuildings/sheds are to be used for tool and small equipment storage, not for auxiliary living quarters. Per Deed Restriction 2, only one structure besides the dwelling is allowed per lot owner, unless attached to the garage or dwelling, before refund of deposit. Reference Deed Restriction 2. Examples of the attached are: Sharing a common wall. Must also comply with item (d) of this article.
- (f) All outbuilding/sheds must be constructed of wood. Siding may be wood or other material not prohibited by the Deed Restrictions to match the house. Metal outbuildings/sheds are prohibited.

**16.2 Fences**

- (a) Permits shall be required for all fences. Fences must conform to the overall harmony of the neighborhood.
- (b) Plans, drawings, fence placement, materials, and dimensions must accompany permit application.
- (c) No barbed wire, razor wire or above ground electric fences permitted.
- (d) All fences must remain a minimum of 50 feet from the normal water line.
- (e) L.P.O.A. Security fencing is exempt from item 16.2(c).
- (f) Fences shall not be permitted beyond the front most plane of the dwelling.

- (g) DOG EAR and STOCKADE style privacy fences shall be constructed with the finish side facing to the outside of the property.
- (h) A variance shall be required for fences over 6ft. in height.
- (i) The maximum size of a dog kennel and or dog run is 10'X12'. Anything larger than that shall be considered a fence.

### **16.3 Swimming Pools**

- (a) Permits shall be required for swimming pools.
- (b) Above ground swimming or wading pools in excess of one foot in depth (side wall shall not exceed 12 inches) are prohibited.
- (c) All state and county safety standards shall apply to in-ground pools.
- (d) Plans, drawings, plot plans, materials, and dimensions must accompany permit application. All applicable set back lines will prevail.

Note: Item (b) was originally voted on by the L.P.O.A. membership on September 6, 2002 and November 13, 2009 and can only be changed by a reversal vote by the L.P.O.A. membership.

### **16.4 Television Dish Antennas**

- (a) A television dish antenna greater than 24" diameter is considered a structure for purposes of property line set back criteria as provided in the applicable Deed Restrictions.
- (b) Only one dish antenna may be located on any lot. Roof, tower, or platform mounting such and antenna is prohibited.
- (c) Vegetation screening with a mature height of 5 feet shall be required between the antenna and adjacent residential properties, the lake, and roadways.
- (d) Permit deposit will be refunded when vegetation screening is accomplished and approval in final inspection.

### **16.5 Solar Panels**

- (a) Permits shall be required for solar panels.

- (b) Roof mounted solar panels must maintain the same general pitch as a house roof. Roof loading shall comply with Preble County Building Code. Electrical and plumbing systems, if any, shall comply with Preble County Code.
- (c) Yard mounted solar panels are prohibited.

**16.6 Decks**

- (a) Permits shall be required for decks.
- (b) Footers shall be in compliance with the Preble County Building Code.
- (c) Posts shall be 4" x 4" or 6" x 6" attached to concrete piers by means of galvanized post anchors or set on footers and backfilled with DIRT.
- (d) Ledgers shall be attached to **House Framing** by means of 3/8" or larger lag screws or bolts.
- (e) Decks 18" or more above grade shall have a railing at least 34" high. Picket spacing should be no more than 4 inches.

**RECOMMENDED SPANS**

Decking Span Between Joists		
Deck Boards		Span
1x4 or 1x6	Perpendicular to Joists	16"
1x4 or 1x6	Diagonal to Joists	12"
2x4 or 2x6	Perpendicular to Joists	16"
2x4 or 2x6	Diagonal to Joists	12"

Maximum Joist Span Between Supports				
Joist Spacing (On Center)				
Joist Size	12"	16"	24"	
2x6	11'-7"	9'-9"	7'-11"	
2x8	15'-0"	12'-10"	10'-6"	
2x10	19'-6"	16'-5"	13'-4"	

Maximum Beam Span Between Posts				
Beam Size	Joist Span			
	6ft	8ft	10ft	12ft
4x6 (two 2x6s)	8ft	7ft	6ft	5ft
4x8 (two 2x8s)	10ft	9ft	8ft	7ft
4x10 (two 2x10s)	12ft	11ft	10ft	9ft
4x12 (two 2x12s)	14ft	13ft	12ft	11ft

**17.0 GENERAL PROVISIONS**

- 17.1 A driveway culvert and suitable base must be installed from the edge of the existing roadway to the owner's property line prior to any excavation or delivery of materials to the job site. A suitable base shall consist of a minimum of 9" of #304 aggregate and driveway culvert materials shall be either aluminized corrugated steel, smooth interior plastic pipe, or reinforced concrete pipe. The diameter and flow line elevation of the culvert pipe will be determined on an individual basis by the L.P.O.A. Zoning Inspector, L.P.O.A. Manager, or agent of the Manager (culverts will be a minimum of 12" diameter and 20' in length). Violators will be issued a stop work order until the culvert is installed properly. Permits are required for all new and improved existing driveways.
- 17.2 All roadway drainage ditches are L.P.O.A. property and are to remain open and unaltered unless written permission is obtained as set forth in Section 3.0 of this code. Refer to Deed Restriction Rule 7.
- (a) **Ditch Fill.** Each proposed ditch fill shall be examined and approved as it is diagrammed by the L.P.O.A. Inc.. Three (3) sets of plans must accompany the permit application.
- (b) **Plans must include the following:**
1. Aerated plastic pipe, size to be determined by the L.P.O.A. Manager, Zoning Inspector and/or Building Committee. (diagram)
  2. A catch basin with suitable grating as required.
  3. Ditch shall be inspected before filling. Backfill ditch with minimum of one (1) foot swale below road surface and graded for proper drainage.
  4. The area is then to be seeded or sod laid.
- 17.3 Adjoining lots shall not be used for access without written permission of the owner.
- 17.4 The exterior of the house and garage shall be completed in one year and shall be subject to final inspection at such time.
- 17.5 House number (not lot number) must be used on the mailbox and house. This number to be assigned by Lakengren POA. Owners are also urged to display green, reflective emergency address signs on mailboxes to aid in emergency situations. For more information, call Security at 456-2646.
- 17.6 During construction a lot number shall be visibly posted to facilitate deliveries and inspections.
- 17.7 The main dam and spillway bridge located on South Lakengren Drive is off limits to all vehicles which exceed the posted gross vehicle weight limit.

17.8 Trucks or trailers shall not be parked overnight on L.P.O.A. roads or right-of-ways or common access areas.

17.9 **Roadway Impact Fee**

The L.P.O.A. Board of Trustees adopted a change in Building Codes in 1997 requiring sewer and water lines to be bored under the roads, **and prohibits road cuts**. As part of the 1997 road rebuilding program, the L.P.O.A. membership cast an affirmative vote at the 1997 Annual Membership Meeting approving a **Road Impact Fee of \$550.00** on all new permits issued after the adoption of the proposal.

On July 14, 2003, the Lakengren Water Authority announced it was raising its charge for road bores. On the same date, the L.P.O.A. Board of Trustees voted to cease collecting the L.W.A. road bore fees as part of the L.P.O.A. Road Impact Fee and reduced the Road impact Fee to \$250.00.

All road bores shall require a permit from the Lakengren Water Authority before any work is initiated and a copy of the permit must be attached to the L.P.O.A. Application for a Building Permit prior to the issuance of the L.P.O.A. Building Permit. The fees for the L.W.A. Boring Permit shall be determined by the Lakengren Water Authority and shall be paid by the applicant. The L.W.A. boring fee is not part of these Building Codes, nor subject to approval by the Lakengren Property Owners Association and its members.

All side ditches shall be firmly filled immediately and contoured to the existing area conditions and sowed with an acceptable type of grass seed and cover. It will be the responsibility of the contractor/property owner to see that both side ditches are restored to original condition before a final inspection and a refund or the damage deposit.

17.10 **ROAD CUT POLICY**

Adopted by the L.P.O.A. B.O.T. April 26, 2004  
As Temporary Policy Motion 04-04-17 & 04-04-18  
Adopted as Final Policy on May 10, 2004 Motion: 04-05-22  
Replace 17.10 With Road Cut Policy Approved by L.P.O.A.  
B.O.T. Motion: 06-06-36

A permit to make a road cut to install sewer lines from a house to the sewer main must be obtained from the L.P.O.A.. The permit fee shall be \$300.00. No additional deposit other than the current deposit for the construction project is required.

A performance bond of \$1,000.00 must be posted.

Pavement must be saw-cut for the excavation.

Excavation cannot be wider than 3 feet.

Shoring must be used when the excavation is deeper than 5 feet from the grade of the road.

Shoring must be on-site before the excavation begins.

Excavated material must be removed from the roadway and not stockpiled on right-of-way.

All piping must be backfilled with fine granular material. Material is to be 1 foot above the pipe.

Flowable fill (low strength mortar) must be used to backfill trench to within 2 inches of the finished grade, and 2 feet outside of the pavement on both sides of the roadway.

Two inches of blacktop must be used to bring the trench opening to the finished grade.

The bond will be released upon full completion or the backfill.

Contractor must provide directional signage for the project.

Contractor must provide flagmen as needed

All inspections of the excavation must be at the direction of the L.P.O.A. Manager.

Contractor must notify Security and Maintenance 24 hours in advance of closing the roadway.

- 17.11 Mud, dirt, and debris must be cleaned off L.P.O.A. roadways. Dirt and debris not removed will be removed by the L.P.O.A. at the property owner's expense.
- 17.12 The construction site must secure all waste and unused materials in a fashion not to allow it to blow from the construction site. Also waste materials, whether from construction, yard waste, or general debris shall not be pushed into ditches, natural drainage or waterway areas and is **STRICTLY PROHIBITED**. Burning/burying anywhere within Lakengren boundaries of waste materials, whether from construction, yard waste, and general debris is **STRICTLY PROHIBITED**. Any violation of this will result in clearance and removal of debris at property owner's expense and could possibly forfeit building deposit.

17.13 **SILT CONTAINMENT**

All building sites within Lakengren where the turf is to be disturbed must provide for “**Silt Containment**” protecting all areas from erosion with approved methods, such as a silt fence or baled straw, and must be installed prior to construction. This will be an added inspection done by the Zoning Inspector and/or the Manager. **THIS WILL BE ENFORCED. (7/28/98)**

- (a) The LPOA Manager and or his designee will indicate on the building plans the appropriate locations for silt containment.
- (b) Building permit deposit will be held and released upon evidence of suitable growth to restore the turf and protect from erosion.

17.14 **EXTERIOR WOOD BURNING FURNACES ARE PROHIBITED.**

**18.0 L.P.O.A. ROAD RESTRICTIONS/MORATORIUM**

18.1 December 1 through March 31—All Gross Vehicle Weight (GVW) limits shall not exceed 12 tons.

18.2 December 1 will be cut off for applications for permits for new home construction. Applications for permits will resume March 1, with no work commencing prior to April 1.

18.3 Weight limit (GVW) from April 1 to November 30 shall not exceed 25 tons.

18.4 Certified original weight slips are required from each delivery vehicle entering upon Lakengren roadways.

18.5 Paint Creek Road, Winters Road, and Longman Road, are excluded from the L.P.O.A. road weight limit rules.

**19.0 VARIANCES**

19.1 **Deed Restrictions are not included.**

19.2 Appeals may be made to the L.P.O.A. Board of Trustees concerning items of L.P.O.A. Building Code. Appeals may not be made to the L.P.O.A. Board of Trustees concerning applicable Deed Restrictions.





## INDEX OF REVISIONS TO BUILDING CODES

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Revised-BOT July 10, 2006 Regular Meeting #06-07-48  
Revised-BOT July 10, 2006 Regular Meeting #06-07-47  
Revised-BOT Dec. 11, 2006 Regular Meeting #06-12-114  
Revised-BOT May 14, 2007 Regular Meeting #07-05-24

Revised-BOT June 11, 2007 Regular Meeting #07-06-31  
Revised-BOT June 25, 2007 Regular Meeting #07-06-42  
Revised-BOT June 25, 2007 Regular Meeting #07-06-43  
Revised-BOT June 25, 2007 Regular Meeting #07-06-44  
Revised-BOT June 25, 2007 Regular Meeting #07-06-45  
Revised-BOT Jan. 28, 2008 Regular Meeting #08-01-158  
Revised-BOT Feb. 11, 2008 Regular Meeting #08-02-164  
Revised-BOT March 23, 2009 Regular Meeting #09-03-45  
Revised-BOT March 23, 2009 Regular Meeting #09-03-86  
Revised-BOT Jan. 11, 2010 Regular Meeting #10-01-03  
Revised-BOT Jan 25, 2010 Regular Meeting #10-01-12  
Revised-BOT May 24, 2010 Regular Meeting #10-05-84  
Revised-BOT May 24, 2010 Regular Meeting #10-05-86

16.2 Fences-Add items (f) & (g)  
16.6 Deck construction guidelines  
16.1 Sheds- Side Size restriction  
Revision to Introduction, 5.6, 6.2  
6.5, 14.16, 21.1(c), & Addition of  
21.1 (d)  
\$500 Ditch Fill Deposit Removed  
8.3C. (2) Wall Height Restriction  
10.1 Roof  
Fences 16.2 (c)  
Fences 16.2 (h)  
5.8, 15.4(c), 15.10 a(2), & 16.1(e)  
15.10a(4)  
signature requirement changes  
Maximum Garage Size  
Above Ground Pools  
Wood Burning Furnaces 17.14  
Maximum footprint for Shed  
16.3 Removal of sub-paragraph  
(c) Inflatable Pools

Revised-BOT Aug.12, 2013 Regular Meeting # 13-08-101

Three sections as follows.

**8.4 GARAGES:** changed; nor shall the maximum footprint exceed 30 feet by 40 feet, including extensions'

**14.21- Sub-Section A, 2; Added to end of paragraph:** Post and Beam buildings shall be no larger than the square footage of the residence, nor shall the maximum footprint exceed 30 feet by 40 feet, including extensions. The eave side wall height shall be no taller than 12 ft.

**16.1 (d) OUTBUILDING/SHED:** Removed "including covered porches", and added; "including extensions", Note: Any building over 200 square feet requires a Preble County Building Permit also.

Revised- BOT **April 27, 2015** Regular Meeting Motion# **15-04-34**. **Section 8.4** Garages. Added language "Garages which meet all requirements, including setbacks, may be built between the house and roadway." to the end of the paragraph.

Revised – BOT **November 23, 2015** Regular Meeting Motion **15-11-109**. **Section 5.6** Building Permits. Rewrote 1<sup>st</sup> paragraph and added language to the second. Changing Permit Fees and Renewals by doubling the fee for each after 1<sup>st</sup> one.

Revised – BOT **May 23, 2016** Regular Meeting Motion # **16-05-053**. Lakengren Property Owners Association Building Code Sections **3.0(a)** rewording to “Review and evaluate proposed building plans, not approved by the L.P.O.A. Manager and Zoning Inspector.” Also reworded paragraph **(b)** to read “Upon review and evaluation of proposed building plans make recommendations to the L.P.O.A. board of Trustee’s when a Variance is requested” and re-lettered paragraphs **(b)** & **(c)** to **(c)** and **(d)** respectively: **6.5** addition of number **11**” Sediment and run off barrier” :**10.2** removed last sentence: **16.2** Fences sub paragraph **(i)** Max size of Dog Kennel is 10’ x 12’, anything larger is considered a fence: **17.13** Silt containment. Added sub-paragraphs **(a)** & **(b)**: **19.1** Variance’s, Removed the first sentence leaving only “Deed Restrictions are not included.”

Revised – BOT **August 28, 2017** Regular Meeting Motion # **17-08-097**, Section **10.1** Metal Roofs. Reworded to allow metal roofs, colors and style must be approved by L.P.O.A. Manager or Agent of L.P.O.A. before installation,

Revised – BOT **December 18, 2017** Regular Meeting Motion # **17-12-161**. **Building Code Section 6.5** second paragraph, removed fine penalties, added “Any fines” to beginning of fourth sentence , and added “in full” to second to last sentence. Section 21.1, added “and/or and removed “should” and added “shall” to the first sentence. Reversed items C & D. Item C, removed the fines and added “fine category”. Item D, removed “including fines”.

Revised – BOT **July 23, 2018** Regular Meeting Motion #**18-07-093**. Building Code **Section 5.3, Items f, h, i, k, l, m, n and q**, changing the permit fee charge from **\$15.00 (fifteen dollars)** to **\$25.00 (twenty five dollars)**.

Revised – BOT **July 23, 2018** Regular Meeting Motion #**18-07-094**. **L.P.O.A. Building Code** re-worded **Section 10.2**, and removed **Section 10.6**.

Revised – BOT **January 28, 2019** Regular Meeting Motion **19-01-005** Rescinded changes to **Section 5.3, Items f, h, i, k, l, m, n and q** returning the permit fee charge from **\$25.00 (twenty five dollars)** back to **\$15.00 (fifteen dollars)**.

Revised – BOT **April 22, 2019** Regular Meeting Motion #**19-04-045**. **L.P.O.A. Building Code Section 10.2** – added sentence regarding roof pitch requirements for attached roofs of non-living spaces.

Revised – BOT **April 22, 2019** Regular Meeting Motion #**19-04-047**. **L.P.O.A. Building Code Section 16.1(d)** – added “including covered porches” in place of “including extensions”.

Revised – BOT **June 24, 2019** Regular Meeting Motion #**19-06-061**. **L.P.O.A. Building Code Section 15.0 Docks, Shoreline Protection and Drainage Areas, Section 15.4** – added requirements for metal pipes.