

Lakewood Shores Property Owners Association, Inc.

Architectural Control Requirements and Policy

This document contains vitally important information to the property owner considering building a home or making any exterior changes to an existing home site. As such, it should be reviewed thoroughly by all interested parties.

The policy contained herein is current as of the date below. Property owners are responsible for adhering to current policy.

The Association's authority to enact this policy derives from the applicable deed restrictions, which are a matter of record at the Iosco County Register of Deeds. As such, the policy is binding upon all persons owning property in the Lakewood Shores development.

Any questions regarding architectural control should be addressed to the Executive Director at the Administrative Office (989) 739-2607.

Ken Plaskewicz, Board President

Date

Lakewood Shores Property Owners Association, Inc.
Architectural Control Requirements and Policy
(Revised December-1997, October-2004, July-1989, July-2005, and May-2006)

I – GENERAL

PURPOSE: This document is intended to inform the prospective homebuilder of specific requirements and restrictions applicable to construction in Lakewood Shores. Its intent encompasses homes in particular but other structures and land improvements are also applicable to the requirements set forth herein.

AUTHORITY: The Architectural Control Committee of Lakewood Shores, hereinafter referred to as the “Committee”, derives its authority from covenants and restrictions of record. The guidelines set forth herein are consistent with that authority.

PHILOSOPHY: The goals and purpose of the Committee is to preserve the aesthetic harmony of Lakewood Shores with respect to any architectural or land improvements, modifications or other changes. As such, it concentrates on the central theme established by the original developers. Specifically, minimum aesthetic requirements are generally defined as those possessed by the original homes of Lakewood Shores. These homes depict the minimum desired appearance by such attractions as unique lines (roof breaks, garage offsets, covered porches, brick veneer or wood siding and finished landscaping. As such, it is the responsibility of the Committee to see that any proposed building or other property improvements within Lakewood Shores meet these minimum standards. The Committee reserves the right to disapprove any project not meeting these standards and no consent should be implied or construed where none has been specifically granted.

II - ACCEPTABLE ARCHITECTURAL STANDARDS

In planning the home, the prospective homeowner must consider the following requirements with regard to standards, colors, and materials:

1. Roof breaks between attached garages and the roof of the home shall be a minimum (vertically) of 12 (twelve) inches. That is, the vertical distance from the roof of the home to that of the attached garage shall meet this minimum.
2. Overhang: Roof overhang shall not be less than 12 (twelve) inches from the face of the house, garage. (See no. 17 for other structure requirements)
3. Minimum pitch on any roof (home, garage, etc.) shall be at least 5/12 (i.e. Rise to run ratio 5:12)
4. Setbacks of attached garages shall be a minimum of 12 (twelve) inches. That is, (the garage shall be offset to the front or rear of the home by this distance or more.
5. Siding shall be of wood material such as reverse board and batten, cedar or oilier natural wood scheme. Stone, brick, and Stucco may also be used, either alone or in combination with each other or wood so long as they enhance the beauty of the home. Some vinyl and cement board sidings that meet specific criteria have also been pre-approved if used in a manner consistent with requirements for use of vinyl siding e.g. 10% of the total exterior wall area must be covered

by stone or brick and the stone or brick shall be applied to a side of the home facing the street if the minimal amount is used.

In addition, materials used for garage doors shall consist of wood or simulated wood look construction metal and of a color consistent with the overall color scheme of the home. Vinyl and aluminum may be used for trim, soffits, and shutters only and with prior approval of the Architectural Control Committee.

6. Colors on all surfaces shall be earth tone and suitably blended and matched with each other to provide a pleasing appearance.

7. Roof lines (house or house and attached garage combined) shall not present a "straight line" appearance. A break or other construction technique of at least 12 inches shall be used to break up the outline.

8. Landscaping shall consist of a finished lawn (seeded black dirt or sodded surface) and decorative shrubs.

9. Driveways, walks, and paths of any type shall be finished with asphalt, concrete, or brick paving material.

10. Oil or Propane tanks and/or alternative fuel heat sources, if used, must be screened or covered with a structure that will screen them from view and must meet state fire marshal standards of safety.

11. No structure shall be erected closer to the lot lines than the distances allowed by building restrictions applicable to that lot.

12. Living area shall consist of the net living area within the home (excluding utility rooms) and shall not be less than 1,450 (one thousand-four hundred and fifty) square feet. A minimum ground floor footprint equal to 1,050 (one thousand and fifty) square feet is required for all homes.

13. Elevation of finished floor above street level shall be in compliance with applicable building restrictions for that lot.

14. Fences shall be of wood construction using traditional cross-buck or split rail design. Other materials or styles may be approved at the discretion of the Committee so long as they provide an appearance harmonious with the surrounding home sites. Cyclone (chain-link) fencing may be used with prior approval of the Architectural Control Committee. Chain-link fences and supporting structures must be vinyl coated and earth tone in color, preferably brown or green.

15. Chimneys, when used, shall be constructed of brick or stone. If metal chimney material (free standing pipe such as Metalbestos) is used, it shall be enclosed in a wood enclosure similar in appearance to the home or an acceptable metal enclosure that presents a simulated brick appearance.

16. Satellite Dishes: Dishes shall not be larger than 32 inches. Dishes shall be mounted to the home/garage whenever possible. Dishes may be mounted elsewhere if screened or covered with a structure or landscaping that obscures view from the road.

17. Accessory Buildings: An accessory building is considered to be any structure that is not an integral part of the home itself. The standards of construction stipulated for homes (materials, colors, etc.) shall apply. In addition, the following shall apply:

Detached Garages: One detached garage, not to exceed 580 square feet (24x24 or equivalent), may be approved for construction provided the plan is consistent with this policy. All detached garages shall be constructed with a concrete floor on the home site, which shall include lots that have been consolidated and are directly adjacent to the home. The detached garage shall be located in the rear or side yard and never in front of a home.

Sheds: One shed per home site will be approved provided the plan is consistent with the standards set forth herein. In addition, no shed shall cover a ground area greater than 16 (sixteen) by 20 (twenty) feet. Any pre-made, pre-manufactured shed construction shall have a roof overhang of no less than 6 inches from the face of the structure.

Recreational Structures: One other structure, such as a gazebo, may be constructed of a size not to exceed 144 square feet (12x12 or equivalent), provided the structure is consistent with this policy and approved by the Architectural Committee.

III - APPLICATION PROCEDURES

The prospective homeowner is required to submit the following documents to the Committee (through the Association business office) for approval prior to commencing any construction. A minimum of three copies of all documents are required to be submitted at the time of application. The application fee for new home construction shall be \$250, whereas the application fee for additions and/or improvements to existing structures shall be \$25.

1. Plans or blueprints (architectural drawings are required for homes) depicting, as a minimum, the proposed floor plan of the home and a side, front and rear elevation view. Plans will be detailed with sufficient information (dimensions) so as to be easily readable. In addition, the plans will also contain detailed annotations indicating the following:

- a. Color and composition of siding—Please provide a sample. (None required for Cedar Siding)
- b. Color and composition of windows and exterior doors.
- c. Color and Composition of roofing materials.

2. A site plan depicting:

- a. Location of the home and any existing accessory structures (sheds/detached garages, etc.) with respect to lot lines.
- b. Layout of septic system, well or water supply, and propane tank (if required). Note: Site plan must indicate an approved screen or cover for the tank. State Fire Marshall approved plans are available through the Association business office.)

c. Location of driveways and sidewalks and composition of same.

d. A basic landscaping scheme. As a minimum, this should indicate the finished grass area (sod or seeded), shrubs and trees and shall include screening for any ground mounted satellite dishes.

3. A preliminary copy of the Committee's checklist completed by the applicant indicating compliance with the standards and requirements of this policy.

a. In addition to the preceding, a sample or samples of siding materials shall be provided for the Committee's consideration and evaluation. (None required for Cedar Siding)

IV - ARCHITECTURAL REVIEW AND CONTROL

Once the application is received by the committee, which meets twice a month as required, it will be reviewed. Once convened, the Committee will:

1. Review the plans for conformance to this policy as well as the restrictions of record. A checklist, consistent with the requirements of this policy has been developed and will be used as part of the process.

2. Have the choice to visit the proposed site with a view to determining the feasibility of the proposed structure.

3. Discuss and resolve any problems or conflicts with the prospective homeowner and/or builder who shall be invited to the meeting.

4. Approve or disapprove the plans as applicable.

V - APPROVAL AND CONDITIONS THEREOF

Once the proposed construction is approved, the prospective homeowner will acknowledge, by separate letter drafted by the Association, the approval and all the requirements of same as well as his or her agreement to comply with same. These include, but are not limited to:

1. Agreement to build only in accordance with the approved plans in their entirety and to post the Association Permit in a visible location during the period of construction.

2. Agreement that, in the case of any changes to the original plan, regardless of their nature, they will secure approval for the deviation prior to proceeding.

3. Agreement to finish construction no later than 8 (eight) months after securing approval from the Committee. Delays beyond this period require an application for extension from the Architectural Control Committee. Recertification of expired plans shall require a new application and fee. Completion is defined as:

a. A completely finished structure to include all exterior paint and trim. In short, the house should "look finished" and pleasing to the eye no later than the dates listed in the Acknowledgement and Endorsement signed at the time of approval.

b. A completed landscape scheme. This includes as a minimum: Finished and seeded lawn area or newly laid sod, a minimum of shrubs and a completed, approved enclosure for any propane tank. Also, any driveways or sidewalks/walkways should be finished with asphalt or concrete material so as to present an even, neat appearance.

VI - VIOLATIONS WARNING

The protection of property value and the preservation of the harmonious aesthetic appearance of Lakewood Shores is paramount. Violation of these restrictions and requirements shall subject the offending party to Circuit Court injunctive proceedings with possible consequences of removal of violative structures, injunctive orders, attorney's fees, damages and cost of prosecution.

This policy was ratified by the Board of Directors, Lakewood Shores Property Owners Association, Inc. to include changes adopted on May 15, 2006, and August 18, 2008 as reflected in the minutes of those proceedings.

Lakewood Shores Property Owner's Association, Inc.
Architectural Committee Checklist – (Revised July 9, 2007)

Note: Plans that do not meet specific, approved, and adopted Architectural Control Standards shall be referred to the Board of the Directors for their consideration. If the plans reviewed are satisfactory, please initial in the space provided to the left of each checklist item. Indicate N/A if the item is not applicable.

1. _____ Is the applicant a member in good standing?
2. _____ Is the application signed, complete, and paid for? (Including three sets of plans?)
3. _____ Is the purposed building site located on a water-front lot?
4. _____ Does the plan include roof breaks, minimum 12-inch?
5. _____ Is the roof pitch equal or greater than 5/12?
6. _____ Does the plan show roof overhangs that equal or exceed 12 inches?
7. _____ Does the attached garage, if any, meet 12-inch setback requirements?
8. _____ Does the siding material indicated meet LSPOA standards? (If vinyl used is the required stone, equal to 10% of the total exterior wall area, depicted on the plans?)
9. _____ Has a sample of the siding been provided? (None required for Cedar Siding)
10. _____ Does the site plan acceptably portray the location of the: septic system, water supply, propane tanks, sidewalks, satellite dishes, and driveways?
11. _____ Are plans or blueprints depicting floor plan, front, side, and rear elevations available and acceptable?
12. _____ Does the plan comply with Building Officials and Code Administrators (B.O.C.A.) Standards? (trailers and/or mobile homes cannot be placed within the development)
13. _____ Does the house meet LSPOA Square Footage Requirements? (1,450 total living space – 1,050 on the ground floor)
14. _____ Are accessory structures consistent with size, location, and siding requirements? (16x20 feet maximum size=Shed and/or 580 sq. ft=Detached Garage)
15. _____ Will the work be completed by an approved builder? Can the applicant provide copies of a builder's license, proof of liability insurance, and workmen's compensation insurance? This requirement can be waived by the homeowner
16. _____ Has the applicant been advised that the permit given must be posted and visible from the street?
17. _____ Has the applicant been advised that committee approval is granted based on the condition that all other required state, county, and local permits are issued?
18. _____ Has the applicant been advised that follow-up inspections will be conducted as needed to oversee LSPOA rules and architectural guidelines.

Gina Cinquino, Executive Director

Date

ACKNOWLEDGEMENT AND ENDORSEMENT

I, the undersigned, certify that I am the owner of the property described on the reverse. I also acknowledge that the project to which this application applies will be completed in accordance with the policy on architectural control set by Lakewood Shores Property Owner's Association, Inc. Further, I acknowledge and agree to the following:

- a. Construction will be completed no later than _____ as required by the building and use restrictions applicable to my property to include all exterior finish. Minimum landscaping and a paved driveway will be completed no later than _____. No one shall occupy the home until a Certificate of Occupancy has been issued.
- b. The Plans, as annotated, will be used for construction and any changes must be approved in writing prior to implementation. For the purpose of this approval, "plans" including all drawings, site plans, sketches and checklists used by the committee in arriving at their decision to approve construction.
- c. Approval by the Architectural Control Committee indicated conformance with the Association's requirement only. I understand it is my responsibility to secure all necessary permits and adhere to all building codes and restrictions dictated by other agencies.
- d. I acknowledge receipt and understanding of a copy of the Association's policy on Architectural Control and agree to abide by its requirements. For the purpose of ensuring compliance, I agree that a representative of the Association may visit the site from time to time while construction is in progress.
- e. Once construction commences, I understand I am bound to the terms herein until the project is complete to include the structure, landscaping and other requirements of this approval. I understand that transfer of this property to another owner does not relieve me of the responsibility outlined herein, and agree that, if I should sell or otherwise transfer ownership of this property before the project is complete, I will make provisions to guarantee completion to the new owner or owners.

Owner's Signature

Date

Lakewood Shores Property Owner's Association, Inc.
Architectural Control Committee – Policy on Enforcement of Standards

Whereas the Articles of Organization, Article II Section 1 – “Purpose” states that the Association was organized in part to provide “...for the administration and enforcement of any deed restrictions and architectural control requirements or policies covering such property in accord with the terms thereof...”.

Furthermore, the Association’s Architectural Control Standards state the goals and purpose of the Architectural Committee is to “...preserve the aesthetic harmony of Lakewood Shores with respect to any architectural or land improvements, modifications or other changes...As such, it is the responsibility of the “Committee” to see that any proposed building or other property improvements within Lakewood Shores meet these minimum standards.”

Therefore, the Committee is recommending that the following procedures be adopted by the Board of Directors to help administrate member compliance with the Architectural Control Standards of the Association.

- All new members shall be given a copy of the Architectural Control Standards.
- All new plans shall be received by the Executive Director five business days prior to the meeting that they will be reviewed.
- Follow-up inspections shall be conducted and documented periodically, until the homesite is completed.
- All architectural activity reported to be non-compliant shall be dealt with in the following manner.
 - Inspect the records and homesite to determine that non-compliance does exist.
 - If the homesite is constructed as approved, issue a letter informing the member that the Association erred in approving the non-compliant feature and seek a variance from the Board of Directors to allow the condition to exist until such time that the feature is modified or improved in any way OR the time of sale, whichever comes first.
 - If the homesite is not constructed as approved, issue a letter to the member advising them of the problem, seeking their resolution to the problem and/or attendance at the next Architectural Committee Meeting.
 - If the member fails to remedy the situation within the suggested time frame, issue a second letter notifying the member of possible consequences e.g. revocation of member-in-good standing status and/or pursuit of legal action.
 - If the second correspondence fails to resolve the matter, it shall be turned over to the Board of Directors for pursuit of legal action to enforce the Association’s Standards *or formal notice of Non-Compliance with Architectural Standards by recording an affidavit with the Iosco County Register of Deeds.*