

## **LINWOOD PARK BUILDING REGULATIONS**

### **Introduction**

The Linwood Park is owned and operated by the Linwood Park Company as a Family Park. In order to preserve the spirit of Linwood, adjustments have been made to the Building Regulations.

Many individuals have been involved in enforcing these regulations over the years, with varying opinions and decisions. These new 2009 regulations will be applied as fairly as possible without regard to what has been allowed or not allowed in the past. The intent of the regulations is to preserve Linwood and its' heritage of a friendly, neighborly place in all our hearts.

The Company believes that open areas are important to the enjoyment of the Park. In many areas of the Park, buildings are closely spaced, thus increasing the importance of having open spaces available for all of us to use and enjoy. The Company appreciates the efforts of leaseholders to maintain and improve their property. The Company also recognizes that the overall architectural tone of the Park is a key ingredient in its charm and appeal. The Company therefore encourages leaseholders to maintain an architectural theme compatible with the surroundings in any exterior construction or remodeling.

To preserve and maintain the Park for the benefit and enjoyment of all, it is necessary to have regulations, which govern Park building and construction. A copy of these regulations may be obtained at the Office of the Park Superintendent.

### **Work Requiring a Permit (revised- October, 2004)**

All new construction or all exterior alteration of existing buildings, which changes the exterior dimensions of any part of a structure, requires a permit from the Linwood Park Company. Permits also are required for garages, decks, patios, pads, hot tubs, Jacuzzis, spas, outdoor shower enclosures, satellite dishes, sheds, sidewalks, walkways, driveways, carports, installation of deep water, and other major construction works and the use of heavy equipment. A signed agreement by the cottage-owner for responsibility of any structure covering over a utility.

### **Permit Request Procedures**

The Board of Directors or its designated representative must approve all work requiring a Permit. Permit requests are to be submitted to the Chairman of the Permit Committee of the Company, and shall contain the following:

- A letter of request for a permit, signed by all leaseholders of record of the proper for which the permit is requested.
- Blueprints, sketches, or other plans detailing the planned work. Exterior dimensions and elevations must be shown in sufficient detail to reflect the planned appearance of the work and its compatibility with the existing structure and/or surrounding structures;
- A plot plan showing the exact placement of the work on the lot. All outside dimensions and distances from lot lines of both the existing and remodeled structure must be shown; and
- A copy of the lease for the lot, if necessary to establish the right to build on the lot.

While the drawings, sketches, and plans need not be to scale, they must contain accurate measurements and dimensions and be of sufficient detail and accuracy to permit comprehensive

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evaluation of the request. Determination of the location of any lot lines to the satisfaction of the Company shall be the responsibility of the leaseholder. If a survey is required to make that determination, the survey shall be obtained at the leaseholder's cost. Upon approval of the request, the Company will issue a letter of authorization. Construction or building shall not begin until such a letter has been received. Ample time should be allotted by the leaseholder for the approval process.

In the event that the permit is denied by the board of directors, the submitter may resubmit the permit as a request for a variance. As noted below (**added March 17, 2011**):

- Cottage owner submits request to building committee
  - o It is important that the owner follow the guidelines for submittal (drawings and other required information necessary to describe the project)
- Committee chair will provide to cottage owner any changes in the design that the committee is requesting
- Owner will respond to request for changes and provide updated project documentation or counter points
- Based on the materials supplied the committee chair will provide information to parties that may be affected by the requested variance and solicit their comments
- Variance committee issues recommendation to full board of directors
- Final review and approval/denial by full board of directors
- Permit issued or permit denied and returned to cottage owner with reasons for denial

Given that full board approval is required for any variance the cottage owner should allot as much time as possible since the board of directors typically meets every 2 or 3 months.

### **Terms and Conditions**

All work shall be done in accordance with the terms and conditions of the lot lease and the specifically approved plans.

### **Applicable Codes and Regulations**

In addition to these regulations, all work must be performed in compliance with all applicable building codes of the City of Vermilion, the State of Ohio, and/or federal agencies. Obtaining necessary permits and complying with all applicable building and construction codes is the responsibility of the cottage owner.

### **Contractor Qualifications**

All contractors working on the project must be qualified to do work in the City of Vermilion.

### **Coordination with Park Company Superintendent**

The leaseholder shall advise the Park Superintendent of work schedules to facilitate any necessary coordination with the Park Company. The Park Superintendent is authorized to inspect all work for compliance with these regulations.

### **Construction Season**

All construction and outside painting must be completed and debris removed prior to the official opening of the Park each year. No construction or outside painting, other than emergency repairs, is permitted between opening day and the day after Labor Day.

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Permits granted will be valid for one year from the date of issue. Extensions may be granted as necessary at the discretion of the Board of Directors.

### **Clean-Up (added October 9, 2004, Modified August 29, 2009)**

Removal of all construction debris is the responsibility of the leaseholder. Land area around the construction site shall be restored to its original condition.

A refundable \$5,000.00 deposit to insure clean up, cover any damages to Park Company property or fixtures and assure that all regulations are followed. This deposit will be required on all major construction and additions to structures, the applicability of which shall be determined by the Board of Directors. When work is completed the leaseholder or a representative will advise the superintendent. The superintendent will perform a walk through and will provide a list of deficiencies if any. These noted deficiencies, if any, shall be the basis for the calculation of "deposit hold back". Alternatively, at the discretion of the Board of Directors the Permit Holder may be permitted to arrange repairs at their expense.

### **Setbacks**

Minimum setbacks are 3 feet from side lot lines, 6 feet from the rear lot line, and 5 feet from the front lot line. Setback distances are measured from the foundation. Overhangs, eaves, and eaves troughs may extend up to 12" beyond the setback line without resulting in a violation of the setback requirement.

### **Garages and Carports (added May 5, 2001)**

Garages and carports, if built, must be built within the following parameters. It must be a one-car garage or carport. Maximum size shall be 14 feet by 22 feet and no more than one story in height. It shall be directly attached to the residence. It shall conform to all other Linwood Park Company building regulations. Only one garage per cottage will be permitted.

### **Storage Sheds**

Freestanding storage sheds may be placed on buildable lots only. They shall be of wood construction and may be vinyl sided. No metal, plastic or vinyl sheds will be permitted. They shall have a maximum floor area of 48 square feet, and neither the length, nor width, nor height may exceed 8 feet. They shall have peaked shed style roofs, and an exterior that complements surrounding structures. Barn style roofs are prohibited, as are excessively ornate buildings or buildings, which, in the view of the Board do not conform to the architectural tone of the Park. Sheds and similar structures, which are attached to a dwelling, shall be subject to the same regulations as the dwelling. More than one freestanding shed per lot shall not be permitted.

### **Decks, Patios, and Pads**

To permit adequate absorption, the construction of any concrete or otherwise solid pad or deck shall be limited to a maximum of one 36 square foot pad per lot. Pads or decks larger than this shall be slatted or otherwise constructed to permit adequate drainage. Minimum distance between slats shall be ¼".

### **Hot Tubs, Jacuzzis, and Spas (Added July 8, 2001)**

Hot tubs, Jacuzzis, Spas, and similar appliances are permitted as long as they are enclosed within the residential structure and kept secure from non-authorized use.

**Swimming Pools (Added July 8, 2001)**

In-ground and aboveground swimming pools are not permitted with the exception of inflatable wading pools.

**Sidewalks**

Sidewalks shall be made of brick, sandstone, or concrete and have a maximum width of 4 feet.

**Fences (added October 9, 2004)**

In order to preserve the common use of open spaces, the installation of new fences or replacement of existing fences is not allowed.

**TV Satellite Dishes (added May 5, 2001)**

No ground-mounted TV satellite dishes shall be permitted.

**Outdoor Shower Enclosures (added April 12, 2003)**

Outdoor shower enclosures may be built only to provide privacy for functional outdoor showers. They must be attached to a cottage, in compliance with the lease use, and must provide complete privacy for shower users. They may be constructed of solid material, such as wood, fiberglass, etc or of canvas or plastic, or a combination of such materials. Outdoor shower enclosures may not exceed 7 feet in height, and may not exceed a total area of 16 square feet. It is preferred that they be purchased or painted the same color as the cottage to which they are attached. Solid wall shower enclosures must comply with all setback requirements.

**Exteriors**

All residential exteriors should be in the style and appearance of other Linwood Park residential properties. The use of white paint or siding is preferred and encouraged.

**Utilities**

All construction related to chimneys, plumbing, sewer, water, gas, and electricity must be done in accordance with codes as specified by the City of Vermilion, and City permits shall be obtained for such work.

In addition, a permit issued by the Company is required for a new chimney or relocation of an existing chimney.

The cost of water, sewer, gas, and electric installation and hook-ups shall be borne by the leaseholder, and all hook-ups shall be done in coordination with the Park Superintendent.

**Extension of Park Facilities**

Should the extension or modification of any Park roads, electrical systems, water systems, or gas systems be required, such extensions or modifications will be at the cost of the leaseholder all such work must be done in coordination with the Park Superintendent.

Linwood Park Building Regulations

**Building Foundations**

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Building foundations are to be of brick, hollow tile, or cement block, and extend 16 inches to 18 inches above the level of the ground. If no solid foundation is used, the openings between the foundation pillars shall be enclosed with screening, lattice, or solid material. Solid foundations are encouraged to eliminate/discourage areas for varmint habitation.

All foundation excavations shall be at least 24 inches deep.

### **Building Height (revised July 8, 2001)**

No buildings of more than 28 feet in height, of more than two stories, (not including basements or attics) and no one-story buildings will be permitted without written permission of the Park Company.

### **Roof Materials**

Roofing materials must comply with the applicable city codes. Black, green or gray are preferred colors.

### **Lot Size**

No building shall be constructed or placed upon a lot that is less than a full lot, unless said lot abuts and is contiguous to a full lot. Neither lot shall be designated as a non-buildable lot for a building to be constructed or placed on the partial lot.

### **Construction Damage**

Any Park property (roads, structures, utilities, and adjoining property) damaged as a result of the construction shall be restored to its original condition at the expense of the leaseholder.

### **Basements and Foundations (Added July 7, 2002)**

Requests by cottage owners for the construction of a basement in a new or existing cottage will be reviewed individually, and will be evaluated in light of the impact that such construction will have on Linwood Park and on surrounding cottages and cottage owners.

All plans to construct a basement under a new or existing cottage in Linwood Park must be submitted to - and approved by both the Linwood Park Company and the City of Vermilion. There are two significant hurdles that such construction would face. Drainage and evacuation of water is a primary concern. Linwood Park does not have storm sewers into which ground and storm water can be directed. If plans for a basement include any type of sump pump for the evacuation of water, the plans must detail specifically how and where the water will be pumped to. No plans will be approved that result in storm water or ground water being pumped onto property owned by the Park Company, nor onto lots owned by other cottage owners, nor onto the lot owned by the cottage owner constructing the basement if in the opinion of the Board of Directors such dumping of water may negatively impact adjacent property or others in Linwood Park.

The Linwood Park Company prohibits the building of any new drains, which would carry storm water onto the bluff of the beach, or onto the perimeter of Linwood Park.

Another concern stems from the proximity of the cottages in Linwood. The excavation needed for building a foundation for a basement may require heavy equipment that may not be able to operate without possible damage to adjacent buildings and/or to Park Company roads, land, etc. A potentially greater concern is that the excavation itself, usually extending a couple of feet or so beyond the actual foundation to be built, may weaken the soil stability and jeopardize the foundations and structural integrity of adjacent buildings.

For these reasons, if you wish to explore adding a basement to your cottage, please submit detailed plans for construction to both the City of Vermilion Building Department and to the Permits Committee of the Linwood Park Company. In addition to all requirements outlined in the Linwood Park Building Regulations, plans for construction of a basement must include:

- 1) Detailed plans for the disposition of water from the footers of the basement.
- 2) An "official" opinion from an Ohio certified engineer that such construction will not damage adjacent buildings or result in soil instability leading to damage to foundations, etc in the immediate area.

**Trees (added October 9, 2004)**

Removal or trimming of any tree requires permission of the Linwood Park Company. Any tree removed will require the cottage owner at the cottage owner's expense to plant a new tree. The new tree must have a minimum of and 1 1/2" trunk. The Linwood Park Company must approve the species and location of the tree.

**Curb Appeal (added Feb., 2014)**

General maintenance for exterior upkeep is the cottage-owner's responsibility. This includes weeding, shrubs and trees trimmed, and no debris on properties.

Linwood Park Building Regulations

**Right of Modification Reserved**

The Park Company reserves the right to amend or otherwise modify these regulations without prior notice to leaseholder.

Initially approved by the Linwood Park Company Board of Directors - November 4, 1992  
Amended and approved by the Linwood Park Company Board of Directors - February 3, 1993  
Amended and approved by the Linwood Park Company Board of Directors - October 9 of 2004  
Amended and approved by the Linwood Park Company Board of Directors - July 28, 2009  
Amended and approved by the Linwood Park Company Board of Directors - May 27, 2010  
Amended and approved by the Linwood Park Company Board of Directors - March 17, 2011