

## **LAKE MEADE PROPERTY OWNERS ASSOCIATION (LMPOA)**

### **RESIDENTIAL BUILDING REGULATIONS—approved March 15, 2017**

Latimore and Reading Townships (the townships with jurisdiction at Lake Meade) have adopted and are enforcing the provisions of the Pennsylvania Uniform Construction Code. This State Code provides that the primary responsibility for the approval and inspection of residences rests with the municipality within which the residence is to be constructed. LMPOA Regulations (hereafter referred to as 'Regulations') are in addition to, and not a substitute for, the permits and approvals required by the applicable township or government agency.

**PROPERTY OWNERS ARE RESPONSIBLE FOR OBTAINING PERMITS, IDENTIFYING PROPERTY LINES, SCHEDULING REQUIRED INSPECTIONS AND ALL WORK COMPLETED ON THEIR PROPERTY.** Members of the Building Committee, the LMPOA inspector, members of the Board of Directors, and LMPOA administration shall not be held responsible for the location of lot lines, location of building(s), the structural strength of the building(s), or compliance with the PA Uniform Construction Code. Nothing in the LMPOA Regulations are intended to be in conflict with any rule, regulation, code, ordinance or law of any other regulatory authority. In any case of conflict, the most stringent rule or regulation shall apply.

LMPOA is responsible for reviewing and approving applications for Letters of Compliance and Letters of Approval as follows. See the application process of in this section.

#### **Letter of Compliance**

A Letter of Compliance is required to excavate, construct, add to, or replace a residence, addition, garage, boathouse, boat dock, shed (over 200 square feet.), chimney, new deck, residential ramp, seawall, swimming pool, or other structure.

#### **Letter of Approval**

A Letter of Approval is required to install, replace, or move a/an air conditioning unit, boat lift, culvert pipe, driveway, driveway entry, gazebo, fence, wall, screen, heat pump, parking area, patio, pavilion, replacement deck, roof, and siding, swale, shed (200 square feet and less), stationary generator, underground irrigation system, and walkway. For other home improvements, contact the LMPOA office at 259-9625.

### **ARTICLE I – PURPOSE**

The purpose of these Building Regulations is to promote the general welfare and aesthetic value of the community, while also protecting property values.

### **ARTICLE II – SUBMISSIONS AND PROCEDURES**

Letters of Compliance and Letters of Approval shall be issued to any member of the Association in good standing who is in compliance with all requirements of the Governing Documents and has paid in full all assessments and any other charges that are due and owing the Association (Covenants, Article 1, Section A, 17).

Any excavation, demolition, or construction without approval of LMPOA, and applicable township (as required), is in violation of the Regulations.

## **APPLICATION AND APPROVAL PROCESS**

1. An application for a Letter of Compliance or Letter of Approval shall be submitted to and approved by LMPOA before construction begins and prior to applying to Reading or Latimore Township for a building permit. Application forms and requirements are available at the LMPOA Office.
2. An application for a boathouse, dock, seawall, or any other shoreline construction / maintenance shall be submitted to and approved by the PA Department of Environmental Protection (DEP) before construction begins and prior to applying to LMPOA for a Letter of Compliance or Letter of Approval. Application forms and requirements are available at the LMPOA Office.

## **COMPLIANCE WITH PLANS**

1. All work performed under a Letter of Compliance or a Letter of Approval shall conform to the approved application and plans.
2. The approved plot plan location shall be strictly adhered to for all construction. If a change is required, the property owner is responsible for arranging a time for the LMPOA Building Committee to re-approve.
3. All construction shall be in accordance with the Building Regulations of LMPOA and the applicable state and local municipal agencies. The sewer, water, electrical, and other utilities shall be in accordance with the rules and regulations of the respective municipal agency; however, if there is conflict between rules and / or regulations, the most stringent rule or regulation shall apply.
4. It is the responsibility of the property owner to assure that all contractors involved adhere to all applicable LMPOA Rules and Regulations.

**LETTER OF COMPLIANCE:** Required before excavation, construction, addition, expansion, and replacement of a residence, garage, boathouse, boat dock, chimney, geothermal system, seawall, shed (over 200 square feet), or swimming pool, and other structure.

### **1. General Guidelines**

- a. LMPOA shall examine the application and building, grading, erosion, drainage, and plot plans for compliance. A Certificate of Insurance for the builder is also required. A Letter of Compliance will be issued within thirty (30) days of the date of application. If the examination reveals noncompliance with Regulations, the applicant shall be notified in writing stating the reasons for the rejection of the application. All applicable permits shall be posted at the job site. Copies of approved township and LMMA permit applications shall be filed with LMPOA.
- b. PA DEP requires a General Permit 2 or 3 to construct and / or replace a boat dock, boathouse, or seawall, in addition to any materials used to maintain shorelines. A copy of the DEP Permit shall be submitted to LMPOA to obtain a Letter of Compliance.
- c. The completion time for Letter of Compliance projects is six (6) months which begins with the footer inspection; however, weather conditions, or other extenuating circumstances, will be taken into consideration for extensions beyond the 6 months.

### **2. Building Plans**

Building plans shall be submitted to the office and will be evaluated within approximately one (1) week. If more detail is needed, the plan examiner(s) will contact the property owner and / or contractor for more information.

- a. Four (4) complete sets of dimensioned drawings shall be submitted. These drawings shall include floor plans, square footage, exterior elevation views (all sides), and footer drain systems drawn to 1/4-inch scale (preferred). Following approval by LMPOA:
  1. One (1) plan set will be retained by LMPOA for reference.

2. Three (3) plan sets will be provided to the property owner or their agent for submission to the applicable township for approval. Once approved by the township:
3. One (1) approved copy will be returned to LMPOA for retention. Upon request, the reference set may be returned to the property owner. No construction shall begin until LMPOA receives an approved set of plans from the township.
- b. Two (2) plot plan drawings shall be submitted that show all dimensions and exact location of the proposed new construction relative to the property lines, easements, and setbacks.
  1. Any new residence shall require a state registered surveyor's plot plan with construction, dimension of side lines, and setbacks shown in addition to having all site property corners identified by some permanent means (see 'Exhibit 2').
  2. Any addition (deck, chimney, dock, garage, play structure, and others) shall require site property corners identified.
  3. Any accessory structure (attached and detached garage, shed, boathouse, and others), on a lot shall require a plot plan indicating compliance with the regulation requiring that all accessory structures (maximum of 2) shall not exceed seventy-five percent (75%) of the existing residence roofline perimeter.
  4. The property owner shall be responsible for the accurate location of site property corner indicators.
  5. Erosion and sedimentation control plans shall be developed in accordance with the PA DEP, Chapter 102 Regulations. A DEP publication "Erosion and Sediment Pollution Control Program Manual" is available for review through the County Conservation District and the LMPOA office. In addition, a map showing contours at two (2) foot increments is available for review in the LMPOA office.

### **3. Fees and Deposits**

- a. A non-refundable fee, as set by the LMPOA Board of Directors, shall be paid upon application for a Letter of Compliance.
- b. A refundable deposit, made payable to LMPOA, shall be received before a Letter of Compliance is issued and refunded after final inspection. The deposit shall be forfeited to cover any costs of enforcement and fines imposed by LMPOA. The deposits are, as follows:
  1. Residence or addition = \$500.00
  2. Garage, boathouse, boat dock, swimming pool, or shed (over 200 square feet) = \$250.00
  3. New deck, new chimney, or seawall = \$100.00
- c. All building deposits returned after final inspection, which includes final grading, seeding, and / or other erosion control, will be made payable to the property owner.

### **4. Building Permit Contact Information—Submit copy of approved applications to LMPOA**

- a. Adams County building permit -  
Adams County Courthouse, Gettysburg, PA 17325  
Telephone 888-707-3300
- b. Latimore Township building permit -  
Township Supervisors, 559 Old U S 15, P O Box 218, York Springs, PA 17372  
Telephone 717528-4614
- c. Reading Township building permit –  
Land and Sea Services, LLC (permit contractor for Reading Township)  
1837 Heidlersburg Road, Aspers, PA 17304  
Telephone 717-677-7356
- d. Sewer permit –  
Lake Meade Municipal Authority (LMMA) requires payment of a connection charge.  
Telephone 717 259-9998

Construction shall not occur before 7 a.m., Monday thru Friday, and before 8 a.m., Saturdays, Sundays, and recognized holidays in which the LMPOA office is closed.

#### **5. Inspections**

- a. LMPOA shall have the right to enter the property at any time to inspect for compliance with the Regulations.
- b. The property owner is responsible for contacting LMPOA at (717) 259-9625 to schedule inspections.
- c. The following LMPOA inspections shall occur for all Letter of Compliance projects:
  1. Footers and / or piers.
  2. After the roof has been framed or trusses set and before the roof is sheeted.
  3. Final inspection upon completion of construction (see Exhibit 5).

**A LETTER OF APPROVAL:** Required to install, replace, or move a/an air conditioning unit, boat lift, culvert pipe, driveway, driveway entry, gazebo, fence, wall, screen, heat pump, parking area, patio, pavilion, replacement deck, roof, and siding, swale, shed (200 square feet and less), stationary generator, underground irrigation system, and walkway. For other home improvements, contact the LMPOA office at 259-9625.

1. A plot plan, indicating location and placement in regard to road right-of-way and easements, shall be submitted to the Building Committee for approval.
2. Each application for a Letter of Approval is considered on an individual basis.
3. An application fee is not required for a Letter of Approval.
4. Letter of Approval Projects shall be completed within three (3) months from the date of approval. NOTE: Attached and accessory structures shall not exceed seventy-five percent (75%) of the roof line perimeter area of the existing residence.
5. The property owner is responsible for securing applicable building and / or zoning permits from the township (see Building Permit Contact Information in the previous section).
6. LMPOA shall have the right to enter the property at any time to inspect for compliance with LMPOA Regulations.
7. **The property owner is responsible for contacting LMPOA at (717) 259-9625 to schedule a final inspection upon completion of the project.**
8. Construction shall not occur before 7 a.m., Monday thru Friday, and before 8 a.m., Saturdays, Sundays, and recognized holidays when the LMPOA office is closed.

#### **APPEAL OF APPLICATION DENIAL**

1. In the event of denial of a Letter of Compliance or a Letter of Approval, applicants, for any reason, have the right to appeal said denial and appear before the LMPOA Board of Directors for a hearing and final decision.
2. All denial appeals shall be requested in writing to the Board of Directors within ten (10) days from date of denial. A hearing date shall be set within approximately thirty (30) days after receipt of appeal either at a regular or a special meeting of the LMPOA Board of Directors unless an extension is necessary and reasonable.
3. A majority of a quorum of the LMPOA Board of Directors attending said appeal hearing shall constitute a final and binding decision. Applicants shall be informed of the decision in writing.

#### **REVOCAION**

LMPOA may revoke a Letter of Compliance or a Letter of Approval in any case where there has been a false statement or misrepresentation in the application or plans on which the Letter of Compliance or

Letter of Approval was based. All construction shall cease and the deposit shall be retained by LMPOA until such time as the property owner complies with the Regulations.

#### **EXPIRATION OF APPROVALS**

1. The time period to complete all exterior work for Letter of Compliance projects, including trim, decoration, paint, final grading, and ground stabilization, shall be six (6) months, beginning with the footer inspection, and three (3) months from the date of approval for Letter of Approval projects. After the stated time period, the Letter issuance shall expire automatically and all work shall cease.
2. The applicant may apply for an extension of the time to complete projects. Other than an LMPOA approved extension, a new Letter shall be obtained before work resumes.
3. An expired Letter shall be in violation of the Regulations, and the applicant shall be subject to fines and forfeiture of deposit.

#### **CORRECTIVE ACTION AND PENALTIES**

1. Property owners who violate any provision of the Building Regulations may receive a written notice of violation from LMPOA.
2. Upon violation of any provision of the Building Regulations, any of the following actions may be taken by LMPOA:
  - a. When a project that has not been completed within the approved time period and no extension has been granted, a notice will be sent describing the violation and levying a fine, not to exceed three hundred dollars (\$300.00). The property owner shall present a corrective plan of action within one (1) month.
  - b. Upon receiving a corrective plan of action, sixty days (60) days will be permitted for the violation to be corrected.
  - c. If a corrective plan is not received within one (1) month, a second and subsequent fine, not to exceed three hundred (\$300.00), will be levied every month the violation remains in perpetuity.

#### **APPEAL OF PENALTIES**

1. Any fine or suspension levied by LMPOA is subject to a member's right of appeal.
2. The appeal shall be filed in writing with the LMPOA office or the Board of Directors within ten (10) days from the date the member receives certified notice of the action.
3. The Board of Directors will hear the appeal within approximately thirty (30) days unless an extension is necessary and reasonable.
4. Any fine imposed shall be the equivalent in law to a charge against the deposit and / or against the owner. To the extent that said fine cannot be paid by forfeit of deposit, said charge against the owner shall be collectible by lawsuit.

## ARTICLE IV – REGULATIONS

### 1. Construction

It shall be the responsibility of the property owner to ensure that the builder adheres to the current and successor regulations of the Uniform Construction Code, the Township Building Code, the LMPOA Building Regulations, and companion earth disturbance Best Management Practices (BMPs). **LMPOA shall not be responsible for compliance.**

### 2. Structures and Living Space (Covenants, Article VI, Section A, and Article VII, Sections A and D)

- a. Residential Lots in Lake Meade shall only be used for single-family residential purposes and improved with detached single-family residences. (Covenants, Article VII, Section A) Only one (1) single-family residence may be built on any single lot.
- b. Construction improvements or modifications shall not occur prior to obtaining approval from the Building Committee and applicable municipal permits being provided to LMPOA. Construction, improvements or modifications shall include, but not be limited to, staking, clearing, excavating, grading, or other site work, and exterior alteration or modification of existing improvements, including delivery of building materials. (Covenants, Article VI, Section A)
- c. During construction, improvements, or modifications, all lots shall be maintained in a neat and orderly manner, which includes organized and covered building materials. Debris shall be disposed of daily, and all debris and materials shall be safeguarded against blowing onto adjacent properties. A dumpster may be required on site. Dirt from construction activities on the road surface shall be removed daily. Vegetation shall be maintained to not exceed twelve (12) inches. Other than required permits, owner name and address signs, and one (1) builder sign, other signs shall not be erected. Subcontractor signs are not permitted.
- d. The time period to complete all exterior work for Letter of Compliance projects, including trim, decoration, paint, final grading, and ground stabilization, shall be six (6) months, beginning with the footer inspection, and three (3) months from the date of approval for Letter of Approval projects.
- e. Neither overall length nor width of the main structure shall measure less than twenty-four (24) feet outside dimension.
- f. All residences shall contain the following minimum floor area of enclosed, heated interior living space: One-story homes - 1,150 square feet; Two-story homes - 900 square feet on the ground / first floor.  
NOTE: Living space is space in a residence intended for human occupancy, and 1) is heated by a permanently installed, conventional heating system; 2) is finished with walls, floors, and ceilings of materials generally accepted for interior construction; 3) has a ceiling height of at least seven (7) feet, except under beams, ducts, and other areas where the height must be at least six (6) feet four (4) inches; and 4) is directly accessible from other living areas through a door or by a heated hallway or stairway.
- g. Any addition which increases the living space of the main residence will be considered one structure provided it is architecturally 'sound', with footers and roof lines consistent with the main residence.
- h. **Foundation:** All structures exceeding two hundred (200) square feet shall be on a masonry or concrete foundation extending from grade to below the frost line (thirty-two (32) inches for Lake Meade). The portion of the foundation above finished grade shall be brick, stone, or parged with mortar to present a uniform appearance.

- i. **Building Height:**
  1. A residence shall not exceed thirty-five (35) feet vertical distance measured from grade to the highest point of the structure, except to accommodate architectural embellishments that do not constitute living area, such as chimneys, towers, and cupolas.
  2. The height of an accessory structure shall be based upon the existing residence and shall not exceed the distance between the peak of the roof and the highest elevation where the ground touches the foundation.
- j. **Exterior Design:** LMPOA has sole discretion to deny approval upon their review of the exterior architectural design.
- k. Not more than two (2) other stand-alone structures may be erected / placed on a lot, and, in no case, before construction of a residence on the lot. The only exception is one (1) boat house or one (1) dock or one (1) boathouse / dock combination is permitted for lake front lots. No accessory or temporary building shall be used or occupied as living quarters.

### 3. Demolition

- a. Demolition shall not commence prior to obtaining a Letter of Compliance from the Building Committee. A contract and / or plan for the project shall be included with the application along with a township demolition permit.
- b. Materials, including concrete pads resulting from demolition, shall be removed from a site within thirty (30) days. Cases of fire damage are handled on an individual basis due to insurance procedures.
- c. In cases of fire damage, if no replacement structure is planned, refer to the 'Grading' section of these Building Regulations to return the site to LMPOA standards.
- d. For new construction on a site, refer to these Building Regulations for LMPOA approval and construction regulations.

### 4. Elevations and Easements (Covenants, Article VII, Section D., 4.)

- a. No structure or building component (porch, projection, overhang, or spouting) nor mechanical unit (air conditioning, heat pump, standby generator, or swimming pool pump) shall extend:
  - nearer than thirty (30) feet from any road right-of-way or rear lot line.
  - nearer than ten (10) feet from the property line of any abutting property owner.
  - nearer than sixty (60) feet from the normal high water line of Lake Meade, with the exception of boat docks and boathouses.
- b. No portion of any permanent structure (excluding boathouses and boat docks) may be erected below the 505 foot elevation above mean sea level (505' MSL) without a permit from the PA DEP. All parts of lots that are lower than 505' MSL shall maintain their existing natural grade and no fill shall be added (Covenants, Article VII, Section D., 5.).
- c. An erosion control plan shall be in place for any excavation. This plan shall include grading and planting of grass, and it shall remain in place until 70% vegetation is achieved.
- d. Irrigation systems are permitted in the easements. A plot plan showing placement of the system shall be required for a Letter of Approval. The irrigation system water shall not be directed onto abutting properties. A plot plan of the completed project shall be submitted to LMPOA for final inspection and permanent records.

### 5. Structure Crossing Common Lot Lines (Covenants, Article IX, Section G., 1.)

An owner of two adjoining lots that constructs a building crossing over or passing through the lot line, that lot line shall not be subject to the aforementioned ten (10) foot easement.



**6. Grading** (Covenants, Article VII, Section D., 6.)

The Building Committee approves all grading, erosion, and drainage plans for all construction projects. On lake front properties, owners shall develop and implement a written erosion and sediment (E&S) control plan, as described in the PA DEP Erosion and Sediment Pollution Control Program Manual (Technical Guidance Number 363-2134-008, or its successor). The Building Committee approves all E&S Best Management Practices (BMP) on a case-by-case basis. After final inspection, the Roads Committee is responsible for stormwater management.

- a. Letter of Compliance building exteriors and final grading shall be completed within six (6) months beginning at the footer inspection, and Letter of Approval construction shall be completed with three (3) months from the date of approval, with exceptions approved by the Building Committee.
- b. Throughout construction, dirt deposited onto the road shall be removed daily.
- c. Prior to clearing, demolition, or construction, a stabilized construction entrance shall be provided. The entrance shall consist of a geo-textile underlayment and eight (8) inches of #1 stone to prevent lot erosion and mud on the roads. The washing of the roadway or sweeping the debris into roadway swales, or other drainage courses, shall not occur. Temporary storm water management devices (such as, berms, holding ponds, straw bales, silt fences, erosion socks, and others), as stated in the E&S BMP, shall be used to prevent erosion.
- d. If blasting is required and prior to blasting, the owner shall provide to LMPOA proof of certification in blasting and a Certificate of Insurance (COI) from the certified blaster. The adequacy of the liability limits of the COI is determined by the Building Committee.
- e. Best Management Practices (BMPs) shall be continued throughout construction. Erosion control shall be inspected by the lot owner and / or builder regularly, or after each water run-off event, and repaired, as needed. Any grading, or other disturbance to the natural terrain, shall avoid the creation of a nuisance or hazard to abutting properties.
- f. Upon the completion of construction: 1) the final swale grade shall be sufficiently below road grade to handle surface water run-off; 2) the road right-of-way shall be graded for adequate water run-off; 3) all grading shall be completed and grass planted; 4) all stumps, debris, and dirt piles shall be removed.; 5) erosion control shall remain in place until 70% vegetation coverage is achieved; 6) all water from gutters and drains shall be diverted to the swales; and 7) all grading shall prevent water run-off onto abutting properties.
- g. Final grading shall be inspected and approved by LMPOA. After final inspection, grading and water run-off between lots is the responsibility of property owners, not LMPOA, and stormwater management is the responsibility of the Roads Committee.

**7. Chimneys and Flues**

- a. All chimneys and flues on exterior walls of structures shall be encased in masonry, or other suitable material, to provide an attractive appearance.
- b. Any metal chimney pipe extending through the roof shall be encased in masonry, or other suitable material, except for the top twelve (12) inches.
- c. Chimneys shall meet the specifications of the PA Uniform Construction Code and the manufacturer's installation instructions.
- d. Chimneys, including outdoor, detached chimneys for food preparation and recreation, shall not infringe on any easement.

**8. Electrical**

Electrical inspections shall be performed by an inspector approved by the utility company provider.



9. **Fire and Safety**

Adhere to the rules and regulations of the federal, state, and local fire and safety ordinances.

10. **Residential Ramps**

**Property owners shall submit proof of approval for construction for a residential ramp from the appropriate building regulatory agency (Reading or Latimore Township or their approval agency), who is also responsible for inspections. Upon receipt of the appropriate approval from the building regulatory agency, LMPOA approval shall be commensurate. All LMPOA general building regulations (time frame, hours for construction, condition of job site, and so forth) shall apply, with the ramp to be removed within 30 days after it is no longer needed.**

11. **Culverts and Driveways**

Every new, upgrade, or change of a driveway, culvert, and / or swale constructed within the road right-of-way requires a LMPOA Letter of Approval. The road right-of-way is defined as thirty-five (35) feet from the center of Lake Meade Drive and thirty (30) feet from the center of all other roads. Two inspections are required: 1) to examine existing culvert for deficiencies prior to work being performed and, 2) to determine that the expected "normal" flow of water is maintained. Each request will be considered on an individual basis, in conjunction with the following:

- a. Prior to clearing, demolition, or construction, a stabilized construction entrance shall be installed. A geotextile underlayment and eight (8) inches of #1 stone shall be provided to prevent lot erosion and mud from being deposited onto the roads. Throughout construction, dirt deposited onto the road shall be removed daily. The washing of the roadway or the sweeping of deposits into roadway swales, or other drainage courses, shall not occur.
- b. All new driveways, including circular entries, into undeveloped and / or developed lots shall be no wider than eighteen (18) feet in the road right-of-way.
- c. Culverts shall be constructed to prevent driveways from washing out and shall not exceed twenty (20) feet in length.
- d. Culvert material shall be one of the following: pre-cast Class 3 concrete; 14-gauge corrugated, galvanized steel; corrugated, polyethylene pipe, with a smooth interior.
- e. Culvert size and type (round or squashed) and invert elevation shall be recommended by the LMPOA building inspector **and approved by the Building Committee.**
- f. Final culvert and road right-of-way swale elevation shall be below the road surface elevation and sloped, so that standing water does not collect in the swale. NOTE: Any re-grading of the swale required by LMPOA due to the owner's unauthorized alteration shall be completed at the owner's expense.
- g. Dual or circular driveways shall have a minimum of twenty (20) feet of swale between the ends of the culverts.
- h. Paved driveways shall be "feathered" where the driveway meets the road surface to create a smooth transition.
- i. Established stone driveways shall have eight (8) inches of #3, #5, #8, #57 (PA DEP identifying numbers) stone, or crushed stone equivalent, to prevent mud from being deposited onto the road and to provide stability for the culvert.
- j. Culverts shall be clear of debris. The dumping of grass cuttings, leaves, or other debris in road right-of-way swales is prohibited.
- k. Ornamental entries on road right-of-ways are acceptable and will be approved on an individual basis. The vertical rise shall be at least four (4) feet from the road edge and the height from the driveway base shall not exceed three (3) feet. LMPOA is not liable for any damage caused by road work, utility work, or snow removal.

- l. LMPOA has the authority to monitor and address the effects of natural erosion and silting in order to maintain an efficient community-wide drainage system.

**12. Wells (Covenants, Article VII, Section D., 3.)**

- a. No individual water wells shall be permitted on any residential lot. Each resident shall use the water supplied by the public utility, Lake Meade Municipal Authority (LMMA), who owns and operates the water works facilities within Lake Meade.
- b. A ground source heat pump (geothermal heat pump) is permitted, subject to the rules and regulations of LMMA.

**13. Water and Sewer (Covenants, Article VII, Section D., 3.)**

Each residence shall have at least one toilet and all household waste shall be discharged into the LMMA system, subject to the rules and regulations of LMMA. A chemical toilet shall be required during construction.

**14. Alternative Energy**

- a. Geothermal Systems
  - 1. A permit from LMMA is required prior to submitting a request for a LMPOA Letter of Compliance. Only closed loop systems are permitted.
  - 2. Installation is not permitted in any easements or within 10 feet of adjoining property lines.
- b. Solar Systems
  - 1. An architectural drawing of the proposed structure shall be submitted with the Letter of Compliance application.
  - 2. Solar panels shall only be installed on roofs of existing structures (residences and accessory structures.). No on-ground installations are permitted.
- c. Wind Power
  - 1. Wind power is considered a structure and shall comply with the structural provisions in these Regulations. They may not be placed on or within easements nor within 10 feet of abutting property lines; and they may not be higher than the highest point of the house on the lot where it is installed.
  - 2. Property owner shall ensure that noise levels do not cause a disturbance for neighboring residences.
- d. Outdoor furnaces are not permitted.

**15. Modular Homes**

A modular home is a factory built structure of two (2) or more main sections or modules. The structure shall comply in all respects with the PA Uniform Construction Code (UCC) and shall be independent of the transporting trailers. Construction / installation of modular homes requires an Adams County Building Permit, a LMPOA Letter of Compliance, and township approvals. In addition, the structure(s) shall be inspected at the entrance prior to being moved to the home site by the LMPOA Building Committee. The following requirements apply:

- a. A transportation plan showing the arrival time at the gate for inspection and the route from the entrance gate to the home site. This plan will provide the weight and width of the load using the roads. NOTE: See road weight restrictions contained in the LMPOA Rules and Regulations.
- b. A liability agreement, signed by the property owner, to cover any damage to LMPOA property (a sample agreement is available at the LMPOA office). The President of LMPOA shall be a party to the agreement.

- c. A plan for the provision of a traffic warning escort vehicle to accompany the modular home section(s) on Lake Meade roads.
- d. A storage plan, if the modular home is not moved directly to the building lot.
- e. These requirements may be satisfied incrementally, but all requirements shall be satisfied no later than five (5) days before the arrival date to Lake Meade.
- f. If any of the above requirements are not satisfied, construction / installation shall cease.

**16. Mobile Homes and Trailers (Covenants, Article VII, Section 7)**

- a. Single- or double-wide mobile homes or trailers, campers, recreational vehicles, or any other form of habitable vehicle, or any other form of temporary habitat, shall not be used as a residence.
- b. None of the above described habitable vehicles or temporary habitats shall be parked on any lot not having a permanent residence.

**17. Garages and Accessory Structures**

- a. Not more than two other detached structures may be erected on a Lot, and not before construction of a residence on a Lot, with one exception; prior to construction of a residence, one boat house or one dock or one boat house/dock combination is permitted on lake front lots. (Covenants, Article VII, Section D., 1.). On lake front lots, a boathouse is considered as a detached structure.
- b. The sum of all attached garages and accessory structures, (garages, sheds, boathouses, and other structures) on a lot cannot exceed seventy-five percent (75%) of the roof line perimeter area of the existing residence.
- c. One-story attached garages shall be considered accessory structures. Two-story attached garages with the second floor meeting the definition of living space shall be considered part of the main residence.
- d. The height of accessory structures shall be based upon the existing residence and shall not exceed the distance between the peak of the roof of the existing residence and the highest elevation where the ground touches the foundation.
- e. The Building Committee shall approve the architectural design and / or the appearance of the structure on a case-by-case basis.
- f. All garages and accessory structures shall be constructed using residential building materials, such as vinyl, aluminum, wood, brick, or stone, with roofs to be fiberglass shingle, wood shingle, or standing-seam. Roll roofing shall not be installed.
- g. All accessory structures shall have the area between grade and the structure bottom concealed from view with a finished appearance.
- h. Accessory structures exceeding 200 square feet shall have a minimum of one window and roof overhangs of twelve (12) inches on two sides.
- i. Accessory structures less than 200 square feet shall not exceed a side wall height of eight (8) feet nor a roof peak height of twelve (12) feet with overhangs not to exceed one (1) foot.
- j. Also see 'Docks and Boathouses' in these Regulations.

**18. Shorelines and Lake Waters (Covenants, Article VII, Section 13)**

- a. Property owners shall have a PA DEP General Permit 2 or 3 prior to submitting an application to LMPOA for a Letter of Compliance, confirming the approval of both the Building and Lake Management Committees, for constructing a boat dock or boathouse, and / or for introducing any materials (sand, rock, rip-rap, and others) used for shoreline erosion control.

- b. Property owners are required to properly rip-rap and maintain their shorelines at all times to prevent erosion into the lake. Adequacy of seawall construction shall be determined by the Lake Management Committee.
- c. Plans for any residence, dock, or other structure, shall provide for adequate shoreline erosion control, such as seawalls, rock, or other approved devices.
- d. Dredging is subject to PA DEP approval.

19. **Docks and Boathouses** (Covenants, Article VII, Section D., 5. and 13.)

- a. Boat docks, floating docks, boathouses, or other structures, shall not be constructed adjacent to or on the lake without a PA DEP General Permit 2 or 3 and a LMPOA Letter of Compliance.
- b. The Building Committee shall review all boathouse and dock plans. Site inspection shall be at the discretion of the Committee.
- c. The sum of all attached garages and accessory structures, (garages, sheds, boathouses, and other structures) on a lot cannot exceed seventy-five percent (75%) of the roof-line perimeter area of the existing residence.
- d. The property owner is responsible for marking the property lines and the high water mark of the lake.
- e. No such structure shall extend nearer than ten (10) feet to the property line of any abutting property owner or lake access area.
- f. No such structure shall encroach in the ten (10) foot easement line extended into the lake from abutting properties.
- g. No such structure, including any contiguous structures, overhangs, or gutters, shall extend into the lake more than twenty-four (24) feet from the normal high water line, except public docks.
- h. In narrow fingers of the lake (less than one hundred ten (110) feet wide from shore to shore), boathouses and docks shall be limited in size or shape to prevent interference with normal lake use.
- i. All structures shall be in good repair, properly secured, safe, and usable.
- j. Floating docks, in addition to meeting the above restrictions, shall have encapsulated floatation devices designed and manufactured specifically for floating docks and made of eco-friendly materials.
- k. Boathouse roofs, including the roof area of any contiguous structures, overhangs, and spouting, shall not exceed six hundred seventy-two (672) square feet.
- l. Boathouses shall not be enclosed, with the exception of storage area not exceed 512 cubic feet. Location and size shall be approved by the Building Committee.
- m. Boathouses shall be one (1) story, with a hip style roof design of 5/12 to 7/12 pitch.
- n. Shoreline contours may limit the approved size of any boathouse.
- o. The water level of the lake is customarily lowered each year on or before November 15th. Property owners are hereby warned to design and / or construct their docks and boathouses to withstand possible damage related to the build-up, shifting, and expanding pressures of ice.
- p. Members shall contact the LMPOA office for annual procedures regarding ability to construct or repair docks, boathouses, and seawalls (for shoreline erosion control).

20. **Residential Fences and Walls**

Fences are discouraged at Lake Meade. All fences, walls, and screening must be approved by the Building Committee and requires a Letter of Approval. Each request will be considered on an individual basis. If a fence, wall, or screen is installed, the following regulations apply:

### **Fences**

- a. Approved residential fencing materials include, but are not limited to, vinyl, wrought iron, and wood.
- b. Prohibited fencing materials include, but are not limited to, chain-link, chain, wire mesh, rope, bamboo, , masonry, or concrete, and any fences designed for farm use (such as chicken wire, razor wire, electric, wire-bound picket, and snow fence).
- c. Fences shall not exceed four (4) feet in height above grade and shall be an open style design.
- d. Fences shall be erected in a professional manner, straight and plumb.
- e. Fences shall be erected within property lines leaving enough space on the outside of the fence to complete normal maintenance. The minimum required outside space is four (4) inches inside the property line per twelve (12) inches of vertical fence. Example, for a four (4) foot high fence the space outside the fence is sixteen (16) inches.
- f. Fences shall not be erected on any portion of the lot nearer to the street than the front building line. An exception is when the property is a corner lot, then the front of the house is determined by the front elevation identified on the plan submitted by the property owner and approved by the Building Committee. Therefore, a fence shall stop at the front building line and shall not encroach in the set back from any adjacent street, which is 30 feet from the property line in the back and sides of the lot.
- g. Fences shall have the smooth side face outward on all sides of the lot, with the construction side not visible to adjacent streets or pathways.
- h. Underground (electric) fences for animal control require approval of the Building Committee and a Letter of Approval. This type of fence shall be placed no closer than 5 feet to the property lines of the lot and no closer than ten (10) feet to any road front property line. Property owners who install underground fences fronting a road shall have them properly marked at each end of their lot in full view of any passing person (Rules, VIII, Section 3., j.)

### **Walls (including retaining walls)**

- a. Walls shall not exceed four (4) feet in height above grade.
- b. Retaining walls shall be as high as the grade, plus a finishing cap.
- c. Walls built of block shall be parged or faced with stone or brick.
- d. Railroad ties are not an approved material for wall construction.
- e. Walls shall be installed in a professional manner, straight and plumb.

### **Screens**

- a. Examples of screening for limited confined space are panels to conceal trash cans, gas and oil tanks, air conditioners, and hot tubs.
- b. Screens shall not exceed six (6) feet in height above grade or sixteen (16) feet in length.
- c. Screens shall be installed in a professional manner, straight and plumb.

### **21. Patios**

Flat on grade patios shall meet the same requirements as driveways and walkways. All other designs, including patio walls, shall require a Letter of Approval.

### **22. Outdoor Lighting**

Outdoor lighting fixtures shall not be installed or used in areas that may cause a traffic hazard or a nuisance to the neighborhood.

### **23. Swimming Pools**

- a. All swimming pools shall be the in-ground type and comply with PA state regulations. An exception is above-ground 'kiddie' pools not more than one (1) foot deep.

- b. Walls of the swimming pool, mechanical components, and piping shall follow the easement setback requirements listed under 'Elevations and Easements'.
- c. A plot plan of mechanicals and the underground system shall be required for approval for construction, and a plot of the completed system shall be required for LMPOA permanent records.
- d. Fence shall comply with these Regulations and include a self-latching and self-closing gate.

## **ARTICLE V - EXHIBITS**

Exhibits which form an integral part of these regulations:

Exhibit #1: Definitions

Exhibit #2: Permanent property line corner marker

Exhibit #3: Letter of Compliance Application

Exhibit #4: Data needed for proposed construction

Exhibit #5: Building Regulation Requirements / Inspections Check-List

Exhibit #6: Letter of Approval Application and Inspection Form

Exhibit #7: Letter of Compliance



## ARTICLE VI – REFERENCES

1. Restrictions and Covenants, Lake Meade Subdivision, Adams County, Pennsylvania.
2. By-Laws of Lake Meade Property Owners Association.
3. Rules and Regulations of Lake Meade Property Owners Association.
4. National Electrical Code.
5. UCC (Uniform Construction Code), its successor codes, and companion electrical, plumbing, mechanical and residential codes.
6. Reading Township Zoning Ordinances.
7. Latimore Township Zoning Ordinance and Building Code.
8. DEP’s publication “Erosion and Sediment Pollution Control Program Manual”
9. DEP’s General Permitting Procedures

## VII – ENACTMENT AND AMENDMENTS

These Regulations were initially adopted by the LMPOA Board of Directors and became effective on November 13, 1978, as the official Building Code of the LMPOA. These Regulations may be amended from time to time by the Board of Directors. This revision was enacted by the Board of Directors on February 16, 2015. Prior revisions and amendments and future amendments are itemized as follows:

**REVISED** January 1987

**AMENDED** July 11, 1988 - Roof line perimeter - detached garage

**AMENDED** January 1, 1989 - Distribution of permits

**AMENDED** October 15, 1990 - Right-of-way - Driveways - Culverts

**AMENDED** May 18, 1992 - Portable dog runs

**REVISED** April 18, 1994

**AMENDED** April 15, 1996 - Article V (Requirements to Obtain a Building Permit)

**AMENDED** July 15, 1996 - Article III (Approval Required)

**AMENDED** December 16, 1996 - Article XIII (Docks & Boathouses)

**AMENDED** October 20, 1997 - Article V (Plans & Requirements). Effective January 1, 1998

**AMENDED** January 19, 1998 - Article V (Plans & Requirements) b. 1., 2., 3.

**AMENDED** January 19, 1998 - Article XIII (Elevations and Easements)

**AMENDED** March 16, 1998 - Article XIV (Additional Regulations) 5.

**REVISED** September 18, 2000

**AMENDED** September 17, 2001 – Article XIII (Clarifications of the Restriction and Covenants of Deeds), sub-paragraph 6. Docks and Boathouses

**AMENDED** September 17, 2001 – Article V (Plans and Requirements for Permit), sub-paragraph b.

**AMENDED** September 17, 2001 – Article XIV (Additional Regulations), sub-paragraph 1.

**AMENDED** January 7, 2002 – Article XIII (Clarifications of the Restrictions and Covenants of Deeds).sub-paragraph 6. Docks and Boathouses

**AMENDED** September 16, 2002 – Article XIV (Additional Regulations) 3. Foundation

**AMENDED** September 16, 2002 – Article XIV (Additional Regulations) 6. Auxiliary Building

**AMENDED** September 16, 2002 – Article XIV (Additional Regulations) 7. Fences

**AMENDED** September 16, 2002 – Article XIII (Clarifications of the Restrictions and Covenants of Deeds)

**REVISED**

Elevations and Easements

**AMENDED** October 21, 2002 – Article XIII, 6. Docks and Boathouses

**REVISED** October 18, 2004

**AMENDED** May 16, 2005 - Article II, 6. Docks and Boathouses (Paragraph 2)

**AMENDED** September 19, 2005 - Article II, B., 3. Foundation

**AMENDED** August 21, 2006 – Article II, B., 7. Fences

**AMENDED** March 14, 2007 – Article II, Section B., 6. Roof Line Attachments

**AMENDED** September 17, 2007 – Article II, Section B., 8.d. Fences

**AMENDED** September 17, 2007 – Article II, Section B., 13. Swimming Pools

**AMENDED** September 21, 2009 – Article III, Section D., 2. Plans; 3. Requirements (Effective April 1, 2010)

**AMENDED** September 21, 2009 – Article II, Section B., 8.g. Fences (Effective January 1, 2010)

**AMENDED** November 15, 2010 – Article II, Regulations, B.16. Alternative Energy

**AMENDED** March 16, 2011 – Article II, Regulations, B.18. Modular Homes

**AMENDED** June 18, 2012 – Article II, Regulations, 5. Building Height; Article II, Regulations, 6. Docks and Boathouses (DEP Permit Requirements); Article II, B. Additional Regulations, 9. Shorelines (DEP Permit Requirements) and removed “after the September Board meeting”; Article II, B. Additional Regulations, 10. Lake Waters (DEP Permit Requirements); Article III, Letter of Compliance Required (DEP Permit Requirements); Article III, D. Plans and Requirements, 1. (DEP Permit Requirements); Article VI, References, 9. DEP’s General Permitting Procedure

**AMENDED** May 20, 2013 – Preamble and Exhibit #6 (Approval Only)

**AMENDED** November 17, 2014 – Article II, Regulations, B. Additional Regulations, 8. Fences and Walls

**REVISED** February 16, 2015

**AMENDED** April 20, 2015 – Article II, 16. Alternative Energy, d. Outdoor furnaces are not permitted.

**AMENDED** June 15, 2015 - Article II – Regulations, 24, f. Fences and Walls

**AMENDED** December 21, 2015 – Article II – Regulations, 2. General Dwellings and Structures, b. and d.

**AMENDED** December 21, 2015 – Article II – (Additional Regulations), 3. Demolition

**AMENDED** December 21, 2015 – Article II – Regulations, 4. Elevations and Easements, b.

**AMENDED** December 21, 2015 – Article II – Regulations, 24, Docks and Boathouses, j.

**REVISED** March 15, 2017

## EXHIBIT 1 – DEFINITIONS

**ADDITION:** An extension or increase in living area or height of a building or structure.

**ACCESSORY STRUCTURE:** A building subordinate to the main building on the same lot and used for purposes customarily incidental to the main building. Accessory structures may be detached or attached to the residence. Attached accessory structures share a wall with the residence. Garages connected to the residence by a breezeway are considered to be attached-detached.

**CARPORT:** A structure which can be free standing or attached to another structure with open sides and a solid roof covered with roofing materials approved in the Building Regulations. Supporting posts must be anchored to footers.

**COMMITTEE:** The Building Committee shall be appointed by the Board of Directors and chaired by a member of the Board of Directors. In its absence, the LMPOA Manager or Assistant Manager has the authority to exercise and enforce all of the powers and duties herein granted or imposed.

**CUPOLA:** A small dome shaped structure on a roof, which is typically four-sided and of a decorative nature. Cupolas may contain weather vanes and be vented.

**DWELLING/RESIDENCE:** A building or structure designed for living quarters for one (1) family.

**EASEMENT:** A limited right of use of private land granted for public or quasi-public purpose, such as installing, operating, and maintaining utility lines, water and sewer mains, and other services and appurtenances thereon. LMPOA owns easement rights to thirty (30) feet from any road right-of way and / or rear lot line, ten (10) feet from the property line of any abutting property owner, and sixty (60) feet from the normal high water line of Lake Meade, with the exception of boat docks and boathouses (see 'Restrictions and Covenants' for further clarification).

**FENCE:** A structure which encloses real property, wholly or partially, to impede entry and exit.

**GARAGES:** Attached garages are an accessory structure which share a common wall with the residence. Attached garages with living space over the garage are considered to be part of the residence. (See definition for Living Space.) Detached garages are separate buildings surrounded by open space. Attached-detached garages are a separate building connected by a roof (breezeway) to the residence, but do not share a wall.

**GAZEBO:** A six- or eight-sided structure with a solid roof anchored to decking or a concrete slab. The sides may be either solid or screened.

**INSPECTOR:** The inspector is selected by the Association Manager and may be a member of LMPOA possessing the expertise to qualify for the position, as provided in the job description.

**LIVING SPACE:** Living space is defined as space in a residence intended for human occupancy which is (a) heated by a permanently installed conventional heating system, (b) finished with walls, floors, and ceilings of materials accepted for interior construction and with a ceiling height of at least seven (7) feet, except under beams, ducts, and other areas, where the height must be at least six (6) feet four (4) inches, and (c) directly accessible from other living areas as through a door or by a heated hallway or stairway.

**LOT:** A parcel of land as designated in the survey plats for the Lake Meade Subdivision on file in the Adams County Courthouse in Gettysburg, PA. This parcel of land may be two (2) adjacent lots joined together by a residence or structure, or two (2) adjacent lots or split lots joined together by deed, which may not be subsequently subdivided.

**MOBILE HOME:** Mobile homes are not permitted at Lake Meade. A mobile home is a transportable, single-family residence intended for single-family occupancy contained in one (1) unit, or in two (2) units, and designed to be joined into one (1) integral unit capable of again being separated for repeated towing. A mobile home arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and is constructed so that it may be used without a permanent foundation. The transporting trailer(s) is(are) an integral part of the structure.

**MODULAR HOME:** A factory built structure of two (2) or more main sections or modules. The structure is independent of the transporting trailers.

**NON-CONFORMING STRUCTURE:** An existing structure which met the requirements of regulations in effect at the time of construction but, as a result of a change in regulations, does not comply with the current regulations (commonly referred to as being 'grandfathered in'). When a non-conforming structure is changed, the changes shall conform to the current regulations. The difference between non-conformance and variance is that a variance is an exception to the current regulations.

**PAVILION:** A free-standing structure with open sides, which has a solid roof and supporting posts anchored to material with a footing. Roofing materials must comply with the Building Regulations.

**PERGOLA:** A structure with four or more supports that does not have a solid roof and must have an anchoring system. Pergolas are frequently pre-fabricated and may be attached to a house or other structure.

**RIGHT-OF-WAY:** Land over which a public road is laid and includes the unpaved (grass / dirt) area on either side of the road up to the lot corner markers, as designated in the survey plats for the Lake Meade Subdivision on file in the Adams County Courthouse in Gettysburg, PA. This constitutes thirty-five (35) feet from centerline on Lake Meade Drive and thirty (30) feet on all other roads. Structures are not allowed in this area - only culvert pipes, driveway entries, parking areas, walkways, and fences may be allowed in this area with the written permission of LMPOA and at the owner's risk.

**SCREENING:** A framed construction, which may be moveable, designed to divide, conceal, or protect.

**STRUCTURE:** Any combination of typical residential use materials that forms a construction that is safe and stable, and has an ascertainable stationary location on or in land or water. A structure does not include culvert pipes, driveway entries, parking areas, road swales, walkways, fences, or mailboxes.

**WALL:** An upright structure of masonry, wood, plaster, or other building material, serving to enclose, divide, or protect an area, especially a vertical construction forming an inner partition or exterior side of a building.